Initial Study/Mitigated Negative Declaration

# Madrone Parkway Carpenters Training Center

File Numbers: UP2018-011 and SR2019-007


Prepared by the

CITY OF MORGAN HILL

In Consultation with

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

July 2019

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# SECTION 1.0 INTRODUCTION AND PURPOSE

## 1.1 PURPOSE OF THE INITIAL STUDY

The City of Morgan Hill, as the Lead Agency, has prepared this Initial Study for the Madrone Parkway Carpenters Training Center project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Morgan Hill, California.

The project proposes to construct a one-story 55,000 square foot carpenters training center with an outdoor equipment and yard area at 18640 Madrone Parkway in Morgan Hill. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

## 1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 30-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 30-day public review period should be sent to:

Jim Rowe, Senior Project Manager
City of Morgan Hill
Development Services Department
17575 Peak Avenue
Morgan Hill, CA 95037
Email: jim.rowe@morganhill.ca.gov

## 1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, the City of Morgan Hill will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

## 1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Morgan Hill will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

# SECTION 2.0 PROJECT INFORMATION

## 2.1 PROJECT TITLE

Madrone Parkway Carpenters Training Center, File Numbers UP2018-0011 and SR2019-0007

## 2.2 LEAD AGENCY CONTACT

Jim Rowe, Senior Project Manager
City of Morgan Hill
Development Services Department
17575 Peak Avenue
Morgan Hill, CA 95037
Phone: (408) 778-6480
Email: jim.rowe@morganhill.ca.gov

## 2.3 PROJECT APPLICANT

Mark Taylor
McMorgan & Company, LLC
One Front Street, Suite 500
San Francisco, CA 94111
Phone: (415) 720-7105
Email: mtaylor@mcmorgan.com

## 2.4 PROJECT LOCATION

The project is located at 18640 Madrone Parkway and is bordered by single-family residences and a ranch to the north, an industrial building and U.S. 101 to the east, Madrone Parkway to the south, and a surface parking lot to the west. The location of the site is shown on the regional map, vicinity map, and aerial photograph and surrounding land uses (refer to Figures 2.4-1, 2.4-2, and 2.4-3, respectively).

## 2.5 ASSESSOR'S PARCEL NUMBER

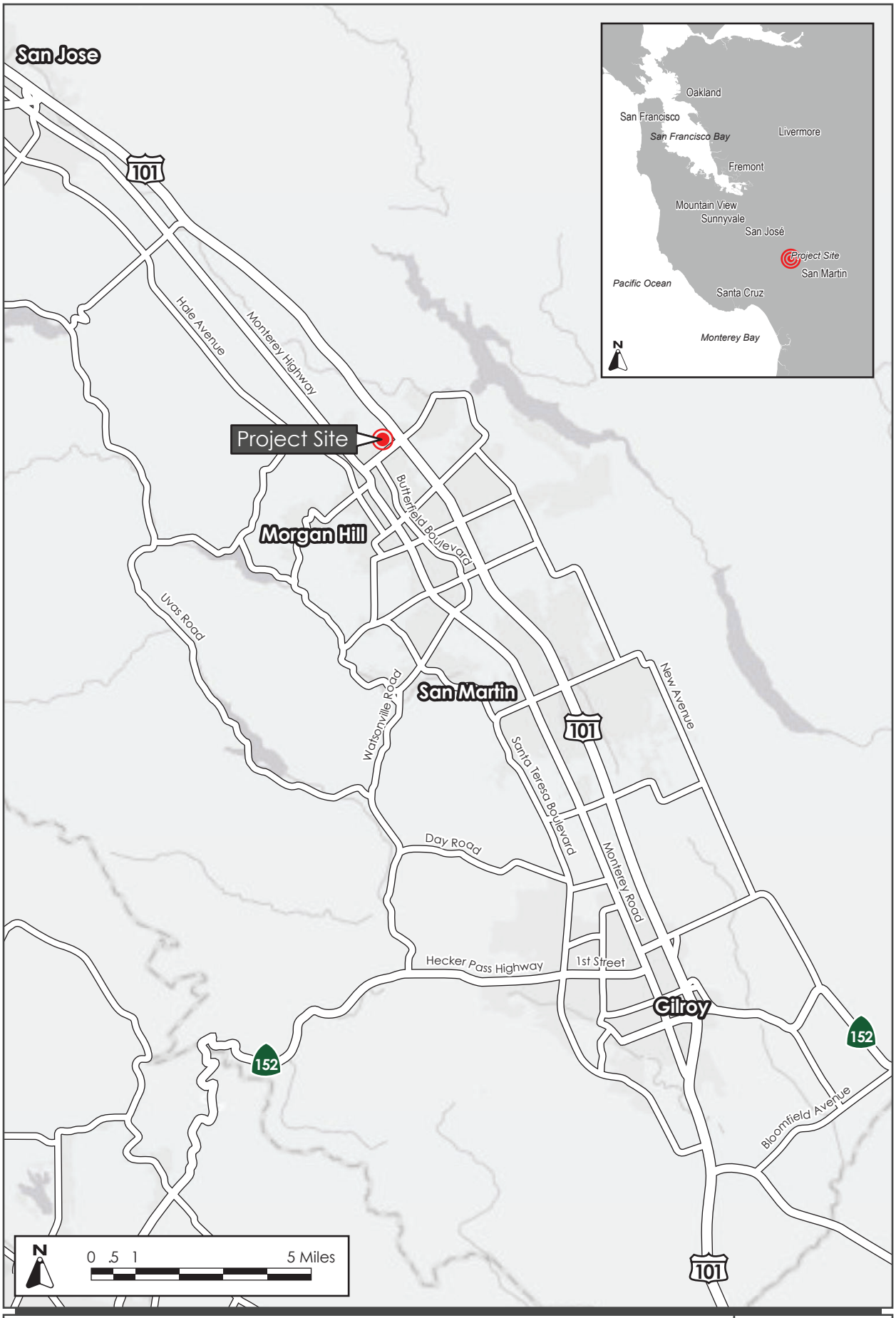
Assessor's Parcel Number (APN): 726-35-028

## 2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

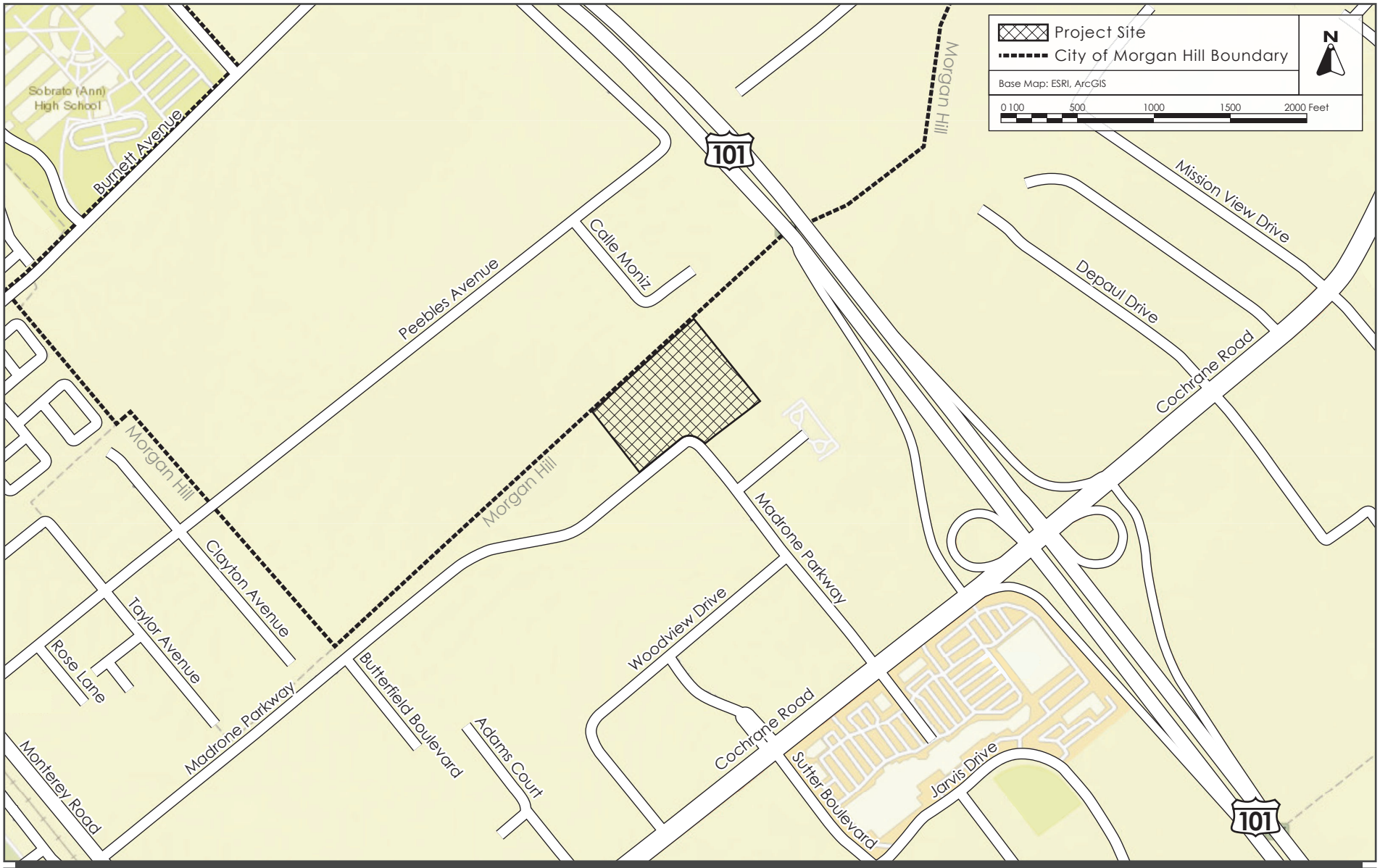
General Plan: *Commercial/Industrial*
Zoning District: *Commercial Industrial Planned Unit Development (PUD)*

## 2.7 HABITAT PLAN DESIGNATION

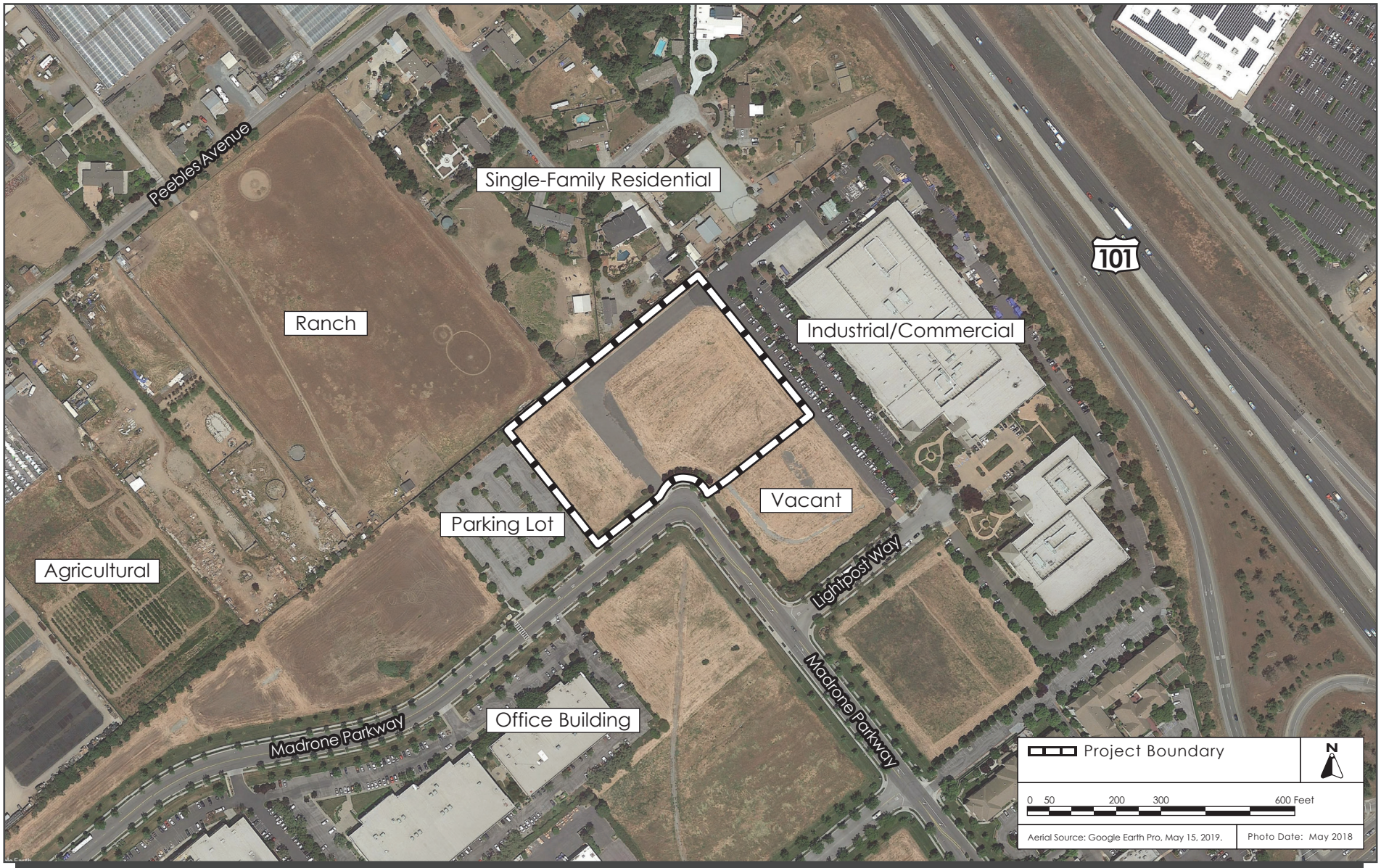
| | |
|---|---|
| Land Cover: | Golf Courses/Urban Parks (4.1 acres) |
| | Urban-Suburban – 0.7 acres |
| | Grain, row-crop, hay and pasture, disked/short-term fallowed |
| Land Cover Fee Zones: | Fee Zone B (Agricultural and Valley Floor Lands) - 4.1 acres |
| | Urban Areas (no land cover fee) – 0.8 acres |




REGIONAL MAP | FIGURE 2.4-1




VICINITY MAP | FIGURE 2.4-2




AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.4-3

## 2.8 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

- Conditional Use Permit
- Site and Architectural Review
- Tree Removal Permit
- Grading Permit
- Building Permit

# SECTION 3.0 PROJECT DESCRIPTION

## 3.1 PROJECT OVERVIEW

This Initial Study provides a project-level CEQA analysis for a Conditional Use Permit to allow the construction of a new 55,000 square foot carpenters training center, including an outdoor material and equipment yard, and the removal of one City-protected tree and four non-protected trees on a 4.9-acre project site (APN 726-35-028) located at 18640 Madrone Parkway in Morgan Hill.

## 3.2 EXISTING SETTING

The project site is bordered by single-family residences and a ranch to the north, industrial uses to the east, Madrone Parkway, a vacant area, and office buildings to the south, and a parking lot to the west. The site is vacant with a paved drive aisle which runs the site and connects to the parking lot immediately to the east of the site. Trees, shrubs and lawn areas are located along the northern, western and southern border of the site. The site is designated *Commercial/Industrial* in the City's General Plan and is within the *Commercial Industrial Planned Unit Development* (*PUD)* zoning district.

## 3.3 PROPOSED DEVELOPMENT

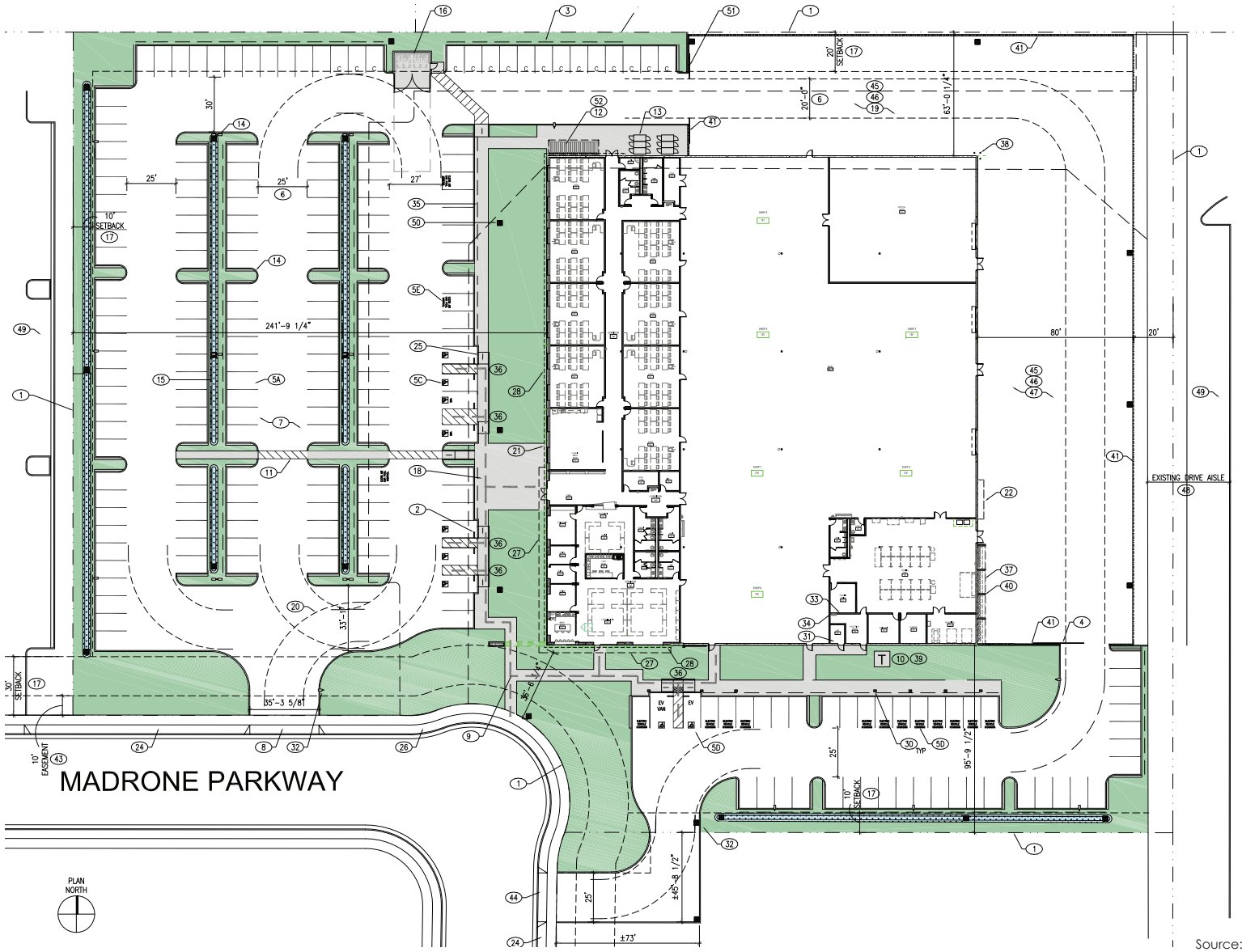
The project proposes to relocate an existing 35,000 square foot carpenters training program located at 485 Woodview Avenue to a new one-story, 55,000 square foot, carpenters training center proposed to be constructed at 18640 Madrone Parkway. The proposed training center would include workshop areas, classrooms, break rooms, offices and a lobby/receptionist area. The maximum height of the proposed building would be 32 feet above ground surface, at the top of the roof. The site plan and building elevations are shown on Figures 3.3-1 and 3.3-2.

The building would also include a yard area for outdoor training and material storage. An eight-foot concrete wall would be constructed around the yard area. The existing six-foot concrete wall, located between the residences to the to the north and the project site, would remain throughout the duration of the project.

The project would include a surface parking lot area with 213 parking spaces and 25 bicycle parking spaces at the northwest corner of the proposed building. Concrete paths would be constructed on-site to provide pedestrian access to the proposed building from the sidewalk on Madrone Parkway and the on-site parking areas. The parking and yard area would be accessed via two new driveways off Madrone Parkway. One of the driveways would have a 25-foot wide easement that transects the northwest corner of the southern adjacent property; the driveway would provide access to the on-site eastern parking lot and yard area. The second driveway would be approximately 32 feet wide and would provide access to the western parking lot area.

### 3.3.1 Landscaping and Trees

The project would remove five trees and plant new trees including, coast live oak, purple leaf plum, and tulip trees. Trees and shrubs would be planted throughout the parking lot, around the building perimeter, and along the site's frontage on Madrone Parkway.

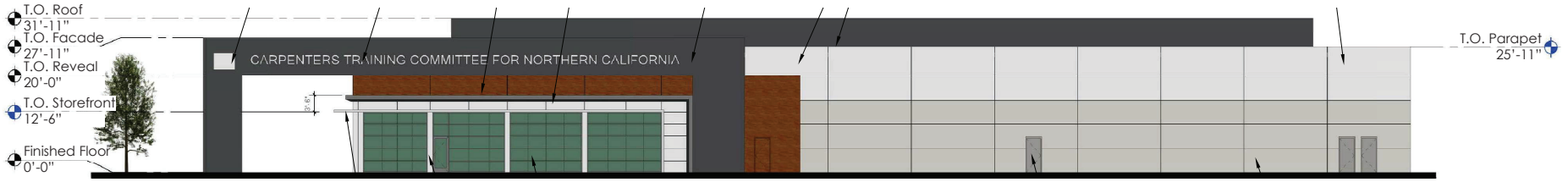



Source: RMW, 6/21/2019.

