

V. UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS

As defined in the State CEQA Guidelines, a significant impact on the environment is "...a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity..." Suggested significant environmental impacts of the project are listed below. Final determination of the significant impacts is by the decision making body of the Lead Agency having final approval authority over the project. All of the other identified potentially significant impacts of the project are mitigated by measures to be considered in the approval of the project or are not expected to have a substantial adverse impact on the environment, based on final determination by the decision making body.

Transportation / Traffic

Freeway Segments

The addition of project traffic would constitute one percent or more of freeway peak hour capacity on two freeway segments:

SR 87 – I-280 to Julian Street, northbound – a.m.

SR 87 – Julian Street to I-280, southbound – p.m.

Cumulative Transportation / Traffic

Cumulative Intersections

Cumulative traffic would result in a significant impact at the following intersection, which is a City of San Jose Protected Intersection:

Meridian Avenue and W. San Carlos Street

Cumulative Freeway Segments

The project traffic would result in cumulative significant and unavoidable impacts at the following four directional peak hour freeway segments:

SR 87, northbound mixed flow and HOV between I-280 and Julian Street – a.m.

SR 87, southbound mixed flow between Julian Street and I-280 – p.m.

I-280, eastbound HOV between I-880 and Meridian Avenue – p.m.

I-280, westbound HOV between Meridian Avenue and I-880 – a.m.

When an Environmental Impact Report identifies significant impacts, Section 15091 of the State CEQA Guidelines requires that one or more of the following written findings be made when a public agency approves the project: 1) changes or alterations have been required to avoid or substantially lessen the impact, 2) changes or alterations are within the responsibility of another agency, or 3) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible. CEQA requires decision makers to balance the benefits of a project against its unavoidable environmental risks in determining whether to approve the project. When the decision of the public agency allows the occurrence of significant impacts that are not at least substantially mitigated, a "Statement of Overriding Considerations" shall be prepared in accordance with Section 15093.