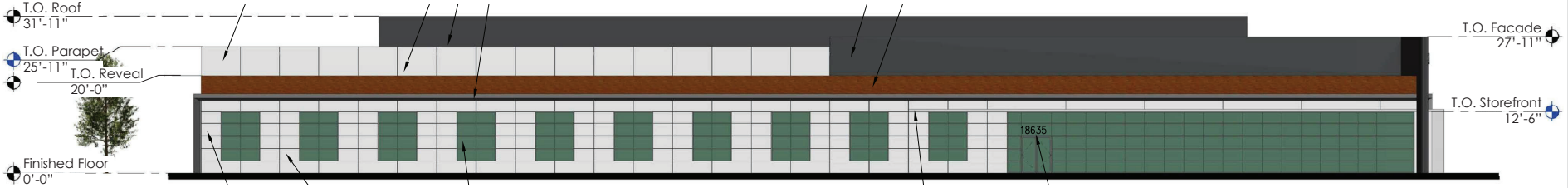
SITE PLAN

FIGURE 3.3-1

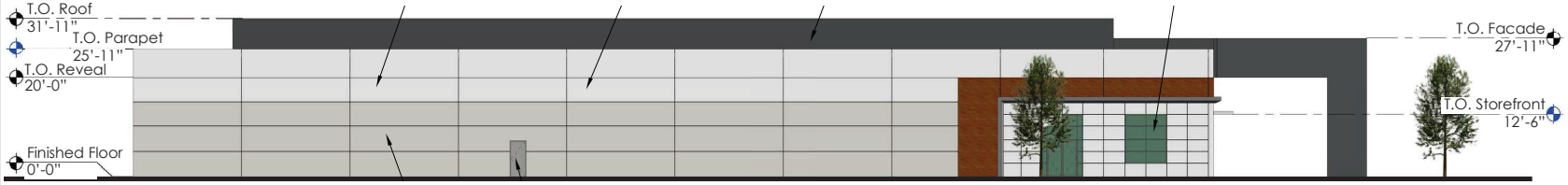
## West Elevation




## North Elevation




## East Elevation




## South Elevation


BUILDING ELEVATIONS | FIGURE 3.3-2

### 3.3.2 Utilities

Stormwater runoff from the site would be directed to new drop inlets on-site. The stormwater would be transported via 12-inch on-site pipes into the bioswale areas on-site. Stormwater would also be directed to an existing 36-inch storm drain on Madrone Parkway, then directed to an off-site detention basin, 250 feet west of the site. Stormwater from the site would ultimately be directed to the City's stormwater drainage system. The project would be served by the existing 10-inch sanitary sewer lines and 12-inch water lines on Madrone Parkway.

### 3.3.3 Construction Activities and Duration

The project would include the removal of five on-site trees (including one City-protected tree) and construction of a 55,000 square foot building. Equipment that would be used during construction includes tractors, excavators, graders, cranes, forklifts, industrial saws, and paving equipment. The construction duration would be approximately nine months.

### 3.3.4 Project Operations

The proposed project would accommodate up to 150 students and 15 employees. The training center would primarily operate as a post-secondary adult apprenticeship program to train individuals, ages 18 to 65, in carpentry. The hours of operation would be from 6:00 AM to 5:00 PM, Monday through Friday. Training would occasionally occur in the evenings, from 5:00 PM to 9:30 PM, Monday through Friday, and on Saturday, from 7:00 AM to 5:00 PM. Evening and weekend operations are anticipated to occur two evenings a week (twice a month) and one Saturday a month. Table 3.3-1 below provides a comparison between the operations at the existing 485 Woodview Avenue training center and proposed operations at the proposed 18640 Madrone Parkway training center.

**Table 3.3-1: Carpenters Training Center Hours and Operations**

| Existing Facility at 485 Woodview Avenue | Proposed Facility at 18640 Madrone Parkway |
|---|---|
| **Hours of Operation**<br>8:00 AM to 5:00 PM (Monday through Friday)<br>7:00 AM to 5:00 PM (Occasional Saturday Sessions) | **Hours of Operation**<br>6:00 AM to 5:00 PM (Monday through Friday)<br>5:00 PM to 9:30 PM (Occasional Evening Sessions, Monday through Friday)<br>7:00 AM to 5:00 PM (Occasional Saturday Sessions) |
| **Outdoor Material and Equipment Yard**<br>The entire operation is conducted within the building. | **Outdoor Material and Equipment Areas**<br>The proposed facility will include outdoor training.<br>An eight-foot concrete wall will extend adjacent to the two outdoor areas. |
| **Number of Staff and Students**<br>15 to 20 employees<br>Maximum of 100 students | **Number of Staff and Students**<br>12 to 15 employees; administrative staff and teachers<br>Maximum of 150 students |

# SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

| | | | |
|---|---|---|---|
| 4.1 | Aesthetics | 4.12 | Mineral Resources |
| 4.2 | Agriculture and Forestry Resources | 4.13 | Noise |
| 4.3 | Air Quality | 4.14 | Population and Housing |
| 4.4 | Biological Resources | 4.15 | Public Services |
| 4.5 | Cultural Resources | 4.16 | Recreation |
| 4.6 | Energy | 4.17 | Transportation |
| 4.7 | Geology and Soils | 4.18 | Tribal Cultural Resources |
| 4.8 | Greenhouse Gas Emissions | 4.19 | Utilities and Service Systems |
| 4.9 | Hazards and Hazardous Materials | 4.20 | Wildfire |
| 4.10 | Hydrology and Water Quality | 4.21 | Mandatory Findings of Significance |
| 4.11 | Land Use and Planning | | |

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project's impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.

## 4.1 AESTHETICS

### 4.1.1 Environmental Setting

#### 4.1.1.1 *Regulatory Framework*

**State**

Scenic Highways Program

The California Scenic Highway Program is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. State laws governing the Scenic Highway Program are found in the Streets and Highway Code, Sections 260 through 263. There are no state-designated scenic highways in Morgan Hill. In Santa Clara County, the one state-designated scenic highway is State Route (SR) 9 from the Santa Cruz County line to the Los Gatos City Limit.

#### 4.1.1.2 *Existing Conditions*

The 4.9-acre project site is located in Morgan Hill, approximately 400 feet north of the Madrone Parkway and Lightpost Way intersection. The project site is flat and is mostly covered with non-native grasses and invasive weeds. A paved, L-shaped, driveway transects the site and connects to the driveway on the adjacent property to the east. A six-foot concrete wall is located along the site's northern border. Landscaping, including trees and shrubs, are located along the perimeter of the site. Views of the project site are shown in Photos 1, 2, and 3.

#### 4.1.1.3 *Surrounding Visual Character*

The project site is surrounded by developed and undeveloped parcels. The project site is surrounded by single-family residences on Calle Muniz and a ranch on Peebles Avenue to the north, a parking lot to the west, Madrone Parkway, vacant land, and office buildings to the south, and an industrial building to the east. The single-family residences to the north are one-story and are made of combinations of wood, stucco, and stone along the front facades. The houses have gable-styled roofs and paved driveways that lead to an attached garage. The front yards of the houses are landscaped and generally well-maintained. The site and the residential properties are separated by a concrete wall.

To the west of the site is a paved surface parking lot with trees planted on landscaped islands throughout the parking lot. Immediately south of the site is vacant land primarily covered with grasses and a paved pedestrian walkway, with trees and landscaping along the western and southern borders of the property. Madrone Parkway is a two-lane and two-direction local roadway that curves at the southern end of the site. South of Madrone Parkway is vacant land consisting of non-native grasses and shrubs and trees around the perimeter of the property. Southwest of the site on Madrone Parkway are two one-story office buildings that consist of concrete, tinted and reflective windows, and flat roofs. The buildings are surrounded by a paved surface parking lot and well-maintained landscaping.

**Photo 1:** View of the project site looking north from Madrone Parkway.

**Photo 2:** View of the project site and adjacent industrial building, looking east.

PHOTOS 1 & 2

**Photo 3:** View of the project site, looking west.

**Photo 4:** View of the adjacent surface parking lot, looking west.

PHOTOS 3 & 4

Immediately to the east of the site is a one- to two-story industrial building and a one- to two-story commercial and gallery building which primarily consist of concrete with stone along the façade at the building entrances. The building roofs are flat with the exception of gable-style roofs at the building entrances. The buildings are surrounded by a paved surface parking lot with well-maintained landscaping throughout the parking lot and near the building entrance. Views of the site's surrounding areas are shown in Photos 4, 5, and 6.

#### 4.1.1.4 *Scenic Vistas and Resources*

Due to the flat topography, existing development, and landscaping in the project area, views of the project site are limited to the immediate vicinity. The site is not located within a designated scenic view corridor or visible from a designated scenic highway. The nearest state-designated scenic highway is State Route (SR) 9, approximately 18 miles northwest of the site (at the SR 17 interchange). [1]

There are no state- or City-officially designated scenic vistas or corridors. Hillsides including views of the Diablo Range to the east, Santa Cruz Mountain to the west, and El Toro Mountain (a landmark natural feature), however, are considered important views in the City. Views of hillsides to the northeast, east, and west are partially visible from the project area. Trees can be considered scenic resources since they contribute to aesthetic interest and character. The project contains 31 on-site trees.

[1] California Department of Transportation. "California Scenic Highway Mapping System: Santa Clara County." Accessed March 28, 2019. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/.

**Photo 5:** View of single-family residences to the north of the site on Calle Moniz, looking south.

**Photo 6:** View of Madrone Parkway and industrial building, looking south.

PHOTOS 5 & 6

### 4.1.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ |
| 2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☒ | ☐ |
| 3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views[2] of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | ☐ | ☐ | ☒ | ☐ |
| 4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ |

**Impact AES-1:** The project would not have a substantial adverse effect on a scenic vista. **(No Impact)**

There are no scenic corridors, highways or vistas in Morgan Hill that are designated by the state or the City. Views of hillsides, from the residences to the north of the project site, are partially visible to the east and west of the residences. Given the proposed project would be located to the south of the residences, the project would not block views of scenic vistas from the residences. U.S. 101 is located approximately 650 feet east of the project site. Given the distance of the site and existing development and landscaping that obstructs views, the project would not block any views of scenic vistas from U.S. 101. **(No Impact)**

[2] Public views are those that are experienced from publicly accessible vantage points.

| | |
|---|---|
| **Impact AES-2:** | The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(Less than Significant Impact)** |

Trees are considered visual resources since they contribute to aesthetic interest and character. The proposed project would remove five Monterey pine trees (one City-protected tree and four non-protected trees) from the project site. Trees would be replaced in accordance with the City's requirements to offset the aesthetic effects of tree removal (refer to Section 4.4, *Biological Resources* for a detailed discussion regarding tree removal and replacement). There are no rock outcroppings at the project site. The project would not be located within or adjacent to a state-designated scenic highway. Therefore, the project would not impact historic buildings within a scenic highway. The nearest state-designated scenic highway is 18 miles northwest of the site. For these reasons, the project would not result in substantial damage to scenic resources. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact AES-3:** | The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The project is not in an urbanized area. / The project would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)** |

The proposed project would construct a one-story, 55,000 square foot training center/building surrounded by a paved surface parking lot and equipment storage and yard area. The proposed building would be a rectangular-shaped building with a flat roof. The building would consist of concrete, tile, tinted windows with aluminum framing, and metal doors. Landscaping, including trees and shrubs, would be planted throughout the site.

While development under the proposed project would change the existing visual character of the site, the proposed training center would be similar in scale to the existing industrial and commercial developments in the project area and would not constitute a significant adverse change to the aesthetic environment. All development on the site would be subject to review and approval by the City of Morgan Hill Design Permit process to ensure the development meets local design and aesthetic standards. Architecture and landscape plans will be subject to review and approval by the Morgan Hill Architectural Review Board to ensure compatibility with the surrounding built environment. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact AES-4:** | The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. **(Less than Significant Impact)** |

The proposed project would incrementally increase light and glare in the project area, due to the new additional reflective surfaces and outdoor lighting proposed on the site. These new sources of light and glare from the project would be similar in character to light and glare from the nearby existing industrial and commercial development. Building design, glazing materials, and outdoor lighting would be subject to review by the City of Morgan Hill Design Permit process for conformance with City standards. For these reasons, development on the site under the proposed project would not result in a new source of substantial light or glare that would affect day or nighttime views in the area. **(Less Than Significant Impact)**

## 4.2 AGRICULTURE AND FORESTRY RESOURCES

### 4.2.1 Environmental Setting

#### 4.2.1.1 *Regulatory Framework*

**State**

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[3]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[4]

Forest Land, Timberland, and Timberland Production

The California Department of Forestry and Fire Protection (Cal Fire) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[5] Programs such as Cal Fire's Fire and Resource Assessment Program (FRAP) are used to identify whether forest land, timberland, or timberland production areas that could be effected are located on or adjacent to a project site.[6]

#### 4.2.1.2 *Existing Conditions*

The project site is not used for agricultural production and is not the subject of a Williamson Act contract.[7] No land adjacent to the project site is used for agricultural production. The City of Morgan Hill General Plan Land Use Diagram designates the project site *Commercial/Industrial*, and the Zoning Map designates the project site as *Commercial Industrial PUD* zoning district. The land in

[3] California Department of Conservation. *Farmland Mapping and Monitoring Program*. Accessed May 21, 2019. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[4] California Department of Conservation. *Williamson Act.* Accessed May 21, 2019. http://www.conservation.ca.gov/dlrp/lca.
[5] *Forest land* is land that can support 10 percent native tree cover and allows for management of one or more forest resources, including timber, fish, wildlife, and biodiversity (California Public Resources Code Section 12220(g)); *Timberland* is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing a crop of trees used to produce lumber and other forest products, including Christmas trees (California Public Resources Code Section 4526); and *Timberland Production* is land devoted to and used for growing and harvesting timber and other compatible uses (Government Code Section 51104(g)).
[6] Cal Fire. *FRAP*. Accessed May 21, 2019. http://frap.fire.ca.gov/.
[7] City of Morgan Hill. *Morgan Hill 2035 DEIR*. *Figure 4.2-2: Williamson Act Contracts*. January 2016.

the project vicinity is also designated and zoned for residential, commercial, and industrial purposes. The project site is vacant with surfaces that mostly consist of grasses and a paved driveway that runs through the site. The land on and adjacent to the site is not forest land or timberland or zoned for timberland production.

There are four farmland categories in the California Department of Conservation Farmland Mapping Program: *Prime Farmland*, *Farmland of Statewide Importance*, *Unique Farmland* and *Farmland of Local Importance*. According to the Santa Clara County Important Farmland 2016 Map, the project site is *Grazing Land*, which is defined as land in which the existing vegetation is suited to the grazing of livestock.

### 4.2.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| 2) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| 3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | ☐ | ☐ | ☐ | ☒ |
| 4) Result in a loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |
| 5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

**Impact AG-1:** The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. **(No Impact)**

The project proposes to construct a 55,000 square foot carpenters training center at the project site. The site is designated by the California Resources Agency Farmland Mapping and Monitoring

Program as Grazing Land, and therefore, would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to a non-agricultural use. **(No Impact)**

| | |
|---|---|
| **Impact AG-2:** | The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)** |

The project site is within the *Commercial Industrial PUD zoning* district and is not zoned for agricultural use. The project site is not subject to the Williamson Act contract. The project would, therefore, not conflict with existing zoning for agricultural use or a Williamson Act contract. **(No Impact)**

| | |
|---|---|
| **Impact AG-3:** | The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. **(No Impact)** |

The project site is not zoned for forestland, timberland, or timberland production. Therefore, the project would not conflict with zoning for these uses. **(No Impact)**

| | |
|---|---|
| **Impact AG-4:** | The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)** |

The project site is not designated as forest land. Therefore, the project would not result in a loss of forest land or conversion of forest land to a non-forest use. **(No Impact)**

| | |
|---|---|
| **Impact AG-5:** | The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)** |

As described above, the project site does not contain farmland or forest land and is not adjacent to farmland or forest land. Project implementation, therefore, would not result in the conversion of farmland to a non-agricultural use or forest land to a non-forest use. **(No Impact)**

## 4.3 AIR QUALITY

The following discussion is based, in part, on an air quality assessment prepared by *Illingworth & Rodkin, Inc.* in March 2019. A copy of the report is included in Appendix A of this Initial Study.

### 4.3.1 Environmental Setting

#### 4.3.1.1 *Regulatory Framework*

**Federal and State**

Air Quality Overview

Federal and state agencies regulate air quality in the San Francisco Bay Area Air Basin, within which the proposed project is located. At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The California Air Resources Board (CARB) is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act.

Regional and Local Criteria Pollutants

The federal Clean Air Act requires the EPA to set national ambient air quality standards for six common air pollutants (referred to as criteria pollutants), including particulate matter (PM), ground-level ozone ($O_3$), carbon monoxide (CO), sulfur oxides, nitrogen oxides ($NO_x$), and lead. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Toxic Air Contaminants

Toxic Air Contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality, usually because they cause cancer. TACs are found in ambient air, especially in urban areas, and are released by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. CARB has adopted regulations for stationary and mobile sources to reduce emissions of diesel exhaust and diesel particulate matter (DPM). Several of these regulatory programs affect medium and heavy-duty diesel trucks, which represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).[8]

[8] CARB. *Overview: Diesel Exhaust and Health.* Accessed. Accessed May 21, 2019. https://www.arb.ca.gov/research/diesel/diesel-health.htm.

Fine Particulate Matter ($PM_{2.5}$) is a TAC composed of a mix of substances, such as carbon and metals, compounds such as nitrates, organics, and sulfates, and mixtures such as diesel exhaust and wood smoke. Because of their small size (particles are less than 2.5 micrometers in diameter), $PM_{2.5}$ can lodge deeply into the lungs. According to BAAQMD, $PM_{2.5}$ is the air pollutant most harmful to the health of Bay Area residents. Sources of $PM_{2.5}$ include gasoline stations, dry cleaners, diesel vehicles, and diesel backup generators.

Local risks associated with TACs and $PM_{2.5}$ are evaluated on the basis of risk to human health rather than comparison to an ambient air quality standard or emission-based threshold.

Community health risk assessments typically look at all substantial sources of TACs located within 1,000 feet of project sites. These sources include highways and busy surface streets (with average daily trips of 10,000 or more) and stationary sources identified by BAAQMD.

## Regional

### 2017 Clean Air Plan

BAAQMD is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards would be met. BAAQMD's most recently adopted plan is the *Bay Area 2017 Clean Air Plan* (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gasses (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.[9]

### CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The City of Morgan Hill and other jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality Impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

[9] BAAQMD. *Final 2017 Clean Air Plan.* April 19, 2017. Accessed May 21, 2019. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

**Local**

City of Morgan Hill 2035 General Plan

Adopted July 27, 2016, the *Morgan Hill 2035 General Plan* includes goals and policies to improve air quality issues facing the City of Morgan Hill.[10] The following goals, policies, and actions are applicable to the proposed project:

*Goal NRE-11:* *Minimized exposure of people to toxic air contaminants such as ozone, carbon monoxide, lead, and particulate matter.*

*Policy NRE-11.3:* **Health Risk Assessments.** For proposed development that emits toxic air contaminants, require project proponents to prepare health risk assessments in accordance with Bay Area Air Quality Management District procedures as part of environmental review and implement effective mitigation measures to reduce potential health risks to less-than-significant levels. Alternatively, require these projects to be located an adequate distance from residences and other sensitive receptors to avoid health risks. Consult with the Bay Area Air Quality Management District to identify stationary and mobile toxic air contaminant sources and determine the need for and requirements of a health risk assessment for proposed developments

*Goal NRE-12:* *Minimized air pollutant emissions from demolition and construction activities*

*Policy NRE-12.1:* **Best Practices.** Requirement that development projects implement best management practices to reduce air pollutant emissions associated with construction and operation of the project.

#### 4.3.1.2 *Existing Conditions*

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determination of transport and dilution are wind, atmospheric stability, terrain, and, for photochemical pollutants, sunlight.

The project site is located at the south end of the Santa Clara Valley, within the San Francisco Bay Area Air Basin. The region typically has moderate ventilation and frequent inversions that restrict vertical dilution. The Santa Cruz Mountains and Diablo Range, located on either side of the Santa Clara Valley, restrict horizontal dilution. The surrounding terrain results in a prevailing wind that follows along the valley's northwest-southeast axis. The combined effects of these geographical and meteorological factors make air pollution potential in the Santa Clara Valley quite high. The San Francisco Bay Area, however, is considered to be one of the cleanest metropolitan areas in the country, with respect to air quality.

[10] City of Morgan Hill. *City of Morgan Hill 2035 General Plan. Chapter 8 Natural Resources and Environment*. Adopted July 27, 2016. Accessed May 21, 2019. https://www.morgan-hill.ca.gov/DocumentCenter/View/22839/MH2035-General-Plan---December-2017?bidId=

The vacant project site generates no air pollutant emissions, except for dust from wind blowing across unvegetated areas of the site. A small number of vehicles traveling to and from the site also emit air pollutants.

### Existing Air Pollutant Levels

As mentioned previously, the San Francisco Bay Area Air Basin, within which the project site is located, has non-attainment status for ground level ozone, fine particulate matter ($PM_{2.5}$), and respirable particulate matter ($PM_{10}$). The San Francisco Bay Area Air Basin has attainment or undetermined status for all other regional criteria pollutants for which the US EPA and CARB have set standards. The nearest official monitoring station to the City of Morgan Hill is located at 158 East Jackson Street in San José, approximately 19 miles north of the site.[11] Pollutant monitoring results for the years 2015 to 2017 at the San José monitoring station are shown in Table 4.3-1. The station monitors ozone, carbon monoxide, nitrogen oxide, $PM_{10}$ and $PM_{2.5}$ levels.

**Table 4.3-1 Ambient Air Quality Standards Violations and Highest Concentrations**

| Pollutant | Standard | Days Exceeding Standard | | |
|---|---|---|---|---|
| | | 2015 | 2016 | 2017 |
| SAN JOSÉ STATION | | | | |
| Ozone | State 1-hour | 0 | 0 | 3 |
| | Federal 8-hour | 2 | 0 | 4 |
| Carbon Monoxide | Federal 8-hour | 0 | 0 | 0 |
| | State 8-hour | 0 | 0 | 0 |
| Nitrogen Dioxide | State 1-hour | 0 | 0 | 0 |
| $PM_{10}$ | Federal 24-hour | 0 | 0 | 0 |
| | State 24-hour | 1 | 0 | 6 |
| $PM_{2.5}$ | Federal 24-hour | 2 | 0 | 6 |

**Source:** BAAQMD. Air Pollution Summaries (2015-2017). Available at: http://www.baaqmd.gov/about-air-quality/air-quality-summaries.

### Sensitive Receptors

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, school playgrounds, childcare centers, retirement homes, convalescent homes, hospitals and medical clinics. The closest sensitive receptors to the project site are residents at a single-family house (located on Calle Moniz), approximately 150 feet north of the site. Other single-family residences on Calle Moniz are located within 1,000 feet of the site.

[11] BAAQMD, Meteorology and Measurement Division. 2017 Air Monitoring Plan. July 1, 2018. Accessed March 12, 2019. http://www.baaqmd.gov/~/media/files/technical-services/2017_network_plan_20180701-pdf.pdf?la=en. The San Martin monitoring station only monitors ground-level ozone.

### Odors

Common sources of odors and odor complaints include wastewater treatment plants, transfer stations, coffee roasters, painting/coating operations, and landfills. Significant sources of offending odors are typically identified based on complaint histories received and compiled by BAAQMD. Typical large sources of odors that result in complaints are wastewater treatment facilities, landfills including composting operations, food processing facilities, and chemical plants. Other sources, such as restaurants, paint or body shops, and coffee roasters typically result in localized sources of odors. The single-family residences to the north and industrial uses to the east of the site do not produce substantial odors. The ranch located to the north of the site, where cattle graze, may produce localized odors.

## 4.3.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☐ | ☒ |
| 2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | ☐ | ☐ | ☒ | ☐ |
| 3) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☒ | ☐ | ☐ |
| 4) Result in substantial emissions (such as odors) adversely affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ |

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Morgan Hill has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. The BAAQMD CEQA Air Quality thresholds referenced in this analysis are identified in Table 4.3-2.

| Table 4.3-2: BAAQMD Air Quality Significance Thresholds | | | |
|---|---|---|---|
| **Pollutant** | **Construction Thresholds** | **Operation Thresholds** | |
| | **Average Daily Emissions (pounds/day)** | **Annual Daily Emissions (pounds/year)** | **Annual Average Emissions (tons/year)** |
| **Criteria Air Pollutants** | | | |
| ROG, $NO_x$ | 54 | 54 | 10 |
| $PM_{10}$ | 82 (exhaust) | 82 | 15 |
| $PM_{2.5}$ | 54 (exhaust) | 54 | 10 |
| CO | Not Applicable | 9.0 ppm (eight-hour) or 20.0 ppm (one-hour) | |
| Fugitive Dust | Dust-Control Measures/Best Management Practices | Not Applicable | |
| **Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)** | | | |
| **Health Hazard** | **Single Source** | **Combined Cumulative Sources** | |
| Excess Cancer Risk | 10 per one million | 0.3 µg/$m^3$ | |
| Hazard Index | 1.0 | 10.0 | |
| Incremental Annual $PM_{2.5}$ | 0.3 µg/$m^3$ | 0.8 µg/m3 (average) | |
| Notes: ROG = reactive organic gases, $NO_x$ = nitrogen oxides, $PM_{10}$ = course particulate matter with a diameter of 10 micrometers (µm) or less, and $PM_{2.5}$ = fine particulate matter with a diameter of 2.5 µm or less. | | | |

**Impact AIR-1:** The project would not conflict with or obstruct implementation of the applicable air quality plan. **(No Impact)**

The proposed project would construct a 55,000 square foot carpenters training center. The proposed project would not conflict with the 2017 CAP because it would be smaller than the BAAQMD CEQA Air Quality Guidelines operational criteria pollutant screening size. BAAQMD has established screening criteria for operational criteria pollutants and ozone precursors to determine if individual projects could result in a cumulatively contribution to reginal criteria pollutant and precursor emissions. If a project's size is below the identified screening criteria, then the project would not exceed BAAQMD's threshold significance shown in Table 4.3-2. The proposed project would construct a 55,000 square foot carpenters training center that would accommodate 150 students and 15 employees. The proposed project is below the operational criteria pollutant screening sizes of 152,000 square feet and 2,865 students for a technical school/training center.[12]

Because the project would not exceed the BAAQMD operational screening size criteria, it would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the thresholds shown in Table 4.3-2. Thus, the project is not required to incorporate project-specific control measures listed in the 2017 CAP. Further, implementation of the project would not inhibit BAAQMD or partner agencies from continuing progress toward attaining state and federal air quality

[12] The "Junior College" land use was chosen because it includes technical colleges, which is the most appropriate land use for the proposed project.

standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(No Impact)**

| | |
|---|---|
| **Impact AIR-2:** | The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. **(Less than Significant Impact)** |

**Operational Criteria Pollutants**

As discussed in the response to Impact AIR-1, the project would be below BAAQMD's screening size for operational criteria pollutant and precursors. As a result, the proposed project's operational criteria pollutant emissions would be below the BAAQMD thresholds shown in Table 4.3.-2. Therefore, the project would not result in a cumulatively considerable net increase of operational criteria pollutants in the region. **(Less Than Significant Impact)**

Carbon Monoxide Emissions

Carbon monoxide (CO) emissions from traffic generated by the project would be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of CO. BAAQMD screening thresholds indicate that a project would have a less than significant impact to CO levels if:

a) The project is consistent with a local congestion management plan;
b) Project traffic would not increase traffic levels at any affected intersection to more than 44,000 vehicles per hour; or

The project would generate 303 new daily trips, which would be distributed across roadways in the project area.[13] Based on the traffic volumes of the seven intersections evaluated in the project's traffic impact analysis (see Appendix G), this increase in daily traffic trips would not cause any affected intersections to exceed a total volume of 44,000 vehicles per hour. Therefore, the project would not result in a cumulatively considerable contribution to local criteria air pollutant emissions nor would the project result in an air quality violation for local pollutants. **(Less Than Significant Impact)**

**Construction-Related Criteria Pollutant Emissions**

On-site activities are primarily made up of construction equipment emissions, while off-site activity includes worker, hauling, and vendor traffic. A construction health risk assessment (Appendix A) completed by *Illingworth & Rodkin* shows that construction criteria pollutant emissions would be below BAAQMD thresholds. The California Emissions Estimator Model (CalEEMod) Version 2016.3.2 was used to estimate emissions from construction of the project. The project land use types and size, and anticipated construction schedule were input to CalEEMod. The project land uses were

[13] Personal Communication. Email: Del Rio, Robert (Hexagon Transportation Consultants). Trip Generation and Operations Analysis – Madrone Carpenters Center. March 18, 2019.
138 AM + 137 PM peak hour trips = 275 peak hour trips * 1.10 = 302.5 daily trips

entered into CalEEMod including a 55,000 square foot two-year college/training center and a 35,124 square foot parking lot with 196 parking spaces.[14] The duration of construction would be approximately nine months.

| Table 4.3-2: Construction Criteria Pollutant Emissions | | | | |
|---|---|---|---|---|
| **Scenario** | **ROG** | **NOx** | **$PM_{10}$ Exhaust** | **$PM_{2.5}$ Exhaust** |
| Total construction emissions (tons) | 0.33 tons | 0.42 tons | 0.02 tons | 0.02 tons |
| **Average daily emissions (pounds)[1]** | 7.30 lbs./day | 9.24 lbs./day | 0.34 lbs./day | 0.31 lbs./day |
| *BAAQMD Thresholds (pounds per day)* | *54* lbs./day | *54* lbs./day | *82* lbs./day | *54* lbs./day |
| **Exceed Threshold?** | **No** | **No** | **No** | **No** |
| Notes:<br>lbs. = pounds | | | | |

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of $PM_{10}$ and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries.

**Standard Condition AIR-1:** The following measures shall be implemented during all phases of construction to control dust and exhaust at the project site:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Replant vegetation in disturbed areas as soon as possible after completion of construction.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

[14] The number of parking spaces proposed for the project is 213 spaces. The number of parking spaces entered into CalEEMod is 196 spaces. The difference in the number of parking spaces would not change the results of the construction criteria pollutant emissions or health risk since there are no changes proposed for construction phasing or equipment usage.
Personal Communication. McNamara, Mimi (Air Quality Specialist), Illingworth and Rodkin, Inc. Re: *Construction Data Request Form 2-20 19-LCA-RMW-190200.xls*. June 13, 2019.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The project, with the implementation of the above standard measures, would reduce fugitive dust emissions to a less than significant level by controlling dust and exhaust, limiting exposed soil surfaces, and reducing $PM_{10}$ and $PM_{2.5}$ exhaust emissions from construction equipment. The project's construction criteria pollutant emissions would be below BAAQMD thresholds. For these reasons, the project would not result in a cumulatively considerable increase in criteria air pollutants from construction emissions**. (Less Than Significant Impact)**

**Impact AIR-3: The project would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant Impact with Mitigation)**

Project impacts related to increased community risk can occur by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the project vicinity. The project would not introduce a new operational TAC source (e.g., a generator or other diesel-operated equipment) to the area. The fork-lift proposed for use at the new training center would be operated using propane fuel and, therefore, is not considered a TAC source.

Temporary project construction activity would generate dust and equipment exhaust on a temporary basis that could affect nearby sensitive receptors. A construction health risk assessment was prepared to address the impacts the project would have on surrounding sensitive receptors due to TAC emissions. Community risk impacts are addressed by predicting increased lifetime cancer risk, the increase in annual $PM_{2.5}$ concentrations and computing the Hazard Index (HI) for non-cancer health risks.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. These exhaust air pollutant emissions would not contribute substantially to existing or projected air quality violations. Construction exhaust emissions may still pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to $PM_{2.5}$. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. A health risk assessment of the project construction activities evaluated potential health effects to nearby sensitive receptors from construction emissions of diesel particulate matter (DPM) and $PM_{2.5}$. This assessment includes dispersion modeling to predict the off-site and on-site DPM and $PM_{2.5}$ concentrations resulting from project construction, so that lifetime cancer risks and non-cancer health effects could be evaluated.

The maximum modeled annual DPM and $PM_{2.5}$ concentrations, which includes both the DPM and fugitive $PM_{2.5}$ concentrations, were identified at nearby sensitive receptors to find the maximally exposed individuals (MEIs). The cancer risk calculations are based on applying the BAAQMD recommended age sensitivity factors to the TAC concentrations. The maximum concentrations

occurred at a single-family residence immediately north of the project site (which is considered the maximally exposed individual [MEI]). Based on the results of the assessment, the project would result in an increased infant cancer risk of 13.9 in one million, a $PM_{2.5}$ concentration of 0.2 micrograms per cubic meter ($\mu g/m^3$), and a hazard index of 0.02 at the MEI. The results of the construction risk assessment at the MEI are listed in Table 4.21-1. The results show that the maximum increased residential cancer risk would exceed the BAAQMD singles-source threshold of greater than 10.0 per million. The maximum $PM_{2.5}$ concentration and hazard index would not exceed the BAAQMD single-source thresholds of 0.3 $\mu g/m^3$ and one, respectively.

**Impact AIR-3:** The project would result in a significant cancer risk to the maximally exposed individual due to the project's construction TAC emissions. **(Significant Impact)**

**Mitigation Measures**: The project would implement the mitigation measures listed below to reduce TAC impacts to nearby sensitive receptors to a less than significant level.

**MM AIR-3.1:** All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 3 engines.

**MM AIR-3.2:** All portable equipment shall also include CARB-certified Level 3 Diesel Particulate Filters in addition to having Tier 3 engines. Portable equipment includes air compressors, concrete/industrial saws, and welders.

The project applicant has the option to use construction equipment that meets U.S. EPA Tier 4 standards for particulate matter or use of equipment that is electrically powered or uses non-diesel fuels would meet this requirement.

With the implementation of the **MM AIR-3.1** and **MM-AIR-3.2**, the maximum increased lifetime residential cancer risk from construction, assuming infant exposure, would be reduced from 13.9 in one million to 8.5 in one million or less, which is below the BAAQMD 10 in one million single-source threshold for cancer risk. The $PM_{2.5}$ concentration and hazard index would be below BAAQMD's single-source thresholds at the MEI without mitigation. With the above mitigation, however, the maximum annual $PM_{2.5}$ concentration would be reduced to 0.08 $\mu g/m^3$, and the hazard index would be reduced to 0.01, which are below BAAQMD single-source thresholds. With the implementation of the above mitigation, the project construction TAC emissions would have a less than significant impact on sensitive receptors to the north of the site. **(Less Than Significant Impact with Mitigation Incorporated)**

A review of TAC sources within 1,000 feet of the site was completed to estimate the cumulative impacts on the project's maximally exposed individual. There was one stationary TAC source identified within 1,000 feet of the site. The stationary source did not have associated cancer risks, $PM_{2.5}$ concentrations or a hazard index value and, therefore, would not contribute to a cumulative impact. U.S. 101 is a mobile TAC source within 1,000 feet (with an ADT of great than 10,000). The results show that the combined TAC sources, including project construction, would not result in a significant cumulative impact to the project's maximally exposed individual (refer to Section 4.21, *Mandatory Findings* for a more detailed cumulative analysis). **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact AIR-4:** | The project would not result in substantial emissions (such as odors) adversely affecting a substantial number of people. **(Less than Significant Impact)** |

The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors; however, the odors would be localized and temporary and would not affect people off-site. One fork-lift would be used during project operations. Odors generated by the forklift would be localized and would not affect adjacent residents. For these reasons, implementation of the proposed project would not result in significant long-term or short-term odor impacts, affecting a substantial number of people. **(Less Than Significant Impact)**

## 4.4 BIOLOGICAL RESOURCES

The following discussion is based, in part, on an Arborist Report prepared by *Kielty Arborist Services* on April 10, 2019. The report is attached as Appendix B to this Initial Study.

### 4.4.1 Environmental Setting

#### 4.4.1.1 *Regulatory Framework*

**Federal and State**

Special-Status Species

Individual plant and animal species listed as rare, threatened or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" said species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Section 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW listed Species of Special Concern.

Migratory Bird and Birds of Prey Protections

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.[15] Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitats

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the US Army Corps of Engineers (USACE), Regional Water Quality Control Board

[15] U.S. Department of the Interior. M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take. https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf.

(RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

CDFW Stream/Riparian Habitat

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

**Regional and Local**

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan) covers an area of 519,506 acres, or approximately 62 percent of Santa Clara County. It was developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (Valley Water), Santa Clara Valley Transportation Authority (VTA), USFWS, and CDFW. The Habitat Plan is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in approximately 500,000 acres of southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the plan.

City of Morgan Hill Tree Removal Controls

The City of Morgan Hill maintains the urban natural landscape partly by promoting the health, safety, and welfare of the City by controlling the removal of significant sized trees (Municipal Code 12.32.020, G.). According to the City of Morgan Hill Tree Removal Controls, a significant tree is considered to be a tree with a single stem or trunk of a circumference of 40 inches (or diameter of 12.7 inches) or more for nonindigenous species and a circumference of 18 inches (or diameter of 5.7 inches) or more for indigenous species measured at four and one-half feet vertically above the ground. Indigenous species to Morgan Hill includes oak (all types), California bay, madrone, sycamore, and alder trees.

"Street trees" are also protected and defined as a tree, of any size, situated within the public street right-of-way or publicly accessible private street (e.g., trees within a landscape park strip), or within five feet of publicly accessible sidewalk adjacent to a public or private street in the case of a street without a landscape park strip.

A "community of trees," which is a group of trees of any size which are ecologically or aesthetically related to each other such that loss of several of them would cause a significant ecological, aesthetic, or environmental impact in the immediate area, are protected under the City's ordinance.

In addition, the Tree Removal Controls specify that all commercial tree farms, nonindigenous tree species in residential zones, and orchards (including individual fruit trees) are exempted from the definition of significant tree.

City of Morgan Hill Burrowing Owl Habitat Mitigation Plan

Since 2003, the City of Morgan Hill has implemented a citywide program (Burrowing Owl Habitat Mitigation Plan) to evaluate and mitigate impacts to burrowing owls and potential burrowing owl habitat that could result from development activities within the City limits. Under the Burrowing Owl Habitat Mitigation Plan, the City requires pre-construction owl surveys to be completed in areas of potentially suitable habitat (generally any grassland and/or mixed herbaceous vegetation below 600 feet above mean sea level) within 30 days of the on-set of construction.

City of Morgan Hill 2035 General Plan

The following goal and policies related to biological resources are applicable to the proposed project:

*Goal NRE-6:* Protection of native plants, animals, and sensitive habitats.

*Policy NRE-6.2:* **Habitat Conservation Plan**. Support the implementation of the Santa Clara Valley Habitat Plan to protect wildlife, rare and endangered plants and animals, and sensitive habitats from loss and destruction.

*Policy NRE-6.4:* **Tree Preservation and Protection.** Preserve and protect mature, healthy trees whenever feasible, particularly native trees, historically significant trees, and other trees which are of significant size or of significant aesthetic value to the immediate vicinity or to the community as a whole.

#### 4.4.1.2 *Existing Conditions*

The project site, historically disturbed by agricultural activities and grading, provides grassland habitat that supports a mixture of non-native annual grasses. A paved drive aisle runs through the site. The grassland habitat provided by the site is common in the project area. A number of locally occurring wildlife species may occur on the project site. Due to development surrounding the site, however, the habitat provided by the site provides limited value for wildlife.

There were no aquatic features on the project site. The nearest waterway to the project site is the Cochrane Channel east of US 101, and 950 feet east of the project site.

**Trees**

Based on the tree survey, there are 31 trees located on-site. An additional five off-site trees immediately to the north of the site and on Madrone Parkway were surveyed (refer to Figure 4.4-1, Tree Map). The 36 trees include 10 purple leaf plum, nine Southern live oak, nine tulip, six Monterey pine, and two crape myrtle trees. As discussed in Section 4.1.1.1, *Regulatory Framework*, trees with a single stem or trunk of a circumference of 40 inches (or diameter of 12.7 inches) or more for non-native species are protected by the City. All street trees are also City-protected. None of the surveyed trees are native. Table 4.4-1 provides a description of the on-site trees.


TREE LOCATION MAP | FIGURE 4.4-1

| Table 4.4-1: Tree Survey Results | | | | |
|---|---|---|---|---|
| **Tree #** | **Tree Species Common Name** | **Tree Species** | **Diameter (inches) at 4.5 feet above ground** | **Condition** |
| 1 | Purple leaf plum | *Prunus cerasifera* | 6.1 | Fair to Poor |
| **2** | **Tulip tree** | ***Liriodendron tulipifera*** | **11.3** | **Fair** |
| **3** | **Tulip tree** | ***Liriodendron tulipifera*** | **8.2** | **Fair** |
| 4 | Purple leaf plum | *Prunus cerasifera* | 8.2 | Fair |
| 5 | Purple leaf plum | *Prunus cerasifera* | 3.2 | Fair |
| 6 | Purple leaf plum | *Prunus cerasifera* | 5.8 | Fair |
| 7 | Purple leaf plum | *Prunus cerasifera* | 7.0 | Fair |
| 8 | Purple leaf plum | *Prunus cerasifera* | 7.2 | Fair |
| 9 | Purple leaf plum | *Prunus cerasifera* | 8.0 | Fair |
| 10 | Purple leaf plum | *Prunus cerasifera* | 8.7 | Fair |
| 11 | Purple leaf plum | *Prunus cerasifera* | 8.5 | Fair |
| 12 | Purple leaf plum | *Prunus cerasifera* | 8.3 | Fair |
| **13** | **Tulip tree** | ***Liriodendron tulipifera*** | **13.1** | **Fair** |
| 14 | Tulip tree | *Liriodendron tulipifera* | 9.2 | Fair to Poor |
| 15 | Tulip tree | *Liriodendron tulipifera* | 7.5 | Fair to Poor |
| **16** | **Tulip tree** | ***Liriodendron tulipifera*** | **11.8** | **Fair** |
| 17 | Southern live oak | *Quercus virginiana* | 6.7 | Good |
| 18 | Southern live oak | *Quercus virginiana* | 7.3 | Fair |
| 19 | Southern live oak | *Quercus virginiana* | 9.1 | Fair |
| 20 | Southern live oak | *Quercus virginiana* | 8.6 | Fair |
| 21 | Southern live oak | *Quercus virginiana* | 7.1 | Good |
| 22 | Southern live oak | *Quercus virginiana* | 6.4 | Fair |
| 23 | Southern live oak | *Quercus virginiana* | 7.4 | Fair |
| 24 | Southern live oak | *Quercus virginiana* | 5.5 | Fair |
| 25 | Southern live oak | *Quercus virginiana* | 5.0 | Fair |
| 26 | Monterey pine | *Pinus radiata* | 11.1 | Fair |
| 27 | Monterey pine | *Pinus radiata* | 11.8 | Fair |
| 28 | Monterey pine | *Pinus radiata* | 9.5 | Fair |
| 29 | Monterey pine | *Pinus radiata* | 12.5 | Fair |
| **30** | **Monterey pine** | ***Pinus radiata*** | **16.0** | **Fair** |
| 31 | Monterey pine | *Pinus radiata* | 4.0 | Fair to Poor |
| 32 | Crape myrtle* | *Lagerstroemia sp.* | 12.0 | Fair |
| 33 | Crape myrtle* | *Lagerstroemia sp.* | 4.0 | Good |
| 34 | Tulip tree* | *Liriodendron tulipifera* | 10.7 | Fair |
| 35 | Tulip tree* | *Liriodendron tulipifera* | 3.7 | Poor |
| **36** | **Tulip tree*** | ***Liriodendron tulipifera*** | **12.8** | **Fair** |

Notes:
**Bold** = City-protected tree (street tree or tree with a diameter or 12.7 inches or greater)
* Off-site trees

Most of the surveyed trees are in fair or good condition. There are on-site trees and one off-site tree that are protected under the City's Municipal Code 12.32.

### 4.4.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)? | ☐ | ☒ | ☐ | ☐ |
| 2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS? | ☐ | ☐ | ☐ | ☒ |
| 3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |
| 4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites? | ☐ | ☐ | ☐ | ☒ |
| 5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☒ | ☐ | ☐ |
| 6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☒ | ☐ |

| | |
|---|---|
| **Impact BIO-1:** | The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)** |

Given the history of disturbance from agricultural uses and grading, and surrounding urban development, no natural sensitive habitats which would support endangered, threatened or special status plant or wildlife species would occur on or adjacent to the site. Based on the information provided in Habitat Plan database, the project site is not located within a burrowing owl survey or fee zone.[16] Therefore, the site is not considered burrowing owl habitat and pre-construction surveys for the owls are not required.

Since there are mature trees present on-site, it is possible that nesting raptors and migratory birds could nest or forage at the site. Nesting raptors and migratory birds are protected under state and federal regulations. At the time of development, raptors and migratory birds could be nesting in the trees and vegetation on and adjacent to the project site. Construction during the nesting season could destroy nests or disturb occupied nests, resulting in the loss of the reproductive effort.

**Impact BIO-1:** Construction activities on the project site could result in the loss of raptor and/or migratory bird eggs or nestlings, either directly by destroying an active nest or indirectly by disturbing and causing the abandonment of an active nest. **(Significant Impact)**

**Mitigation Measures:** The following mitigation measures will reduce impacts from construction at the project site nesting raptors and migratory birds to a less than significant level:

**MM BIO-1.1:** Construction shall be scheduled to avoid the nesting season to the extent feasible. If construction can be scheduled to occur between September 1st and January 31st (inclusive) to avoid the raptor nesting season, no impacts will be expected. If construction will take place between February 1st and August 31st, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. Surveys will be completed within 30 days of the on-set of site clearing or construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings) onsite trees as well as all trees within 250 feet of the site for nests.

**MM BIO-1.2:** If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a disturbance-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) that will remain off limits to construction until the

[16] Santa Clara Valley Habitat Agency. *Habitat Agency Geobrowser*. Accessed May 20, 2019. http://www.hcpmaps.com/habitat/.

nesting season is over, to ensure that no nests of species protected by the Migratory Bird Treaty Act and California Fish and Wildlife Code will be disturbed during project implementation. A report indicating the result of the survey and any designated buffer zones shall be submitted to the satisfaction of the Director of Community and Economic Development prior to issuance of a grading permit.

With the implementation of the above mitigation measures, the project would not result in a substantial adverse impact on sensitive species regulated by the CDFW or USFW. **(Less Than Significant Impact with Mitigation Incorporated)**

| | |
|---|---|
| **Impact BIO-2:** | The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(No Impact)** |

There are no sensitive habitats, including riparian habitat or areas of high biological diversity, areas providing important wildlife habitat, or unusual or regionally restricted habitat types on the site. For these reasons, the proposed development of the project site would have no impact on riparian habitat or other sensitive natural community. **(No Impact)**

| | |
|---|---|
| **Impact BIO-3:** | The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)** |

There are no state or federally protected wetlands on or adjacent to the project site. The proposed project would not impact wetlands through direct removal, hydrological interruption, or other means. **(No Impact)**

| | |
|---|---|
| **Impact BIO-4:** | The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. **(No Impact)** |

Because the project site is surrounded by development, the site provides minimal dispersal habitat for native wildlife and does not function as a wildlife movement corridor. As discussed in the responses to Impacts BIO-2 and BIO-3, there are no riparian or wetland habitats on or adjacent to the site. The project would, therefore, not interfere with the movement of fish or wildlife species, nor interfere with established corridors or wildlife nursery sites. **(No Impact)**

| | |
|---|---|
| **Impact BIO-5:** | The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact with Mitigation Incorporated)** |

### Tree Removal

There are 31 non-native trees located on the project site and five non-native trees located adjacent to the property or on Madrone Parkway (where utilities would be installed). None of the five off-site trees are proposed for removal.

Of the 31 trees on-site, five trees (Trees Numbers 27-31) are proposed for removal to allow for construction of the proposed parking lot. Only one (Tree Number 30, a16-inch diameter Monterey pine tree) of the five trees proposed for removal is a significant tree and protected under the City's Municipal Code 12.32. The four other pine trees proposed for removal are not street trees or a community of trees, as the loss of these trees would not result in a significant environmental impact (with the implementation of MM BIO-1.1 and MM BIO-1.2).

In accordance with the Municipal Code 12.32.030, the applicant will apply for a tree removal permit prior to removal of the 16-inch Monterey pine tree. In accordance with Municipal Code 12.32.080, the project applicant will replace this tree with plantings of trees acceptable to the City's Community Development Director. Since the project would comply with the City's Municipal Code 12.32 for tree removal and replacement, the project would not result in a significant impact due to the loss of trees.

### Tree Protection

The project would remove five trees and preserve 31 trees on the project site and adjacent to the site. Of the 31 preserved trees designated for preservation, five trees (including four street trees and two significant sized trees) are protected under the City's ordinance.

**Impact BIO-5:** Construction activities on the project site could damage City-protected trees on and adjacent to the site. **(Significant Impact)**

**Mitigation Measures:** The following mitigation measures will reduce impacts to trees designated for preservation to a less than significant level:

**MM BIO-5.1:** Tree protection zones shall be established and maintained throughout the duration of construction. Fencing for the protection zones shall be a six-foot tall metal chain link fence supported by two-inch metal poles installed to a depth of at least two feet below the ground surface. The location for the protection fencing shall be located five feet beyond the tree driplines where possible. The tree protection fencing shall be placed at the edge of the existing hardscapes where possible. If construction activities are located underneath the dripline of a tree, tree protection fencing shall be placed as close as possible to the construction area. Signs shall be placed on fencing and shall state "Tree Protection Zone - Keep Out." No materials or equipment shall be stored or cleaned inside the tree protection zones.

**MM BIO-5.2:** Where tree protection does not cover the entire root zone of the trees, a landscape buffer consisting of wood chips spread to a depth of six inches with plywood or steel plates placed on top of the buffer will be placed where heavy foot traffic is expected. The landscape buffer will help to reduce compaction to the unprotected root zone.

**MM BIO-5.3:** During construction, any tree trimming shall be supervised by the Project Arborist. All pruning shall be done by a licensed tree care provider. The project applicant's contractor/tree care provider shall not prune more than 25 percent of the trees' total foliage.

**MM BIO-5.4:** Any tree roots that are cut be shall be monitored and documented. All roots measuring two inches in diameter or larger must be shown to the Project Arborist prior to being cut. The Project Arborist may recommend irrigation and a tree monitoring program at that time if needed. All roots shall be cut with a clean saw or loppers. Roots exposed for a period of time shall be covered with layers of burlap and kept moist to avoid desiccation.

**MM BIO-5.5:** Trenching and excavation shall occur outside of the tree protection zones. Any trenching that occurs beneath the dripline shall be dug manually (by hand). Hand digging and careful placement of pipes below or beside protected roots will dramatically reduce root loss, thus reducing trauma to desired trees. Trenches shall be back filled as soon as possible using native materials and compacted to near original levels. Open trenches with exposed roots shall be covered with burlap and kept moist. Plywood laid over the trench will help to protect the roots.

**MM BIO-5.6:** Trees proposed for preservation shall be irrigated every two weeks during the construction.

**MM BIO-5.7:** The site shall be inspected after the tree protection measures are installed to insure adequate placement. During construction, inspections by the Project Arborist shall be carried out underneath the dripline of a protected tree on site. The inspections shall be documented and provided to the City.

With the implementation of the above mitigation measures, project construction would not result in a significant impact to trees designated for preservation nor would it would in a conflict with a tree preservation policy. **(Less Than Significant Impact with Mitigation Incorporated)**

| | |
|---|---|
| **Impact BIO-6:** | The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(Less than Significant Impact)** |

The current proposed project is a covered activity under the HCP/NCCP (Private Development Covered). The area of the project site to be disturbed (approximately 4.9-acres) is designated as *Golf Courses/Urban Parks* (4.1 acres), *Urban-Suburban* (0.7 acre) and *Grain, Row-crop, Hay and*

*Pasture, Disked/Short-term Fallowed* land cover (0.1 acre). Approximately 4.2 acres of the site is mapped as *Fee Zone B* (Agricultural and Valley Floor Lands) and 0.7 acre is mapped with no land cover fee.[17] The proposed project would be required to pay this fee to offset the loss of this land cover type. The project site is not located in any other fee zone or within or adjacent to any plant or wildlife survey area.

The HCP/NCCP also considers covered activities to result in a certain amount of indirect impacts from urban development mostly in the form of increased impervious surface and from the effects of nitrogen deposition. Urban development that increases the intensity of land use results in increased air pollutant emissions from passenger and commercial vehicles and other industrial and nonindustrial sources. Emissions from these sources are known to increase airborne nitrogen, of which a certain amount is converted into forms that can fall to earth as depositional nitrogen. It has been shown that increased nitrogen in serpentine soils can favor the growth of nonnative annual grasses over native serpentine species and these nonnative species, if left unmanaged, can overtake the native serpentine species, which are host plants for larval Bay Checkerspot butterfly. As such, covered projects within the HCP/NCCP area are subject to paying a "Nitrogen Deposition Impact Fee" which is calculated based on the number of daily vehicle trips attributed to the activity and collected prior to the commencement of the use. The proposed project would generate approximately 303 more daily vehicle trips, when compared to the existing site.

In addition, all covered activities in the HCP/NCCP are subject to certain conditions (as identified in Chapter 6 of the Plan) based on the project's location and type of project. To ensure that the project complies with conditions of the HCP/NCCP, the conditions would be applied to each component as part of the entitlement approval conditions and/or other permits (i.e. grading permits, building permits, etc.).

The City of Morgan Hill has adopted the HCP/NCCP and, as an ordinance[18] implementing the measures and conditions set forth in the HCP/NCCP, would levy applicable impact fees and incorporate relevant conditions on covered activities into the project. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. **(Less Than Significant Impact)**

[17] Santa Clara Valley Habitat Agency. *Habitat Agency Geobrowser.* Accessed May 21, 2019. http://www.hcpmaps.com/habitat/.
[18] Chapter 18.132 of the City of Morgan Hill Municipal Code.

## 4.5 CULTURAL RESOURCES

### 4.5.1 Environmental Setting

#### 4.5.1.1 *Regulatory Framework*

**State**

State Regulations Regarding Discovery of Human Remains

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The Act requires that upon discovery of human remains, construction, or excavation activity must cease and the County Coroner be notified.

California Health and Safety Code Section 7050.5 regulates the procedure to be followed in the event of human remains discovery. Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the County Coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the coroner must notify the Native American Heritage Commission (NAHC). The NAHC then notifies those persons most likely to be related to the Native American remains. The Act stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code, Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the NAHC as the authority to resolve disputes regarding disposition of such remains.

**Local**

City of Morgan Hill 2035 General Plan

Adopted July 27, 2016, the *Morgan Hill 2035 General Plan* includes goals, policies, and actions to avoid significant impacts to cultural resources.[19] The following goal and policy are applicable to the proposed project:

[19] City of Morgan Hill. *City of Morgan Hill 2035 General Plan. Chapter 6, Healthy Community.* Accessed May 21, 2019. https://www.morgan-hill.ca.gov/DocumentCenter/View/22839/MH2035-General-Plan---December-2017?bidId=

Cultural and Historic Resources

*Goal HC-8:* *Historic identity and cultural resources that are preserved for future generations.*

*Policy HC-8.5:* **Mitigation.** Require that if cultural resources, including tribal, archaeological, or paleontological resources, are uncovered during grading or other on-site excavation activities, construction shall stop until appropriate mitigation is implemented.

#### 4.5.1.2 *Existing Conditions*

Based on the Archaeological Sensitivity Map included in the City of Morgan Hill General Plan, the project site is not located within an archaeologically sensitive area.[20] The project site is vacant and contains no structures. Therefore, no historic structures are located on the project site. Based on the historic properties listed in the City's General Plan EIR (Table 4.5-1), no historic properties are adjacent to the site. The nearest historic property is a house located at 675 Peebles Avenue, located approximately 900 feet north of the site.

### 4.5.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5? | ☐ | ☐ | ☐ | ☒ |
| 2) Cause a substantial adverse change in the significance of an archaeological resource as pursuant to CEQA Guidelines Section 15064.5? | ☐ | ☐ | ☒ | ☐ |
| 3) Disturb any human remains, including those interred outside of dedicated cemeteries? | ☐ | ☐ | ☒ | ☐ |

**Impact CUL-1:** The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(No Impact)**

The project site is vacant and does contain any buildings or structures. As a result, there are no structures listed, determined eligible, or pending on the California Register of Historical Resources located on the project site; and no significant or potentially significant local, state, or federal cultural resources/historic properties (e.g., landmarks, points of interest, etc.) are located on the project site. Based on the historic properties listing in the City's General Plan, the project site is not adjacent to any historic properties and the nearest historic property is 900 feet north of the site (located at 675

[20] City of Morgan Hill. *Archaeological Sensitivity Map*. April 2000.

Peebles Avenue). Given the distance of the site from the nearest historic property, the project would have no impact on historic resources. **(No Impact)**

| | |
|---|---|
| **Impact CUL-2:** | The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact)** |

According to the City of Morgan Hill's Archaeological Sensitivity Map, the project site is not located in an archaeologically sensitive area of the City. The closest creek to the site is the Cochrane Channel, east of US 101, and 950 feet east of the project site. Nevertheless, the project shall implement the following standard condition in the event that an undiscovered archaeological resource is encountered during project construction activities:

**Standard Condition CUL-1:**

In the event of the unintentional discovery of undocumented human remains or significant historic or archaeological materials during construction, the following policies and procedures for treatment and disposition measures shall be implemented:

- If human remains are encountered, they shall be treated with dignity and respect as due to them. Information about such a discovery shall be held in confidence by all project personnel on a need to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
    - Remains shall not be held by human hands. Surgical gloves shall be worn if remains need to be handled.
    - Surgical mask shall also be worn to prevent exposure to pathogens that may be associated with the remains.

- In the event that known or suspected Native American remains are encountered, or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped.[21] Ground-disturbing project activities may continue in other areas that are outside the discovery location.

- An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery, or if on-site at the time or discovery, by the Monitoring Archaeologist (typically 25 to 50 foot buffer for a single burial or archaeological find).

- The discovery location shall be secured as directed by the City if considered prudent to avoid further disturbances.

[21] Examples of significant historic or archaeological materials include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic structure remains such as stone-lined building foundations, wells or privy pits.

- The Contractor Foreman or authorized representative, or party who made the discovery shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:

    - The City of Morgan Hill Development Services Director
    - The Contractor's Point(s) of Contact
    - The Coroner of the County of Santa Clara (if human remains found)
    - The Native American Heritage Commission (NAHC) in Sacramento
    - The Amah Mutsun Tribal Band

- The Coroner will have two working days to examine the human remains after being notified of the discovery. If the remains are Native American, the Coroner has 24 hours to notify the NAHC. The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) from the Amah Mutsun Tribal Band. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)

- Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.

- Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Community Development Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the Amah Mutsun Tribal Band may be considered and carried out.

- If the MLD recommendation is rejected by the City of Morgan Hill, the parties will attempt to mediate the disagreement with the NAHC. If mediation fails, then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.

With the implementation of the above standard conditions, the project would have a less than significant impact on archaeological resources.

| | |
|---|---|
| **Impact CUL-3:** | The project would not disturb any human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact)** |

The project is not located archaeologically sensitive area. In the unlikely event that human remains are discovered during construction activities, implementation of Standard Condition CUL-1 would reduce the project's impact on human remains to a less than significant level.

## 4.6 ENERGY

The following discussion is based in part on a CalEEMod analysis completed on June 24, 2019. A copy of this report is attached in Appendix C.

### 4.6.1 Environmental Setting

#### 4.6.1.1 *Regulatory Framework*

**Federal**

At the federal level, energy standards set by the U.S. Environmental Protection Agency (EPA) apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

**State**

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard (RPS) Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. In 2008, Executive Order S-14-08 was signed into law requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Building Codes

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6, of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years, and the 2016 Title 24 updates went into effect on January 1, 2017.[22] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[23]

The California Green Building Standards Code (CALGreen) establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. The most recent update to CALGreen went into effect on January 1, 2017, and covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

[22] California Building Standards Commission. *Codes: 2016 Triennial Edition of Title 24*. Accessed May 21, 2019. http://www.bsc.ca.gov/.
[23] California Energy Commission (CEC). *2016 Building Energy Efficiency Standards*. Accessed May 21, 2019. http://www.energy.ca.gov/title24/2016standards/index.html.

**Local**

City of Morgan Hill 2035 General Plan

Adopted July 27, 2016, the *Morgan Hill 2035 General Plan* includes goals, policies, and actions to conserve energy and mitigate energy impacts resulting from planned developments within the City of Morgan Hill.[24] The following goals, policies, and actions are applicable to the proposed project:

Energy Efficiency

*Goal NRE-16:* *Conservation of energy resources.*

*Policy NRE-16.1:* **Energy Standards for New Development.** New development, including public buildings, should be designed to exceed State standards for the use of energy.

*Policy NRE-16.2:* **Energy Conservation.** Promote energy conservation techniques and energy efficiency in building design, orientation, and construction.

*Policy NRE-16.3:* **Energy Use Data and Analysis**. Provide information to increase building owner, tenant, and operator knowledge about how, when, and where building energy is used.

*Policy NRE-16.5:* **Energy Efficiency.** Encourage development project designs that protect and improve air quality and minimize direct and indirect air pollutant emissions by including components that promote energy efficiency.

*Policy NRE-16.6:* **Landscaping for Energy Conservation.** Encourage landscaping plans for new development to address the planting of trees and shrubs that will provide shade to reduce the need for cooling systems and allow for winter daylighting.

*Policy NRE-16.7:* **Renewable Energy.** Encourage new and existing development to incorporate renewable energy generating features, like solar panels and solar hot water heaters.

*Policy NRE-16.9:* **Subdivision Design.** In compliance with Section 66473.1 of the State Subdivision Map Act, promote subdivision design that provides for passive solar heating and natural cooling through the Development Review Committee subdivision review procedures.

### 4.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 7,830 trillion Btu in the year 2016, the most recent year for which this data was available. Out of the 50 states, California is ranked 2nd in total

[24] City of Morgan Hill. "Chapter 8 Natural Resources and Environment." *City of Morgan Hill 2035 General Plan*. Accessed May 8, 2019. https://www.morgan-hill.ca.gov/DocumentCenter/View/22839/MH2035-General-Plan---December-2017?bidId

energy consumption and 48th in energy consumption per capita. The breakdown by sector was approximately 18 percent (1,384 trillion Btu) for residential uses, 19 percent (1,477 trillion Btu) for commercial uses, 24 percent (1,853 trillion Btu) for industrial uses, and 40 percent (3,116 trillion Btu) for transportation.[25] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Energy usage is typically quantified using the British thermal unit (Btu). PG&E provides natural gas services within the City of Morgan Hill. In 2017, approximately 1.4 percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.[26] In 2016, residential and commercial customers in California used 29 percent, power plants used 32 percent, and the industrial sector used 37 percent. Transportation accounted for one percent of natural gas use in California. In 2017, Santa Clara County used approximately 3.5 percent of the state's total consumption of natural gas.[27]

Overall natural gas demand in California is anticipated to decrease slightly through 2028. This decline is due to on-site residential, commercial, and industrial electricity generation; aggressive energy efficiency programs; and a decrease in demand for electrical power generation as a result of state-mandated RPS targets (as the state moves to power generation resources that result in less GHG emissions than natural gas). [28] The project site is vacant and does not consume electricity or natural gas. Fuel is used by a small number of vehicles traveling to and from the site.

**Electricity**

Electricity in Santa Clara County in 2017 was consumed primarily by the commercial sector (76 percent), followed by the residential sector consuming 24 percent. In 2017, a total of approximately 17,190 GWh of electricity was consumed in Santa Clara County.[29]

Pacific Gas and Electric Company (PG&E) is the City of Morgan Hill energy utility, providing both natural gas and electricity for residential, commercial, industrial, and municipal uses. PG&E generates or buys electricity from hydroelectric, nuclear, renewable, natural gas, and coal facilities. In 2017, natural gas facilities provided 20 percent of PG&E's electricity delivered to retail customers; nuclear plants provided 27 percent; hydroelectric operations provided 18 percent; renewable energy facilities including solar, geothermal, and biomass provided 33 percent; and two percent was unspecified.[30]

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[25] United States Energy Information Administration. *State Profile and Energy Estimates, 2016.* Accessed May 21, 2019. https://www.eia.gov/state/?sid=CA#tabs-2.
[26] California Gas and Electric Utilities. *2018 California Gas Report.* Accessed March 15, 2019. https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf.
[27] CEC. *Natural Gas Consumption by County*. Accessed May 21, 2019. http://ecdms.energy.ca.gov/gasbycounty.aspx.
[28] California Gas and Electric Utilities. *2017 Natural Gas Market Trends and Outlook*. Accessed May 21, 2019. http://docketpublic.energy.ca.gov/PublicDocuments/17-IEPR-04/TN222400_20180131T074538_STAFF_FINAL_REPORT_2017_Natural_Gas_Market_Trends_and_Outlook.pdf.
[29] CEC. Energy Consumption Data Management System. Electricity Consumption by County. Accessed May 21, 2019. http://ecdms.energy.ca.gov/elecbycounty.aspx.
[30] PG&E. *Exploring Clean Energy Solutions*. Accessed May 21, 2019. https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page.

### Natural Gas

PG&E provides natural gas services within Morgan Hill. In 2017, approximately 1.4 percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.[31] In 2016, residential and commercial customers in California used 29 percent, power plants used 32 percent, and the industrial sector used 37 percent. Transportation accounted for one percent of natural gas use in California. In 2017, Santa Clara County used approximately 3.5 percent of the state's total consumption of natural gas.[32]

### Fuel for Motor Vehicles

In 2018, 15.6 billion gallons of gasoline were sold in California.[33] The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 14.9 miles-per-gallon (mpg) in 1980 to 22 mpg in 2016.[34] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was subsequently revised to apply to cars and light trucks Model Years 2011 through 2020. [35,36]

## 4.6.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | ☐ | ☐ | ☒ | ☐ |
| 2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | ☐ | ☐ | ☒ | ☐ |

[31] California Gas and Electric Utilities. 2018 California Gas Report. Accessed March 15, 2019. https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf.
[32] CEC. Natural Gas Consumption by County. Accessed February 21, 2019. http://ecdms.energy.ca.gov/gasbycounty.aspx.
[33] California Department of Tax and Fee Administration. *Net Taxable Gasoline Gallons*. Accessed May 21, 2019. https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm.
[34] U.S. EPA. Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles. Accessed May 21, 2019. https://www.bts.gov/content/average-fuel-efficiency-us-light-duty-vehicles.
[35] U.S. Department of Energy. *Energy Independence & Security Act of 2007.* Accessed May 21, 2019. http://www.afdc.energy.gov/laws/eisa.
[36] Public Law 110–140—December 19, 2007. Energy Independence & Security Act of 2007. Accessed May 21, 2019. http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf.

| | |
|---|---|
| **Impact EN-1:** | The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation. **(Less than Significant Impact)** |

As proposed, the project would construct a new, one-story 55,000 square foot carpenters training center. The building will include offices, workshop area, classrooms, break rooms, lobby/reception area, parking, and a yard area for outdoor training and material storage.

**Estimated Energy Use of the Proposed Project**

Energy would be consumed during the construction and operational phases of the proposed project. The construction phase would require energy for the manufacture and transportation of building materials, preparation of the site for grading, and the actual construction of the buildings. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks. Implementation of the proposed development would consume energy (in the form of electricity and natural gas) primarily from building heating and cooling, lighting, and water heating. Table 4.6-2 below summarizes the estimated energy use of the proposed project.

**Table 4.6-2: Estimated Annual Energy Use of Proposed Development**

| Land Use | Electricity Use (kWh/yr) | Natural Gas Use (kBTU/yr) |
|---|---|---|
| 55,000 square foot carpenters training center[1] | 435,050 | 1,327,150 |
| Parking Lot | 12,293 | 0 |
| **Total:** | 447,343 | 1,327,150 |

**Source:** Illingworth & Rodkin, Inc. *Madrone Carpenters Training Center Construction Air Quality and Community Risk Assessment*. March 28, 2019.
**Note:** [1] CalEEMod does not have a land use that specifically addresses a carpenter's training center. The "Junior College" land use was chosen because it includes technical colleges, which is the most appropriate land use for the proposed project.

Based on the CalEEMod results., the total annual VMT for the project would be approximately 768,210.[37] Using the U.S. EPA fuel economy estimates (22.0 mpg), the proposed project would result in consumption of approximately 34,918 gallons of gasoline per year.[38]

Since the existing development is a vacant lot and does not consume electricity, implementation of the proposed project would increase electricity use by approximately 447, 343 kWh per year, and natural gas by approximately 1,327,150 kBTU per year. The project would be built to the 2016 CALGreen requirements and Title 24 energy efficiency standards, which would improve the efficiency of the overall project.

Implementation of the project would increase annual gasoline demand by approximately 34,918 gallons. New automobiles purchased by future occupants of the proposed project would be subject to

[37] CalEEMod. 2016.3.2. *Carpenters Training Center Morgan Hill – GHG*. May 13, 2019.
[38] 768,210 VMT / 22.0 mpg = 9,995 gallons of gasoline

fuel economy and efficiency standards applied throughout the State of California, which means that over time the fuel efficiency of vehicles associated with the project site would improve. The nearest bus stop is located at Cochrane Road and Sutter Boulevard, less than half a mile from the project site. As discussed in Section 4.17.3, existing bus services would be able to accommodate the increase in new riders generated by the proposed project. Thus, implementation of the proposed project would not result in a substantial increase on transportation-related energy uses. **(Less Than Significant Impact)**

**Energy Efficiency During Construction**

The anticipated construction schedule assumes that the project will be built over a period of approximately nine months, starting in September 2019 and ending in June 2020. The project would require site preparation, grading and excavation, trenching, paving, and building of interior and exterior. Energy would not be wasted or used inefficiently by construction equipment, as the proposed project would include several measures to improve efficiency of the construction process. For example, during construction, construction waste management methods and processes will be employed to reduce the amount of and track construction waste. **(Less Than Significant Impact)**

**Energy Efficiency During Operation**

Operation of the project would consume energy for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. Operational energy would also be consumed during each vehicle trip generated by future employees and students. The building will meet or exceed the requirements of the California Building Energy Efficiency Standards. The project would not use energy or fuel in a wasteful manner, given the project features that reduce energy use, including the following:

- Bicycle parking will be provided on-site.
- Parking for clean air vehicles will be provided.
- The roofing will be a "cool" roof to help reduce heat island effect.
- The proposed building will meet or exceed the requirements of the California Building Entergy Efficiency Standards.
- The proposed building will include water conserving water fixtures.
- During construction, construction waste management methods and processes will be employed to reduce the amount of construction waste.
  **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact EN-2:** | The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(No Impact)** |

Electricity for the proposed project would be provided by Pacific Gas & Electric Company. The proposed development would be completed in compliance with the current energy efficiency standards set forth in Title 24, CALGreen, and the City's Municipal Code. For these reasons, the project would not conflict with or obstruct state or local plans for renewable energy or energy efficiency. **(No Impact)**

## 4.7 GEOLOGY AND SOILS

The following discussion is based, in part, on a Geotechnical – Liquefaction Investigation prepared by *AWR Environmental* in August 2018. A copy of the report is attached as Appendix D to this Initial Study.

### 4.7.1 Environmental Setting

#### 4.7.1.1 *Regulatory Framework*

**Local**

City of Morgan Hill 2035 General Plan

The following General Plan goal and policy related to geology and soils is applicable to the proposed project:

Geological and Seismic Hazards

*Goal SSI-2:* *Reduction of potential harm to persons or property from geologic/seismic hazards.*

*Policy SSI-2.1:* **Land Use and Geologic Hazards.** Limit uses on lands with geologic hazards but allow uses on previously urbanized lands with proper mitigation. Keep development in hazardous areas to a minimum by encouraging low-density, low intensity uses and the types of uses least disruptive to the soil and vegetative cover.

#### 4.7.1.2 *Existing Conditions*

**Geology and Soils**

The project site is located in the Santa Clara Valley, an alluvial basin, bounded by the Santa Cruz Mountains to the west, the Hamilton/Diablo Range to the east, and the San Francisco Bay to the north. The Santa Clara Valley was formed when sediments derived from the Santa Cruz Mountains and the Hamilton/Diablo Range were exposed by the continued tectonic uplift and regression of the inland sea that had previously inundated this area.

A geotechnical subsurface field investigation of the site was completed at the project site in July 2018 to investigate the site's subsurface conditions. Four soul borings were advanced to depths ranging from 16 to 50 feet below ground surface. Based on the findings of the investigation, the site is underlain by well-graded to poorly graded silty sand with minor amounts of coarse sands and gravel. These soils were found to be very dense to hard at 16 feet below ground surface (and below), at three of the four borings.

Based on laboratory investigation analyzed in the geotechnical/liquefaction investigation for the project, native surface soil at the project site has been a very low expansion potential when subjected to fluctuations in moisture. The potential for erosion and landslides at the project site is low due to

the flat slope of the project site and surrounding area. The project site is not located within a landslide hazard zone.[39]

### Seismicity

The project site is located within the San Francisco Bay Area, the most seismically active region in the United States. Faults in the region are capable of generating earthquakes of magnitude 6.7 or higher, and strong to very strong ground shaking would be expected to occur at the project site during a major earthquake on one of the nearby faults. Based on a 2015 to 3009 forecast completed by the U.S. Geological Survey, there is a 72 percent probability that one or more major earthquakes will occur in the San Francisco Bay Area by 2044.[40] Active faults (faults in which historic displacement has occurred within the last 200 years) near the project site are shown below in Table 4.7-1.[41]

**Table 4.7-1: Active Faults Near the Project Site**

| Fault | Physical Distance from Site |
|---|---|
| Calaveras | 3.5 miles east |
| San Andreas | 11.1 miles west |
| Hayward | 27 miles north |

Although the project site is within a seismically active region, the site is not located within a fault zone on a state-designated Alquist-Priolo Earthquake Fault Zoning Map.[42]

### Liquefaction

The project site is located within a state-designated liquefaction zone.[43] A liquefaction analysis was completed for on-site soils. Based on the results of the analysis, there are no liquefiable soil layers underlying the project site. As a result, the potential for liquefaction to occur at the site is low.

### Lateral Spreading

Lateral spreading is a failure within a nearly horizontal soil zone (possibly due to liquefaction) that causes the overlying soil mass to move toward a free face (such as an open body of water, channel or excavation) or down a gentle slope. There are no creeks or open channels on or adjacent to the project site. The likelihood of lateral spreading on the site is low.

[39] California Geological Survey. *Earthquake Zones of Required Investigation*. Accessed March 25, 2019. https://maps.conservation.ca.gov/cgs/EQZApp/app/.
[40] U.S. Geological Survey. "UCERF3: A New Earthquake Forecast for California's Complex Fault System. Fact Sheet 2015-3009." March 2015. Accessed May 21, 2019. Available at: http://pubs.usgs.gov/fs/2015/3009/pdf/fs2015-3009.pdf.
[41] California Geological Survey. *Fault Activity Map of California (2010)*. Accessed March 26, 2019. http://maps.conservation.ca.gov/cgs/fam/.
[42] California Geological Survey. *Earthquake Zones of Required Investigation*. Accessed March 25, 2019. https://maps.conservation.ca.gov/cgs/EQZApp/app/.
[43] Ibid.

**Paleontological Resources**

Paleontological resources or fossils are the remains of prehistoric plant and animal life. Paleontological resources do not include human remains or artifacts. Fossil remains such as bones, teeth, shells, and wood are found in geologic formations. Paleontological resources are limited, non-renewable, sensitive scientific and educational resources. The potential for fossil remains at a location can be predicted based on whether or not previous fossil finds have been made in the vicinity, as well as based on the age of the geologic formations. Based on the findings in the General Plan EIR, no paleontological resources have been identified in the City of Morgan Hill.

## 4.7.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| – Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)? | ☐ | ☐ | ☒ | ☐ |
| – Strong seismic ground shaking? | ☐ | ☐ | ☒ | ☐ |
| – Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ |
| – Landslides? | ☐ | ☐ | ☒ | ☐ |
| 2) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |
| 3) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☒ | ☐ |
| 4) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2016), creating substantial direct or indirect risks to life or property? | ☐ | ☐ | ☒ | ☐ |
| 5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | ☐ | ☐ | ☐ | ☒ |
| 6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? | ☐ | ☐ | ☒ | ☐ |

| | |
|---|---|
| **Impact GEO-1:** | The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. **(Less than Significant Impact)** |

The project site is in the seismically active San Francisco Bay Area which has a 72 percent probability of experiencing at least one magnitude 6.7 earthquake during the next 30 years. The project site would experience intense ground shaking in the event of a large earthquake. No known faults occur beneath the project site. The project site is not located within an earthquake fault zone on an Alquist-Priolo Earthquake Fault Zoning Map, and therefore, the potential for fault rupture at the site is low.

Although the project site is within a state-designated liquefaction hazard zone, no liquefiable soils are present on-site. Therefore, the potential for liquefaction to occur on the site is low. Since the soils on the site are not prone to liquefaction and the site is not located near a creek or other open channel, the probability of lateral spreading occurring on-site low. The project site and area are flat and are not located in a landslide hazard zone. Therefore, there is no potential for landslides to occur on-site. The project would conform to the foundation design, excavation, retaining wall, pavement design, and on-site utility trenching, and subgrade surface soil criteria in the project's geotechnical investigation report. The project would implement the following standard condition.

**Standard Condition GEO-1:**

- To avoid or minimize potential damage from seismic shaking, the proposed development shall be built using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of a design-level geotechnical investigation, which will be included in a report to the City. The structural designs for the proposed development will account for repeatable horizontal ground accelerations. The report shall be reviewed and approved by the City of Morgan Hill Building Division prior to issuance of a building permit. The buildings will be required to meet the requirements of applicable Building and Fire Codes, including the 2017 California Building Code Chapter 16, Section 1613, as adopted or updated by the City. The project will be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property to the extent feasible and in compliance with the Building Code.

By conforming to standard engineering and seismic safety design techniques outlined in the City of Morgan Hill's Building Division and California Building Code and the recommendations in the geotechnical investigation report, the proposed project would not expose people or structures to substantial adverse effects; nor would the project exacerbate existing geological hazards on the

project site such that it would impact (or worsen) off-site geological and soil conditions. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact GEO-2:** | The project would not result in substantial erosion or the loss of topsoil. **(Less than Significant Impact)** |

Grading, trenching, and construction of the proposed project would result in ground disturbance at the site. Ground disturbance would expose soils and increase the potential for wind or water related erosion and sedimentation at the site until construction is complete. The City has developed standard conditions to avoid significant soil erosion impacts during construction. The following conditions would be included as part of the project:

**Standard Condition GEO-2 (Storm Drain System):** Prior to final map approval or issuance of a grading permit the applicant shall complete the following to the satisfaction of the Director of Public Works.

1. Plan describing how material excavated during construction will be controlled to prevent this material from entering the storm drain system.
2. Water Pollution Control Drawings for Sediment and Erosion Control.

**Standard Condition GEO-3 (NPDES Permit Conformance):** As required by the State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, construction activity resulting in a land disturbance of one acre or more of soil, or whose projects are part of a larger common plan of development that in total disturbs more than one (1) acre, are required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (General Permit). To be permitted with the SWRCB under the General Permit, owners must file a complete Notice of Intent (NOI) package and develop a Storm Water Pollution Prevention Plan (SWPPP) Manual in accordance with Section A, B, and C of the General Permit prior to the commencement of soil disturbing activities. A NOI Receipt Letter assigning a Waste Discharger Identification number to the construction site will be issued after the State Water Resource Control Board (SWRCB) receives a complete NOI package (original signed NOI application, vicinity map, and permit fee); copies of the NOI Receipt Letter and SWPPP shall be forwarded to the Building and Public Works Department review. The SWPPP shall be made a part of the improvement plans (SWRCB NPDES General Permit CA000002).

| | |
|---|---|
| **Impact GEO-3:** | The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. **(Less than Significant Impact)** |

With the implementation of the project's geotechnical investigation report recommendations and standard engineering and seismic safety design techniques outlined in the City of Morgan Hill's Building Division and California Building Code (refer to **Standard Condition GEO-1**), the project site would not be located on an unstable geological unit that would result in subsidence or collapse of the proposed building. The project site and area are not subject landslides and has a low potential for

liquefaction or lateral spreading. Therefore, compliance with **Standard Condition GEO-1** would ensure that the project would not exacerbate existing geological hazards on the site such that it would impact off-site geological and soil conditions. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact GEO-4:** | The project would not be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2016), creating substantial direct or indirect risks to life or property. **(Less than Significant Impact)** |

The native soils on-site have a very low expansion potential. Any soils imported for the proposed project would comply with the recommendations in the design-level geotechnical report. In addition, the project would comply with **Standard Condition GEO-1.** Standard engineering practices, including the standard condition, will ensure that the future building on the site is designed properly to account for soils-related hazards on the site. With implementation of the standard permit condition, expansive soils on-site would not exacerbate risks to life and property. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact GEO-5:** | The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. **(No Impact)** |

New development at the site would connect to the City's existing sewer sanitary system. No septic systems would be developed under the project; therefore, no impacts to soils related to septic systems would occur. **(No Impact)**

| | |
|---|---|
| **Impact GEO-6:** | The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact)** |

No paleontological resources have been identified in the City of Morgan Hill. The proposed project would excavate to a maximum depth of approximately six feet below ground surface to install utilities. Given that the proposed project would not require excavation below six feet below ground surface, paleontological resources would not be discovered during construction. The project would, therefore, not result in a significant impact to paleontological resources.

## 4.8 GREENHOUSE GAS EMISSIONS

The following discussion is based in part upon results from a CalEEMod analysis completed on June 24, 2019. The CalEEMod results are attached to Appendix C of this Initial Study.

### 4.8.1 Environmental Setting

#### 4.8.1.1 *Regulatory Framework*

**State of California**

Global Warming Solutions Act

Under the California Global Warming Solution Act, also known as Assembly Bill (AB) 32, the California Air Resources Board (CARB) established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHG, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, Senate Bill (SB) 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of carbon dioxide equivalent (MMTCO2e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO2e.

Senate Bill 375

Senate Bill 375 (SB 375), known as the Sustainable Communities Strategy and Climate Protection Act was signed into law in September 2008. It builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 in comparison to 2005 emissions. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

SB 32 and AB 197

SB 32 and AB 197 were signed into law in September 2016. SB 32 legislation amended provisions of AB 32, the California Global Warming Solutions Act of 2006 (Health and Safety Code Division 25.5), to require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by December 31, 2030. This legislation incorporates the Executive Order B-30-15 target discussed above into state law. Changes to the California Health and Safety Code under the companion AB 197 legislation call for each scoping plan update to identify emissions reduction measures and include the range of projected GHG emissions reductions as well as the range of projected air pollution reductions that result from the emission reduction measures.

## Regional

Bay Area 2017 Clean Air Plan (2017 CAP)

The 2017 Clean Air Plan (2017 CAP), entitled *Spare the Air/Cool the Climate,* was adopted by the Bay Area Air Quality Management District (BAAQMD) in April of 2017. The 2017 CAP built on the *Bay Area 2010 Clean Air Plan* (2010 CAP) and will serve as a blueprint for BAAQMD's efforts to reduce air pollution and protect public health and the global climate. The 2017 CAP aims to lead the region to a post-carbon economy, continue progress toward attaining all state and federal air quality standards, and eliminate health risk disparities from exposure to air pollution among Bay Area residents. The 2017 CAP, in alignment with AB 32, sets the goal of emissions reductions to 80 percent below 1990 levels by 2050.

Bay Area Air Quality Management District: CEQA Guidelines

The thresholds of significance used to evaluate the proposed developments are determined by the Lead Agency, the City of Morgan Hill. Per CEQA Guidelines Section 15064.7, the City has elected to use the thresholds and methodology included in the May 2017 BAAQMD Air Quality Guidelines, as they are based on substantial evidence and remain the most up-to-date, scientifically based method available to evaluate air quality impacts.

The BAAQMD's CEQA Air Quality Guidelines recommended a GHG threshold of 1,100 metric tons or 4.6 metric tons (MT) per capita. These thresholds were developed based on meeting the 2020 GHG targets set in the scoping plan that addressed AB 32. Development of the project would occur beyond 2020, so a threshold that addresses a future target is appropriate. Although BAAQMD has not published a quantified threshold for 2030 yet, this Initial Study uses a bright-line threshold of 660 $MTCO_2e$/year, which is 40 percent below the 2020 bright-line threshold of 1,100 MT $CO_2e$.[44] This threshold was calculated for 2030 based on the GHG reduction goals of SB32 EO B-30-15.

## Local

City of Morgan Hill 2035 General Plan

The following GHG goal and policy is applicable to the proposed project:

*Goal NRE-15*: *An adaptive and resilient community that responds to climate change.*

*Policy NRE-15.1*: **Greenhouse Gas Emission Reduction Targets**. Maintain a greenhouse gas reduction trajectory that is consistent with the greenhouse gas reduction targets of Executive Orders B-30-15 (40 percent below 1990 levels by 2030) and S-03-05 (80 percent below 1990 levels by 2050) to ensure the City is consistent with statewide efforts to reduce greenhouse gas emissions.

[44] Personal Communication: Reyff, James, Illingworth & Rodkin. Re: *Adjusted bright-line 2030 threshold.* September 20, 2018. The 2020 BAAQMD bright-line threshold of 1,100 MT CO2e was established by BAAQMD to help the state reduce GHG emissions to 1990 levels by 2020. 660 MT CO2e is the 2030 bright-line threshold calculated for projects constructed and operational post-2020 and pre-2031.

### 4.8.1.2 *Existing Conditions*

The project site is currently vacant and undeveloped, with the exception of a paved drive aisle that runs through the site. Minimal GHG emissions are generated by a small number of vehicles traveling to and from the site.

## 4.8.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
| 2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs? | ☐ | ☐ | ☐ | ☒ |

The BAAQMD's CEQA Air Quality Guidelines recommended a GHG threshold of 1,100 metric tons or 4.6 metric tons (MT) per capita. These thresholds were developed based on meeting the 2020 GHG targets set in the scoping plan that addressed AB 32. Development of the project would occur beyond 2020, so a threshold that addresses a future target is appropriate. Although BAAQMD has not published a quantified threshold for 2030 yet, this assessment uses a "Substantial Progress" efficiency metric of 2.6 MT $CO_2e$/year/service population and a bright-line threshold of 660 MT $CO_2e$/year based on the GHG reduction goals of EO B-30-15. The service population metric of 2.6 is calculated for 2030 based on the 1990 inventory and the projected 2030 statewide population and employment levels.[45] The 2030 bright-line threshold is a 40 percent reduction of the 2020 1,100 MT $CO_2e$/year threshold. The use of this 2030 threshold also aligns with the City of Morgan Hill's GHG emission reduction target in the 2035 General Plan.

| | |
|---|---|
| **Impact GHG-1:** | The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. **(Less than Significant Impact)** |

GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational emissions associated with vehicular traffic within the project vicinity, energy, and water usage, and solid waste disposal. Emissions for the proposed project were analyzed using CalEEMod and the methodology recommended in the BAAQMD CEQA Air Quality Guidelines and are discussed below. The project land uses were entered into CalEEMod including a 55,000 square foot two-year college/training center and a 35,124 square foot parking lot with 213 parking spaces.

[45] Association of Environmental Professionals. *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California*. October 2016. Accessed May 21, 2019. https://www.califaep.org/climate-change.

CalEEMod was used to predict GHG emissions from operation of the site assuming full build-out of the project. The project land use types and size and other project-specific information were input to the model, as described in Section 4.3, *Air Quality*. The project service population efficiency rate is based on the number of future students and staff accommodated by the proposed training center. The estimated number of students is 150 and the number of proposed staff is 15.

### Construction Emissions

GHG emissions associated with construction were computed to be 150 MT of $CO_2e$ for the total construction period (assumed to be nine months). These are the emissions from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City nor BAAQMD have an adopted threshold of significant for construction related GHG emissions, though BAAGMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction. Best management practices assumed to be incorporated into construction of the proposed project include, but are not limited to, using local building materials of at least 10 percent and recycling or reusing at least 50 percent of construction waste or demolition materials.

### Operational Emissions

The CalEEMod model, along with the project vehicle trip generation rates, was used to estimate emissions associated with operation of the fully developed site under the proposed project. As shown in Table 4.8-1, annual emissions resulting from operation of the proposed training center project are predicted to be 465 MT of $CO_2e$ in 2021.

**Table 4.8-1:**
**Annual Project GHG Emissions**

| Source Category | Proposed Project Emissions (Metric Tons of $CO_2e$/year) |
|---|---|
| Area | 0.005 |
| Energy Consumption | 131 |
| Mobile | 291 |
| Solid Waste Generation | 36 |
| Water Usage | 8 |
| Total Project Operational GHG Emissions (Year 2021) | **465** |
| 2030 Bright-line Threshold | *660* |
| Above Bright-line Threshold? | No |

Since the operational GHG emissions would be below the bright-line threshold for 2030 (660 MT of $CO_2e$ per year), the project's operational GHG emissions would have a less than significant impact on the environment. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact GHG-2:** | The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. **(No Impact)** |

The proposed project's operational emissions would be below the 2030 bright-line threshold, and therefore, would be consistent with state and local plans and policies pertaining to GHG emission reductions. The project would be consistent with the greenhouse gas reduction targets of Executive Orders B-30-15. As a result, the project does not conflict with policies adopted at the state and local levels for the purpose of reducing GHG emissions. **(No Impact)**

## 4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussed is based, in part, on a Phase I Environmental Site Assessment (Phase I ESA) prepared by *AWR Environmental.* in October 2018 and a review of the Phase I ESA completed by *SCS Engineers* in April 2019. A copy of the report and memorandum is attached as Appendix E to this Initial Study.

### 4.9.1 Environmental Setting

#### 4.9.1.1 *Regulatory Framework*

**Federal and State**

Hazardous Materials Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. Federal regulations and policies related to development include the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, and the Resource Conservation and Recovery Act (RCRA). In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. The California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Cortese List

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and Santa Clara County. The project site is not on the Cortese List.[46]

[46] CalEPA. "Cortese List Data Resources." Accessed May 16, 2019. https://calepa.ca.gov/sitecleanup/corteselist. California Department of Toxic Substances Control. *EnviroStor.* Accessed May 16, 2019. https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=18640+madrone+parkway%2C+morgan+hill+ca State Water Resources Control Board. *Geotracker.* Accessed May 16, 2019. https://geotracker.waterboards.ca.gov/.

Federal Aviation Administration Regulations

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground.

**Local**

City of Morgan Hill 2035 General Plan

The following goal and policy to reduce the effects of hazardous materials are applicable to the proposed project:

*Goal SSI-4*: *Avoidance and exposure to hazardous substances.*

*Policy SSI-4.16:* **Contaminated Site Mitigation**. Require new or expanding development projects in areas contaminated from previous discharges to mitigate their environmental effects.

### 4.9.1.2 *Existing Conditions*

The 4.9-acre project site was used for agricultural purposes, as farmland for row crops from the 1930s until 1982. By 1998, the site was graded undeveloped land. Since 2006, the site has been undeveloped land, with the exception of a paved drive aisle that runs through the site.

The project site was surrounded by farmland until 1982. By1998, the site was surrounded by vacant land to the east, south, and west, and single-family residences and vacant land to the north. Since 2006, the site has been surrounded by industrial uses to the east, single-family residences and vacant/ranch land to the north, a surface parking lot to the west, Madrone Parkway and vacant land to the south, and office buildings to the southwest of the site.

**On-site Sources of Contamination**

Given the site was previously used for agricultural purposes until the 1980s, soils on-site may contain residual contamination from the use of organochlorine pesticides such as dichlorodiphenyltrichloroethane (DDT), chlordane, and metal-based pesticides including copper, lead and arsenic. These classes of pesticides are typically resistant to breakdown and may remain detectable in soils over an extended period of time. Soil samples were collected at the site and analyzed for lead given the proximity of the site to a former shooting range (refer to the discussion below regarding off-site sources of contamination). The samples results did not show elevated levels of lead. Samples were not analyzed for organochlorine pesticides or other metal-based pesticides.

A review of regulatory environmental databases was completed for the project site and surrounding properties within one mile of the site. Based the review of the search, the site is not listed in any regulatory databases. Hazardous materials records were requested from the Morgan Hill Fire Department and Santa Clara County Environmental Health Department. There were no records of releases at the project site in the agencies' files.

**Potential Off-site Sources of Contamination**

As discussed above, a review of regulatory environmental databases was completed for project site's surrounding properties within one mile of the site.

Based on the records search, there were a number of reports and correspondence for the former San Jose Trap and Skeet Club (i.e., a shooting range) at 645 Cochrane Road, approximately one-quarter mile south of the project site. The property was used as a trap and skeet club from the late 1950s through the late 1980s. Investigations showed high levels of lead were detected in soil at the property. Remediation was completed at the property and the release was listed as a closed case in August 1995. The testing for lead in on-site soils was completed in April 2018. The results showed that there are not hazardous levels of lead contamination present at the site and, therefore, lead use at the former shooting range did not impact the project site's soils.

Based on the distance, direction, and/or nature of the remaining listings in the vicinity of the site, none of the surrounding properties are an environmental concern for the project site.

### 4.9.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ |
| 2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☒ | ☐ | ☐ |
| 3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |
| 4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| 6) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| 7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☐ | ☒ |

**Impact HAZ-1:** The project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. **(Less than Significant Impact)**

The proposed carpenters training center would routinely use limited amounts of cleaning materials but would not generate substantial hazardous emissions or result in accidental chemical releases from hazardous materials use, storage, or transport. The use and storage of hazardous materials in the City of Morgan Hill is regulated by Santa Clara County Department of Environmental Health Hazardous Materials Compliance Division (SCCDEH). The construction and operation of the proposed project would conform to the requirements of the SCCDEH. Compliance with applicable federal, state, and local handling, storage, and disposal requirements would ensure that no significant hazards to the public or the environment are created by these routine activities. For these reasons, the storage and handling of hazardous materials on the site, under the proposed project, would not result in a significant impact. **(Less Than Significant Impact)**

**Impact HAZ-2:** The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact with Mitigation Incorporated)**

As discussed in Section 4.9.1, no releases from off-site properties are an environmental concern for the project site. The project was used for agricultural purposes until 1982 and, as a result, residual contamination from the use of organochlorine pesticides and metal-based pesticides could be present in on-site soils. For this reason, hazardous levels of these chemicals in on-site soils could be released into the environment during construction, and impact construction workers and adjacent residences.

**Impact HAZ-2:** Construction workers and adjacent residences could be exposed to hazardous levels of agricultural chemicals in on-site soils. **(Significant Impact)**

**Mitigation Measures**: Implementation of the following mitigation measures would reduce hazards and hazardous materials impacts during construction to a less than significant level.

**MM HAZ-2.1:** Prior to the issuance of grading permits, shallow soil samples shall be taken in the near surface soil and tested for organochlorine pesticides and pesticide-based metals arsenic and lead to determine if contaminants from previous agricultural operations occur at concentrations above established construction worker safety and environmental screening levels. The result of soil sampling and testing shall be provided to the Principal Planner of the City of Morgan Hill Development Services Department for review.

**MM HAZ-2.2:** If contaminated soils are found in concentrations above established regulatory environmental screening levels, the project applicant shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP), or equivalent, to formalize regulatory oversight of the mitigation of contaminated soil to ensure the site is safe for construction workers and the public after development. The project applicant must remove contaminated soil to levels acceptable to the SCCDEH (or equivalent oversight agency). The SCCDEH (or equivalent oversight agency) may also approve leaving in-place some of the contaminated soil if the contaminated soil will be buried under hardscape and/or several feet of clean soil.

A Removal Action Plan, Soil Mitigation Plan or other similarly titled report describing the remediation must be prepared and implemented to document the removal and /or capping of contaminated soil. A copy of any reports prepared shall be submitted to the Principal Planner of the City of Morgan Hill Development Services Department. All work and reports produced shall be performed under the regulatory oversight and approval of the SCCDEH (or equivalent oversight agency).

**MM HAZ-2.3:** The project applicant shall prepare a Site Management Plan (SMP) prior to issuance of any grading permits to reduce or eliminate exposure risk to human health and the environment, specifically, potential risks associated with the presence of organochlorine pesticides and pesticide-based metals. The SMP shall include, but is not limited to, the following elements to mitigate potential risks associated with environmental conditions:

- Procedures for transporting and disposing the waste material generated during removal activities, if such transport and disposal is necessary
- Procedures for stockpiling soil on-site, if such stockpiling is necessary
- Provisions for collecting soil samples to prior to grading activities

- Provisions for confirmation soil sampling as appropriate to obtain a "No Further Action" letter (or equivalent) from the state and/or local agency assuming oversight for the site
- Procedures to ensure that fill and cap materials are verified as clean truck routes
- Staging and loading procedures and record keeping requirements

The SMP shall be submitted to the Santa Clara County Department of Environmental Health (SCCDEH), or equivalent regulatory agency, for review and approval. Copies of the approved SMP shall be provided to the City's Development Services Department prior to issuance of any grading permits.

**MM HAZ-2.4** All contractors and subcontractors at the project site shall develop a health and safety plan (HSP) specific to their scope of work and based upon the known environmental conditions for the site. Each Health and Safety plan shall be implemented under the direction of a Site Safety and Health Officer. The Health and Safety Plan shall include, but not limited to, the following elements, as applicable:

- Provisions for personal protection and monitoring exposure to construction workers
- Procedures to be undertaken in the event that contamination is identified above action levels or previously unknown contamination is discovered
- Procedures for the safe storage, stockpiling, and disposal of contaminated soils
- Provisions for the on-site management and/or treatment of contaminated groundwater during extraction or dewatering activities
- Emergency procedures and responsible personnel.

The HSP shall be submitted to the Santa Clara County Department of Environmental Health (SCCDEH), or equivalent regulatory agency, for review and approval. Copies of the approved HSP shall be provided to the City's Development Services Department prior to issuance of any grading permits.

The implementation of the MM HAZ-2.1 - MM HAZ-2.4 would ensure that hazardous conditions on-site and the transport of contaminated soils would not result in a significant hazard to construction workers, adjacent residences, or the environment. **(Less Than Significant Impact with Mitigation)**

| | |
|---|---|
| **Impact HAZ-3:** | The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(No Impact)** |

There are no existing or planned schools within one quarter mile of the project site. The nearest school to the site is Voices of College Bound Academy Elementary located at 610 Jarvis Drive, approximately 0.5 mile south of the site. The project would, therefore, not emit hazardous emissions or handle hazardous materials/substances within one-quarter mile of a school. **(No Impact)**

| | |
|---|---|
| **Impact HAZ-4:** | The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment. **(No Impact)** |

The project is not included on a list of hazardous materials sites pursuant Government Code Section 65962.5.[47] **(No Impact)**

| | |
|---|---|
| **Impact HAZ-5:** | The project would not be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(No Impact)** |

Given the distance of the site from the South County Airport (approximately six miles), the project site is not located within an Airport Influence Area or Federal Aviation Administration Height Restriction Area; therefore, the project would not result in an airport safety hazard. Since the site is not within the airport influence area (AIA), the site is not subject to Santa Clara County Airport Land Use Commission (ALUC) evaluation. **(No Impact)**

| | |
|---|---|
| **Impact HAZ-6:** | The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(No Impact)** |

The project would be constructed in accordance with current building and fire codes to ensure structural stability and safety. In addition, the Morgan Hill Fire Department would review the site development plans to ensure fire protection design features are incorporated and adequate emergency access is provided. For these reasons, the operations of the proposed training center would not interfere with the City-adopted Emergency Operations Plan or any adopted statewide emergency response or evacuation plans.[48] **(No Impact)**

[47] CalEPA. *Cortese List Data Resources*. Accessed May 16, 2019. https://calepa.ca.gov/sitecleanup/corteselist. California Department of Toxic Substances Control. "EnviroStor". Accessed May 16, 2019. https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=18640+madrone+parkway%2C+morgan+hill+ca State Water Resources Control Board. "Geotracker." Accessed May 16, 2019. https://geotracker.waterboards.ca.gov/.

[48] City of Morgan Hill, Office of Emergency Services. *Emergency Operations Plan*. Revision 2.0. January 11, 2018.

| | |
|---|---|
| **Impact HAZ-7:** | The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. **(No Impact)** |

The project site is within the City limits and is not within a State of California Very High Fire Hazard Severity Zone or the City's wildland and urban interface.[49] Therefore, the project would not expose people or structures to wildfire hazards. **(No Impact)**

[49] California Department of Forestry and Fire Protection (CalFire). *California Fire Hazard Severity Zone Map Update Project: Fire Hazard Severity Zone Maps*. Accessed May 17, 2019. http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps.

## 4.10 HYDROLOGY AND WATER QUALITY

### 4.10.1 Environmental Setting

#### 4.10.1.1 *Regulatory Framework*

**Federal, State and Regional**

Water Quality Overview

The Federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. Environmental Protection Agency (US EPA) and the State Water Resources Control Board have been developed to fulfill the requirements of this legislation. The US EPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by water quality control boards, which for the Morgan Hill area north of Cochrane Road is the San Francisco Bay Regional Water Quality Control Board (RWQCB). The RWQCB issues and enforces NPDES permits for discharges to water bodies in the portion of Santa Clara County that drains to the San Francisco Bay. The RWQCB is also tasked with preparation and revision of a regional Water Quality Control Plan, also known as the Basin Plan. The Basin Plan was most recently updated in May 2017. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to control water quality and protect beneficial uses.

*Statewide Construction General Permit*

The State Water Resources Control Board (SWRCB) has implemented a NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction. The Construction General Permit includes requirements for training, inspections, record keeping, and for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

*NPDES Municipal Stormwater Permit*

The City of Morgan Hill has adopted and prepared a Storm Water Management Plan (SWMP) and been issued the NPDES Small Municipal Separate Storm Sewer Systems (small MS4s) General Permit by the Central Coast RWQCB [Order Number 2003-0005-DWQ, Waste Discharge Identification Number (WDID#) 3-43MS03020]. The City of Morgan Hill is designated by the EPA as a small MS4, serving less than 100,000 people. Morgan Hill's previous Small MS4 permit expired in June 2010, and the new regional permit serves as a renewal of the Small MS4 permit for Morgan Hill. The City's SWMP plan outlines a comprehensive five-year plan to establish Best Management Practices (BMPs) through six Minimum Control Measures (MCMs) to help reduce the discharge of pollutants into waterways and to protect local water quality caused by stormwater and urban runoff within the corporate limits of Morgan Hill.

Flood Management

*National Flood Insurance Program*

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) in order to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRM) that identify Special Flood Hazard Areas (SFHA). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

*Santa Clara Valley Water District*

The Santa Clara Valley Water District (Valley Water) operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.

**Local**

City of Morgan Hill 2035 General Plan

The following goal and policies to reduce impacts to hydrology and water quality are applicable to the proposed project:

*Goal SSI-16:* Minimized adverse effects on property, natural resources, and ground and surface water quality from stormwater runoff.

*Policy SSI-16.2:* **Drainage System Capacity**. Ensure that the level of detention or retention provided on the site of any new development is compatible with the capacity of the regional storm drainage system.

*Policy SSI-16.3:* **Stormwater Management Plans**. Require a stormwater management plan for each proposed development, to be presented early in the development process and describe the design, implementation, and maintenance of the local drainage facilities.

### 4.10.1.2 *Existing Conditions*

**Hydrology and Drainage**

The City of Morgan Hill is divided into several hydrologically distinct drainage areas, with each having a system of conveyance facilities, pumps, and detention basins to collect and dispose the runoff. The stormwater runoff from these areas is collected and ultimately discharged into creeks that flow through the City and are tributary to either of the Monterey Bay or San Francisco Bay. The

project site is located in the Fisher Creek storm drainage basin.[50] Fisher Creek generally drains the area north of Llagas Road and Cochrane Road, west of US 101, and continues in a northerly direction to San Francisco Bay.

The project site has 177,725 square feet of pervious surfaces consisting of non-native grasses and 35,124 square feet of impervious surfaces (i.e., the paved drive aisle).

### Water Quality

The water quality of ponds, creeks, streams, and other surface waterbodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as "non-point" source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Grading and excavation activities during construction of a project could increase the amount of surface water runoff (i.e., particles of fill or excavated soil) from the site, or could erode soil downgradient, if the flows are not controlled. Deposition of eroded material in water features could increase turbidity, thereby endangering aquatic life, and reducing wildlife habitat. Excessive precipitation can carry these non-point pollutants downstream.

### Groundwater

The site is located in the Santa Clara Valley Subbasin of the Santa Clara Valley Groundwater Basin. The site is within the Coyote Valley Recharge Area designated by the SCVWD.[51] The site does not contain aquifer recharge facilities, such as streams or ponds. Groundwater at the site was not at the maximum depth explored, 50 feet below the ground surface, during a July 2018 geotechnical field investigation. The highest expected groundwater level at the site is approximately 20 feet below ground elevation.

### Flooding and Other Hazards

The project site is not located within a 100-year flood hazard area. According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), the project site is located within Zone X which is an area of within a 500-year flood, within a 100-year flood with average depths of less than one foot or drainage areas less than one square mile, or areas protected by levees from a 100-year flood.[52]

A seiche is an oscillation of the surface of a lake or landlocked sea varying in period from a few minutes to several hours. There are no landlocked bodies of water near the project site that in the event of a seiche will affect the site.

A tsunami is a series of water waves caused by the displacement of a large volume of a body of water, such as an ocean or a large lake. Due to the immense volumes of water and energy involved,

[50] City of Morgan Hill. *2018 Storm Drainage System Master Plan.* September 2018.
[51] Santa Clara Valley Water District. *Groundwater Management Plan*. Adopted November 22, 2016. Accessed May 21, 2019. https://www.valleywater.org/your-water/where-your-water-comes-from/groundwater.
Groundwater recharge area = Area that supplies water to an aquifer in a groundwater basin.
[52] Federal Emergency Management Agency. *Flood Insurance Rate Map, Community Panel #06085C0443H*. May 18, 2009.

tsunamis can devastate coastal regions. The project site does not lie within a tsunami inundation hazard area.[53]

### 4.10.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | ☐ | ☐ | ☒ | ☐ |
| 2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☐ | ☒ |
| 3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | ☐ | ☐ | ☒ | ☐ |
| – result in substantial erosion or siltation on- or off-site; | ☐ | ☐ | ☒ | ☐ |
| – substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; | ☐ | ☐ | ☒ | ☐ |
| – create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | ☐ | ☐ | ☒ | ☐ |
| – impede or redirect flood flows? | ☐ | ☐ | ☒ | ☐ |
| 4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☐ | ☒ |
| 5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☐ | ☒ |

[53] California Emergency Management Agency. *California Official Tsunami Inundation Map.* Accessed May 17, 2019. https://www.conservation.ca.gov/cgs/tsunami/maps.

| | |
|---|---|
| **Impact HYD-1:** | The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)** |

### Construction Water Quality Impacts

There is the potential for water quality impacts to occur during project construction. In addition to generating dust, litter, oil, and other pollutants that could contaminate runoff from the site, construction activities would increase the potential for erosion and sedimentation by disturbing and exposing underlying soil to the erosive forces of water and wind. Since construction of the proposed project would disturb more than one acre of soil, the project would be required to comply with the NPDES General Permit for Construction Activities.

In accordance with the City of Morgan Hill Standard Conditions of Approval and the NPDES General Permit for Construction Activities, Standard Condition GEO-3 (refer to Section 4.7, *Geology and Soils*), and Standard Condition HYD-1 are included in the project to reduce construction-related water quality impacts to a less than significant level.

**Standard Condition HYD-1:** In accordance with the City of Morgan Hill Standard Conditions of Approval and the Construction General Permit, the following measures are included in the project to reduce construction-related water quality impacts to a less than significant level:

The following BMPs shall be implemented during project construction:

- Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities will be suspended during periods of high winds.
- All exposed or disturbed soil surfaces will be watered at least twice daily to control dust.
- Stockpiles of soil or other materials that can be blown by the wind will be watered or covered.
- All trucks hauling soil, sand, and other loose materials will be covered and all trucks will be required to maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction site will be swept daily (with water sweepers).
- Vegetation in disturbed areas will be replanted as quickly as possible.

With the implementation of the above standard conditions, the project would not violate any water quality standards during construction. **(Less than Significant Impact)**

### Post-Construction Water Quality

Stormwater runoff from urban uses such as the proposed project contains metals, pesticides, herbicides, and other contaminants such as oil, grease, lead, and animal waste. Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of

impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. The project would add 55,110 square feet of impervious surface area. The project would, therefore, conform to the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements, which would ensure that increases in stormwater runoff pollutant loads, rates and volumes generated by the project's increase in impervious surface area on the site would be controlled through the implementation of pollutant source controls and low impact development (LID)-based treatment controls (see response to Impact HYD-3 for a further description of LID-based treatment controls). [54]

Post-construction stormwater runoff from the site would be treated at on-site bioswales, then discharged to an off-site detention basin 250 feet west of the site, then directed to Fisher Creek, and would eventually flow to the San Francisco Bay.

Conformance with the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements for implementing pollutant source controls and LID-based treatment controls would reduce impacts to post-construction water quality to a less than significant level. **(Less than Significant Impact)**

| | |
|---|---|
| **Impact HYD-2:** | The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(No Impact)** |

As previously described, the highest depth to groundwater expected at the project site is 20 feet below the ground surface. The maximum depth of excavation, to install utilities building foundations, proposed is six feet below the ground surface. The groundwater is deep enough such that ground disturbance during construction would not interfere with groundwater flow or expose any aquifers. The project site is not an aquifer recharge facility (i.e., streams or ponds); therefore, development of the project site would not substantially interfere with aquifer recharge. **(No Impact)**

| | |
|---|---|
| **Impact HYD-3:** | The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. **(Less than Significant Impact)** |

The project site contains 35,124 square feet of impervious surfaces and 177,725 square feet of pervious surfaces. The proposed development would add approximately 55,110 square feet of impervious surface area, consisting of the proposed building footprint, walkways, and the asphalt

[54] City of Gilroy, City of Morgan Hill and County of Santa Clara. *Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements*. June 2015.

paved parking lot and yard area. The project would increase the percentage of impervious area on the site from 0.2 to approximately 42 percent.

According to the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements, projects that create or replace 22,500 square feet or more of impervious surface area require the applicant to incorporate post-construction controls into the design of the project and to manage post-development peak flows discharged from the site (hydromodification management). Post-construction controls are permanent features designed to reduce pollutants in stormwater and/or erosive flows during the life of the project. Types of post-construction controls include LID site design, pollutant source control, stormwater treatment, and hydromodification management measures. The LID approach reduces stormwater runoff impacts by minimizing disturbed areas and impervious surfaces, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g. rainwater harvesting for non-potable uses).[55]The LID treatment systems are required to be designed to retain stormwater runoff generated by the 85$^{th}$ percentile 24-hour storm event.

The project applicant will implement the following condition of approval to manage post-development peak flows:

- **Standard Condition HYD-2:** The Project Engineer will provide a hydrology report demonstrating that post-development stormwater runoff peak flows discharged from the site do not exceed pre-project peak flows for the two (2) through 10-year storm events. Peak flow controls must also meet the flood control standards established by the Santa Clara County Drainage Manual.

The project proposes to connect on-site storm drains to the existing City storm drain system via 36-inch storm drain pipes on Madrone Parkway, immediately south of the site. The pipes drain to a large existing detention basin located 250 feet west of the site. The basin is sized to store the 24-hour, 100-year design storm, consistent with City and SCVWD standards. Stormwater runoff from the site would be treated by on-site bioswales, then discharged to the off-site detention basin, then directed to Fisher Creek, and eventually flow to the San Francisco Bay. The project would be in compliance with the City's post-construction requirements, and would not contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, provide substantial additional sources of polluted runoff, substantially increase the rate or amount of surface runoff in a manner which will result flooding, or redirect/impede flows.

There are no waterways on or adjacent to the project site and development on the site would not alter the course of a stream or river causing substantial flooding, erosion, or siltation on- or off-site. With the implementation of Standard Conditions GEO-3 and HYD-1, the project would not result in substantial erosion during construction. For these reasons, the project would not have a significant impact on the City's drainage systems or water quality. The final drainage system design for the proposed development would be subject to review and approval by the City of Morgan Hill Public Works Department, whom confirms that the proposed drainage system for the project is consistent

[55] City of Gilroy, City of Morgan Hill and Santa Clara County. *Stormwater Management Guidance Manual for Low Impact Development & Post-Construction Requirements.* June 2015.

with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact HYD-4:** | The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(No Impact)** |

The project site is located in Zone X designated by FEMA, which is not a 100-year flood hazard area. The project site is a flat parcel on the valley floor and is not in proximity to a large body of water. Additionally, the project site is not located within a designated tsunami inundation zone. The proposed project would, therefore, not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(No Impact)**

| | |
|---|---|
| **Impact HYD-5:** | The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(No Impact)** |

As discussed in the responses to Impact HYD-1 and Impact HYD-3, the project would comply with the NPDES MRP and the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements. The project would not impact groundwater recharge and would not conflict with the SCVWD's 2016 Groundwater Management Plan. For these reasons, the project would not conflict with implementation of a water quality or groundwater management plan. **(No Impact)**

## 4.11 LAND USE AND PLANNING

### 4.11.1 Environmental Setting

#### South County Airport Comprehensive Land Use Plan

A small portion of Morgan Hill extends into the Airport Influence Area (AIA) of the South County Airport, which is located in the unincorporated community of San Martin between Morgan Hill and Gilroy. The airport is operated by Santa Clara County and is used for general aviation, which includes all aviation activities other than commercial passenger flights, commuter/air taxi, and military uses.

The AIA includes all areas surrounding the airport that are affected by noise, height, and safety considerations. All development projects within the AIA must be reviewed by the Santa Clara County Airport Land Use Commission (ALUC) to ensure consistency with the CLUP. A small portion of the Morgan Hill City limits near Llagas Creek are located within the AIA. The Morgan Hill City limits are located outside of the airport's noise contours and safety zones.

The CLUP also establishes height restrictions for structures, and the area subject to these height restrictions is slightly greater than the AIA. Per Figure 6, FAR Part 77 Surfaces, of the CLUP, structures in the southern portion of the Morgan Hill City limits should not exceed the height limits of between 481 feet and 631 feet above mean sea level depending on the location of the structure.

#### 4.11.1.1 *Existing Conditions*

The 4.9-acre project site is located at 18640 Madrone Parkway in Morgan Hill and is bordered by single-family residences and a ranch to the north, industrial uses to the east, Madrone Parkway, a vacant area, office buildings to the south, and a parking lot to the west. The site is 650 feet west of US 101. The site is vacant with a paved drive aisle that transects the site. Trees, shrubs and lawn areas are located along the northern, western and southern border of the site.

The nearest airport is the South County Airport in San Martin, approximately six miles southeast of the project site. The project site is not located within the AIA shown in the South County Airport Comprehensive Land Use Plan.[56]

#### General Plan Land Use Designation and Zoning

The site is designated *Commercial/Industrial* in the City's General Plan and is within the *Commercial Industrial PUD overlay* zoning district. The *Commercial/Industrial* General Plan land use designation typically allows office, research and development, light industrial uses, and similar uses, and also allows amenities such as retail services, restaurants, and lodging to support the primary job-generating uses within business park settings. This designation allows a maximum FAR of 0.5 and a maximum building height of 30 feet for commercial uses and a maximum FAR of 0.6 and a maximum building height of 50 feet for industrial uses.

[56] Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan, Santa Clara County: South County Airport*. Amended November 16, 2016. Accessed May 12, 2019. https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_E16_CLUP.pdf. The Airport Influence Area (AIA) is a composite of the areas surrounding the airport that are affected by noise, height, and safety considerations

The *Commercial Industrial PUD overlay* is consistent with the allowed uses for *Commercial Industrial* under the General Plan*;* the *PUD overlay* allows flexibility in the development standards which the project would normally be required to comply with under the *Commercial Industrial* zoning.

### 4.11.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| 2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☒ | ☐ |

**Impact LU-1:** The project would not physically divide an established community. **(No Impact)**

Examples of projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and railroad lines. The project, which proposes to construct a 55,000 square foot carpenters training center under the existing *Commercial/Industrial* General Plan land use designation, would not include construction of dividing infrastructure.

The site is in a setting characterized by rural residential, ranch land, industrial, office, and commercial uses. The existing carpenters training program located at 485 Woodview Avenue, approximately 850 feet southwest of the site, would relocate to the proposed training center at the project site. Therefore, the project would not introduce new uses to the project area. The area is currently developed with a mix of land uses and development of the proposed training center would not physically divide an established community. **(No Impact)**

**Impact LU-2:** The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

Land use conflicts can arise from a new development or land use that would causes impacts to persons or the physical environment in the vicinity of the project site or elsewhere. Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope. Depending on the nature of the impact and its severity, land use compatibility conflicts can range from minor irritations and nuisance to potentially significant effects on human health and safety.

The *Commercial/Industrial* General Plan land use designation typically allows office, research and development, light industrial uses and similar uses. The training center would accommodate carpenters training courses for light industry including welding and use of industry equipment and technologies that are typical to the construction process (e.g., stationary power tools such as table saws and portable hand-held power tools) and a propane-powered forklift to handle material deliveries and loading. The proposed project would be consistent with the allowed uses under the General Plan.

The maximum building height allowed for industrial uses (under the site's General Plan designation) is 50 feet above the ground surface. The maximum building height of the proposed building would be approximately 32 feet above the ground surface and the floor area ratio would be 0.3, which is below the maximum building height and floor area ratio allowed for industrial uses under the *Commercial/Industrial* General Plan land use designation.

The proposed project is allowed under the existing *Commercial Industrial PUD overlay* with the City's approval of a Conditional Use Permit.

Single-family residences are located immediately to the north of the project site. With the implementation of mitigation measures discussed in Sections 4.3, *Air Quality*, 4.9, *Hazards and Hazardous Materials*, and 4.13, *Noise*, the project would not result in land use compatibility conflicts due to noise or significant effects related to human health and safety. **(Less Than Significant Impact)**

The project would be located outside of the AIA of the South County CLUP and, therefore, the project would not conflict with an airport land use plan. **(No Impact)**

## 4.12 MINERAL RESOURCES

### 4.12.1 Environmental Setting

The project site is located in an urban area within the City of Morgan Hill. Mineral resource recovery activities do not occur on or near the project site, nor does the site contain any known mineral resources.

#### 4.12.1.1 *Regulatory Framework*

**Surface Mining and Reclamation Act**

The Surface Mining and Reclamation Act (SMARA) was enacted by the California Legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board, after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

#### 4.12.1.2 *Existing Conditions*

### 4.12.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| 2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ |

**Impact MIN-1:** The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

Based on the City's General Plan and the state's map of mines/mineral resources,[57] the project site is not comprised of known mineral resources or mineral resource production areas. The General Plan does not identify the project site or area as a mineral resource recovery site. Therefore, the proposed

[57] California Department of Conservation. *SMARA Statutes and Regulations: Interactive Map*. Accessed May 21, 2019. http://www.conservation.ca.gov/omr/lawsandregulations.

project would not result in a loss of availability of a known mineral resource that would be of value to the to residents in the state or region. **(No Impact)**

| | |
|---|---|
| **Impact MIN-2:** | The project would not result in the loss of availability of locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. **(No Impact)** |

See discussion in Impact MIN-1. **(No Impact)**

## 4.13 NOISE

The following discussion is based in part upon a Noise and Vibration Assessment completed by *Illingworth & Rodkin, Inc.* on April 30, 2019. The report is attached to Appendix F of this Initial Study.

### 4.13.1 Environmental Setting

#### 4.13.1.1 *Background Information*

Noise is measured on a "decibel" scale which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are almost always expressed using one of several noise averaging methods, such as $L_{eq}$, DNL, or CNEL.[58] Using one of these descriptors is a way for a location's overall noise exposure to be measured, given that there are specific moments when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and specific moments when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). $L_{max}$ is the maximum A-weighted noise level during a measurement period.

#### 4.13.1.2 *Vibration Overview*

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. Because of the impulsive nature of construction activities, the use of the PPV descriptor has been routinely used to measure and assess ground-borne vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 in/sec PPV.

[58] $L_{eq}$ is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) is similar to the DNL except that there is an additional five dB penalty applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour $L_{eq}$.

#### 4.13.1.3 *Regulatory Framework*

**Local**

City of Morgan Hill 2035 General Plan

The following goals and policies related to noise are applicable to the proposed project:

*Goal SSI-8*: *An adaptive and resilient community that responds to climate change.*

*Policy SSI-8.1*: **Exterior Noise Level Standards**. Require new development projects to be designed and constructed to meet acceptable exterior noise level standards (as shown in Table SSI-1) as follows:

- Apply a maximum exterior noise level of 60 dBA $L_{dn}$ in residential areas where outdoor use is a major consideration (e.g., backyards in single-family housing developments and recreation areas in multi-family housing projects). Where the City determines that providing a $L_{dn}$ of 60 dBA or lower cannot be achieved after the application of reasonable and feasible mitigation, a $L_{dn}$ of 65 dBA may be permitted.

*Policy SSI-8.2:* **Impact Evaluation**. The impact of proposed development project on existing land uses should be evaluated in terms of the potential for adverse community response based on significant increase in existing noise levels, regardless of compatibility guidelines.

*Policy SSI-8.3:* **Commercial and Industrial Noise Level Standards**. Evaluate interior noise levels in commercial and industrial structures on a case-by-case basis based on the use of the space.

*Policy SSI-8.4*: **Office Noise Level Standards**. Interior noise levels in office buildings should be maintained at 45 dBA $L_{eq}$ (hourly average) or less, rather than 45 dBA $L_{dn}$ (daily average).

*Policy SSI-8.5:* **Traffic Noise Level Standards**. Consider noise level increases resulting from traffic associated with new projects significant if: a) the noise level increase is 5 dBA $L_{dn}$ or greater, with a future noise level of less than 60 dBA $L_{dn}$, or b) the noise level increase is 3 dBA $L_{dn}$ or greater, with a future noise level of 60 dBA $L_{dn}$ or greater.

*Policy SSI-8.6:* **Stationary Noise Level Standards**. Consider noise levels produced by stationary noise sources associated with new projects significant if they substantially exceed existing ambient noise levels.

*Policy SSI-8.7:* **Other Noise Sources**. Consider noise levels produced by other noise sources (such as ballfields) significant if an acoustical study demonstrates they would substantially exceed ambient noise levels.

*Policy SSI-8.9:* **Site Planning and Design**. Require attention to site planning and design techniques other than sound walls to reduce noise impacts, including: a) installing earth berms, b) increasing the distance between the noise source and the receiver; c) using non-sensitive structures such as parking lots, utility areas, and garages to shield noise-sensitive areas; d) orienting buildings to shield outdoor spaces from the noise source; and e) minimizing the noise at its source.

*Goal SSI-9:* Protection from noise associated with motor vehicles and railroad activity.

*Policy SSI-9.1*: **Techniques to Reduce Traffic Noise**. Use roadway design, traffic signalization, and other traffic planning techniques (such as limiting truck traffic in residential areas) to reduce noise caused by speed or acceleration of vehicles.

Policy SSI-9.3: **Sound Wall Design**. The maximum height of sound walls shall be eight feet. Residential projects adjacent to the freeway shall be designed to minimize sound wall height through location of a frontage road, use of two sound walls or other applicable measures. Sound wall design and location shall be coordinated for an entire project area and shall meet Caltrans noise attenuation criteria for a projected eight-lane freeway condition. If two sound walls are used, the first shall be located immediately adjacent to the freeway right-of-way and the second shall be located as necessary to meet Caltrans noise requirements for primary outdoor areas. The minimum rear yard setback to the second wall shall be 20 feet.

*Policy SSI-9.5*: **Noise Studies for Private Development**: In order to prevent significant noise impacts on neighborhood residents which are related to roadway extensions or construction of new roadways, require completion of a detailed noise study during project-level design to quantify noise levels generated by projects such as the Murphy Avenue extension to Mission View Drive and the Walnut Grove Extension to Diana Avenue. The study limits should include noise sensitive land uses adjacent to the project alignment as well as those along existing segments that would be connected to new segments. A significant impact would be identified where traffic noise levels would exceed the "normally acceptable" noise level standard for residential land uses and/or where ambient noise levels would be substantially increased with the project. Project specific mitigation measures could include, but not be limited to, considering the location of the planned roadway alignment relative to existing receivers in the vicinity, evaluating the use of noise barriers to attenuate project-generated traffic noise, and/or evaluating the use of "quiet pavement" to minimize traffic noise levels at the source. Mitigation should be designed to reduce noise levels into compliance with "normally acceptable" levels for residential noise and land use compatibility.

*Policy SSI-9.6:* **Earth Berms**. Allow and encourage earth berms in new development projects as an alternative to sound walls if adequate space is available.

*Policy SSI-9.7:* **Sound Barrier Design**. Require non-earthen sound barriers to be landscaped, vegetated, or otherwise designed and/or obscured to improve aesthetics and discourage graffiti and other vandalism.

Morgan Hill Municipal Code

The City of Morgan Hill's Municipal Code Chapter 8.28 states that "It is unlawful and a misdemeanor for any person to make or continue, or cause to be made or continued, any loud, disturbing, unnecessary or unusual noise or any noise which annoys, disturbs, injures or endangers the comfort, health, repose, peace or safety of other persons within the city." The following sections of the code would be applicable to the project:

C. Blowers, Fans, and Combustion Engines. The operation of any noise-creating blower, power fan or internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device to deaden such noise;

D. 1. Construction activities as limited below. "Construction activities" are defined as including but not limited to excavation, grading, paving, demolition, construction, alteration or repair of any building, site, street or highway, delivery or removal of construction material to a site, or movement of construction materials on a site. Construction activities are prohibited other than between the hours of 7:00 AM and 8:00 PM, Monday through Friday and between the hours of 9:00 AM to 6:00 PM on Saturday. Construction activities may not occur on Sundays or federal holidays. No third person, including but not limited to landowners, construction company owners, contractors, subcontractors, or employers, shall permit or allow any person working on construction activities which are under their ownership, control or direction to violate this provision. Construction activities may occur in the following cases without violation of this provision:

a. In the event of urgent necessity in the interests of the public health and safety, and then only with a permit from the chief building official, which permit may be granted for a period of not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues.

b. If the chief building official determines that the public health and safety will not be impaired by the construction activities between the hours of 8:00 PM and 7:00 AM, and that loss or inconvenience would result to any party in interest, the chief building official may grant permission for such work to be done between the hours of eight p.m. and seven a.m. upon an application being made at the time the permit for the work is issued or during the progress of the work.

c. The city council finds that construction by the resident of a single residence does not have the same magnitude or frequency of noise impacts as a larger construction project. Therefore, the resident of a single residence may perform construction activities on that home during the hours in this subsection, as well as on Sundays and federal holidays from nine a.m. to six p.m., provided that such activities are limited to the improvement or maintenance undertaken by the resident on a personal basis.

d. Public work projects are exempt from this section and the public works director shall determine the hours of construction for public works projects.

e. Until November 30, 1998, construction activities shall be permitted between the hours of 10:00 AM to 6:00 PM on Sundays, subject to the following conditions. No power-driven vehicles, equipment or tools may be used during construction activities, except on the interior of a building or other structure which is enclosed by exterior siding (including windows and doors) and roofing, and which windows and doors are closed during construction activities. Construction activities must be situated at least one hundred fifty feet from the nearest occupied dwelling. No delivery or removal of construction material to a site, or movement of construction materials on a site, is permitted. No activity, including but not limited to the playing of radios, tape players, compact disc players or other devices, which creates a loud or unusual noise which offends, disturbs or harasses the peace and quiet of the persons of ordinary sensibilities beyond the confines of the property from which the sound emanates is allowed.

2. If it is determined necessary in order to ensure compliance with this section, the chief building official may require fences, gates or other barriers prohibiting access to a construction site by construction crews during hours in which construction is prohibited by this subsection. The project manager of each project shall be responsible for ensuring the fences, gates or barriers are locked and/or in place during hours in which no construction is allowed. This subsection shall apply to construction sites other than public works projects or single dwelling units which are not a part of larger projects.

G. Loading or Unloading Vehicles and Opening Boxes. The creation of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers;

J. Pile Drivers, Hammers and Similar Equipment. The operation, between the hours of eight p.m. and seven a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.

Chapter 18.76.090 of the Municipal Code establishes quantitative noise performance standards:

- No land use or activity may produce a noise level in excess of the standards shown in Table 4.13-1.

| Table 4.13-1: Maximum Noise Levels at Adjacent Land Uses | |
|---|---|
| **Receiving Land Use** | **Maximum Noise Level at Lot Line of Receiving Use** |
| Industrial and Wholesale | 70 dBA |
| Commercial | 65 dBA |
| Residential or Public/Quasi Public | 60 dBA |
| Note: Above noise standards do not apply to noise generated by vehicle traffic in the public right-of-way or from temporary construction, demolition, and vehicles that enter and leave the site of the noise generating use (e.g., construction equipment, trains, trucks). | |

#### 4.13.1.4 *Existing Conditions*

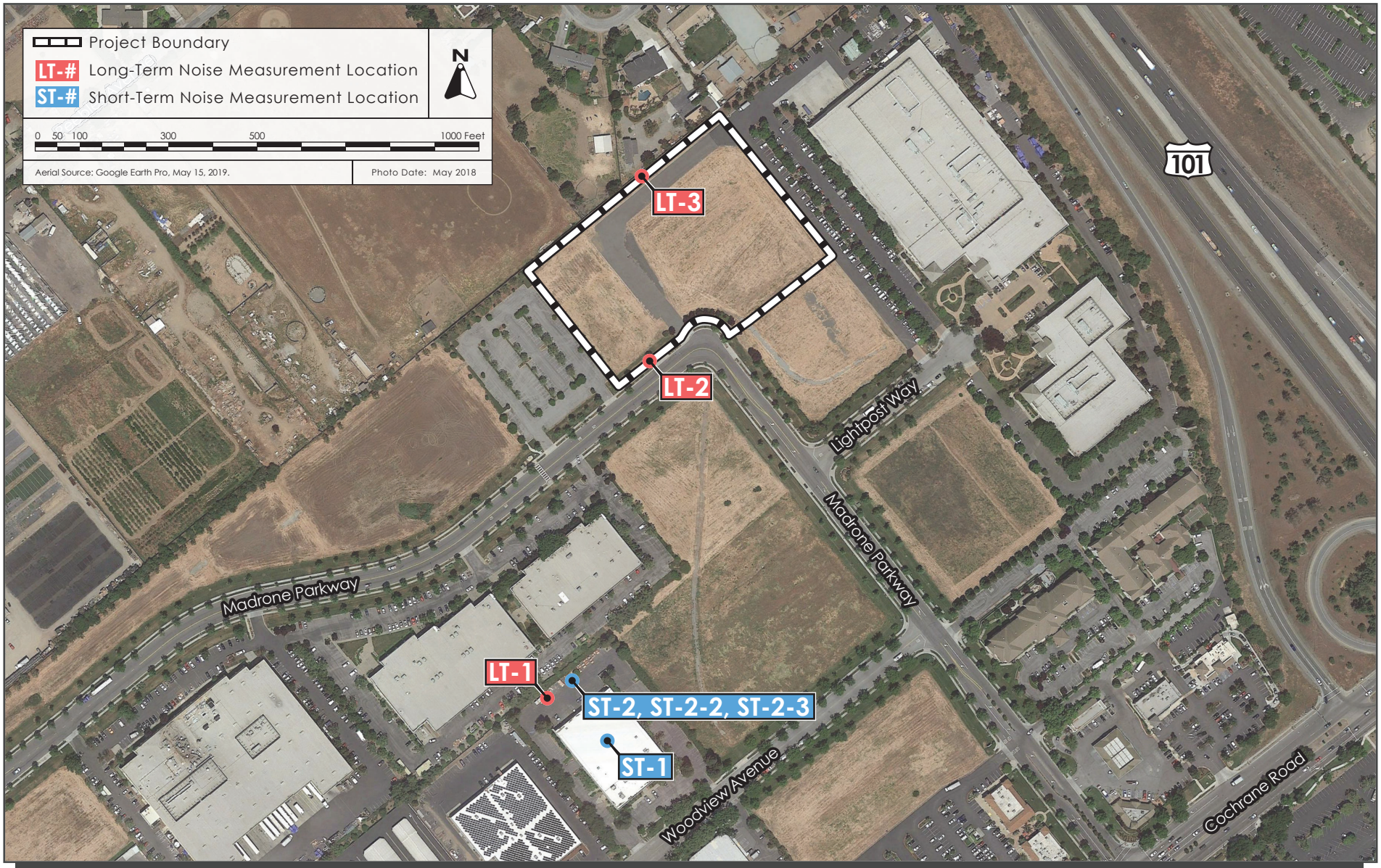
The site is located in an area with industrial uses to the east, vacant land and office buildings to the south across Madrone Parkway, a parking lot to the west, and residential and ranch land to the north. US 101 is located roughly 650 feet east of the project site. The noise environment at the site and in the surrounding area primarily comes from vehicular traffic along Madrone Parkway to the south of the site. Secondary noise sources include traffic noise from US 101 and industrial noise from the adjacent land uses. Occasional overhead aircraft noise is also periodically audible.

The closest airport to the project site is the South County Airport in San Martin, approximately six miles south of the project site. The project site is located outside of the 60 dBA CNEL noise contour lines shown in the Comprehensive Land Use Plan for the airport.

Noise Environment at the Existing Carpenters Facility (485 Woodview Avenue)

The existing carpenters training facility is located at 485 Woodview Avenue, approximately 700 feet southwest of the proposed new location at 18640 Madrone Parkway. The 2.5-acre site on Woodview Avenue is occupied by a carpenters training facility, with industrial uses to the north, west and south, and a vacant lot to the east. The noise environment at the 485 Woodview site and surrounding area results primarily from the facility itself, including power tool and hand tool noise generated from the facility when the roll-up doors are open. Secondary noise sources include vehicular traffic along Woodview Avenue to the south of the site and industrial noise from the adjacent land uses.

A noise monitoring survey was completed at the 485 Woodview site beginning on Tuesday, March 12, 2019 and ending on Friday, March 15, 2019. The monitoring survey included one long-term noise measurement and four short-term noise measurements, which are shown on Figure 4.13-1.




NOISE MEASUREMENT LOCATIONS | FIGURE 4.13-1

Long-term noise measurement LT-1 was made to the rear parking lot of the existing facility, approximately 75 feet from two large roll-up doors which provided access to the training area. Instantaneous peaks in noise could be representative of vehicle noise in the parking lot as vehicles arrived on site between 6:00 AM and 7:00 AM, and noise from the dumping of used construction materials into nearby bins. There is a forklift on site as well, however the sound of the forklift is infrequent and typically below the sound levels produced by other training activities. Hourly average noise levels at LT-1 ranged from 50 to 77 dBA $L_{eq}$ during daytime hours and were typically 65 dBA $L_{eq}$ or less. Hourly average noise levels at night ranged from 46 to 69 dBA $L_{eq}$. The day-night average noise level measured on Wednesday and Thursday March 13 and 14, 2019 was 66 dBA $L_{dn}$.

Short-term noise measurements were collected on Tuesday, March 12, 2019 between 11:50 AM and 1:10 PM and on Friday, March 15, 2019 between 12:20 PM and 12:35 PM. Noise measurement ST-1 was made inside the existing facility during typical carpenters training sessions involving a variety of hand tools and power tools. This measurement was made near the center of the training shop area, over a 10-minute period, approximately 100 feet away from hammering, 15 feet from circular sawing, and 100 feet from metal working. Typical noise levels from hammering ranged from 70 to 86 dBA, and typical noise levels from circular saws ranged from 78 to 83 dBA. Typical noise levels from metal working ranged from 70 to 80 dBA. The 10-minute average noise level measured at ST-1 was 83 dBA $L_{eq}$.

Noise measurement ST-2 was collected outside the existing facility, in the rear parking lot, approximately 75 feet from the two large roll-up doors that were open to the training shop. The same types of tools used during noise measurement ST-1 were being used during noise measurement ST-2. Typical noise levels from hammering ranged from 55 to 68 dBA, and typical noise levels from circular saws ranged from 60 to 65 dBA. The 10-minute average noise level measured at ST-2 was 65 dBA $L_{eq}$. Noise measurements ST-2-2 and ST-2-3 were made in the same location as ST-2 and were intended to show the difference in noise levels with the roll-up doors open and the roll-up doors closed, respectively. The five-minute average noise level measured at ST-2-2 was 59 dBA $L_{eq}$ and the five-minute average measured at ST-2-3 was 49 dBA $L_{eq}$. Based on the results of these measurements, noise levels were approximately 10 dBA less when the roll-up doors were in the closed position. The short-term measurements at the existing facility on Woodview Avenue are shown in Table 4.13-2.

**Table 4.13-2: Noise Measurement Locations (Existing Carpenters Center)**

| Noise Measurement Location | Date, Time | Measured Noise Level, dBA | | | | | |
|---|---|---|---|---|---|---|---|
| | | $L_{max}$ | $L_{(1)}$ | $L_{(10)}$ | $L_{(50)}$ | $L_{(90)}$ | $L_{eq(10\text{-}min)}$ |
| ST-1: In Center of Room Inside Existing Training Facility | 3/12/2019, 11:50-12:00 | 93 | 92 | 86 | 80 | 73 | 83 |
| ST-2: ~75 Feet from Roll-up Doors at Existing Training Facility | 3/12/2019, 12:10-12:20 | 77 | 74 | 69 | 63 | 57 | 65 |
| ST-2-2 (Doors Open) Same Location as ST-2 | 3/15/2019, 12:20-12:25 | 69 | 65 | 62 | 58 | 54 | 59 |
| ST-2-3 (Doors Closed) Same Location as ST-2 | 3/15/2019, 12:30-12:35 | 58 | 55 | 52 | 49 | 46 | 49 |

Noise Environment at the Proposed Project Location – 18640 Madrone Parkway

Noise measurements were collected at the 18640 Madrone Parkway site beginning on Tuesday, March 12, 2019 and concluding on Friday, March 15, 2019. The monitoring survey included one long-term noise measurement and one short-term noise measurement; the locations of these measurements are shown on Figure 4.13-1.

Noise measurement LT-2 was collected near the south side of the 18640 Madrone Parkway site, approximately 45 feet from the centerline of Madrone Parkway. Hourly average noise levels at this location typically ranged from 60 to 74 dBA $L_{eq}$ during the day and from 52 to 63 dBA $L_{eq}$ at night. The day-night average noise level measured on Wednesday, March 13, 2018 was 67 dBA $L_{dn}$, and 68 dBA $L_{dn}$ on Thursday, March 14, 2019.

Noise measurement ST-3 was collected at the north end of the project site, near the closest residence, and approximately 400 feet from the center line of Madrone Parkway. The primary sources of noise at this location were from traffic along Madrone Parkway to the south and US 101 to the east. Typical noise levels from traffic along Madrone Parkway ranged from 48 to 56 dBA, and typical noise levels from traffic along US 101 ranged from 48 to 52 dBA. The short-term measurement is shown in Table 4.13-3.

**Table 4.13-3: Noise Measurement Locations (Proposed Project Location)**

| Noise Measurement Location | Date, Time | Measured Noise Level, dBA | | | | | |
|---|---|---|---|---|---|---|---|
| | | $L_{max}$ | $L_{(1)}$ | $L_{(10)}$ | $L_{(50)}$ | $L_{(90)}$ | $L_{eq(10\text{-}min)}$ |
| ST-3: North Side of Proposed New Location | 3/12/2019, 1:00-1:10 | 63 | 59 | 53 | 49 | 47 | 51 |

### 4.13.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project result in: | | | | |
| 1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☒ | ☐ | ☐ |
| 2) Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| 3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

**Impact NOI-1:** The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact with Mitigation Incorporated)**

**Permanent Noise Increases**

On-site Parking/Circulation Noise

Noise sources within the proposed parking lot would include vehicle circulation, engine starts, door slams, human voices, and occasional car alarms. The sound of slow-moving vehicles, engines starting, doors closing, and people talking in the parking lot would be expected to reach maximum levels of 50 to 60 dBA at a distance of 50 feet.

Existing ambient noise levels at the nearest residential land uses to the north of the project site were measured to be 51 dBA $L_{eq}$ during operational hours (refer to measurement ST-3 on Figure 4.13-1), and the primary sources of noise at this location were from traffic along Madrone Parkway to the south and US 101 to the east. Typical noise levels from traffic along Madrone Parkway ranged from 48 to 56 dBA, and typical noise levels from traffic along US 101 ranged from 48 to 52 dBA. The estimated $L_{dn}$ noise level at this location was 60 to 61 dBA.

The acoustic center of the parking lot is conservatively assumed to be the center of the lot as it is likely that most vehicles will be parked as close as possible to the main entrance located near the southwest corner of the building. At a distance of 200 feet from the center of the parking lot, noise

levels generated by parking and vehicle circulation would range from 38 to 48 dBA, which is below typical daytime ambient noise levels. The $L_{dn}$ noise level attributable to parking lot operations would be 48 dBA at the property line when conservatively assuming parking lot noise levels of 48 dBA $L_{eq}$ between the hours of 6:00 AM. through 9:30 PM. The existing six-foot noise barrier would provide an additional 5 dBA of noise reduction. Therefore, noise levels resulting from parking lot operations would be 43 dBA $L_{dn}$ or less, and below typical ambient noise levels, at the nearest residential land uses. The project would, therefore, not result in a significant increase in permanent noise at the adjacent residences due to the project's parking lot activities. **(Less Than Significant Impact)**

Permanent Noise Increase from On-site Training Activities

The training center would primarily operate as a post-secondary adult apprenticeship program to train individuals, ages 18 to 65, in carpentry. Most training would occur indoors within the classrooms and shops. Outdoor activities in the surveying and layout yard would primarily consist of training in the use of surveying equipment, rigging, forklift, and aerial lift training. These types of outdoor activities produce noise levels less than the training noise levels occurring indoors.

Based on the data collected at the existing carpenters facility, training noise levels were calculated at the nearest residential and industrial properties assuming an eight-foot noise barrier proposed along the boundary of the outdoor yards would be constructed. The analysis assumed that indoor training (with the roll-up doors open) would produce noise levels reaching 60 dBA $L_{eq}$ at the northwest corner of the site, nearest to existing residential outdoor activity areas. The eight-foot noise barrier is calculated to provide 6 to 7 dBA of noise reduction yielding noise levels ranging from 53 to 54 dBA $L_{eq}$ at the nearest residential land uses.

Operational noise levels would be audible and increase noise levels above ambient conditions by 2 to 3 dBA on an hourly average basis, the $L_{dn}$ noise level would be 54 dBA $L_{dn}$ Monday through Friday assuming continuous operations between 6:00 AM and 9:30 PM. The $L_{dn}$ noise level produced by Saturday operations would be 51 dBA assuming the hourly average noise level from training would occur between the hours of 7:00 AM and 5:00 PM. Noise levels would decrease if the amount of daily training time decreased (which is likely to occur as classroom time would also be expected) or if the roll-up doors were closed during the training activities. With the attenuation provided by the eight-foot noise barrier proposed by the project, the $L_{dn}$ noise level at the nearest residential land uses would increase by up to 1 dBA. The increase in ambient noise resulting from training activities would not be considered substantial. Furthermore, hourly average noise levels produced by the project would remain below the 60 dBA "Residential or Public/Quasi Public" threshold outlined in Section 18.76.090 of the Municipal Code. The project would, therefore, not result in a significant increase in permanent noise at the adjacent residences due to on-site training activities. **(Less Than Significant Impact)**

The eight-foot noise barrier is calculated to provide 6 to 7 dBA of noise reduction at receptors located on the industrial property to the east yielding noise levels ranging from 56 to 57 dBA $L_{eq}$. The $L_{dn}$ noise level would be 57 dBA $L_{dn}$ Monday through Friday assuming continuous noise levels between 6:00 AM and 9:30 PM. The $L_{dn}$ noise level produced by Saturday operations would be 54 dBA assuming the hourly average noise levels would be continuous between the hours of 7:00 AM and 5:00 PM. Noise levels would be less if the amount of daily training time decreased (which is likely to occur as classroom time would also be expected) or if roll-up doors are closed during the

training activities .With the attenuation provided by the eight-foot noise barrier proposed by the project, the $L_{dn}$ noise level at the nearest industrial land uses would increase by less than 1 dBA. The noise increase resulting from training activities would not be substantial. Furthermore, hourly average noise levels produced by the project would remain below the 70 dBA "Industrial" threshold shown in Section 18.76.090 of the Municipal Code. For these reasons, the project would not result in a significant increase in permanent noise at the adjacent industrial receptors to the east due to on-site training activities. **(Less Than Significant Impact)**

Permanent Noise Increase from Rooftop Mechanical Equipment

The proposed project would include rooftop mechanical equipment for heating, ventilation, and air conditioning. Approximately 12 three- to five-ton air conditioning units would be located on the roof along west side of the building and above the classrooms. A 10-ton unit is proposed above the welding shop near the southeast portion of the building, and an air unit is proposed above the drywall shop near the northeast portion of the building and nearest to residences. All rooftop equipment would be acoustically screened by a minimum five-foot high mechanical equipment screen. The proposed equipment would produce noise levels ranging from 60 to 72 dBA at 10 feet with the air unit producing the highest sound level.

The nearest residential property line would be located about 110 feet from the proposed rooftop air unit. The air unit would be shielded from the view of the nearest residence by both the roof of the building and mechanical equipment screen. The shielding provided by the roof of the building and mechanical equipment screen would reduce operational noise levels by about 5 to 8 dBA, and when accounting for the distance between the noise source and receptor, operational noise levels from mechanical equipment are calculated to be 46 dBA or less. Similar noise levels would be expected at the nearest industrial property line. Mechanical equipment noise levels would be well below the 60 dBA "Residential or Public/Quasi Public" threshold and 70 dBA "Industrial" threshold outlined in Section 18.76.090 of the Municipal Code. The project would, therefore, not result in a permanent increase in ambient noise levels that exceed City standards at adjacent properties. **(Less Than Significant Impact)**

Permanent Off-site Traffic Noise Increases

Based on General Plan Policy SSI-8.5, a significant permanent increase in traffic noise would occur if the project substantially increases noise levels at existing sensitive receptors in the project vicinity. A substantial increase would occur if: a) the noise level increase is 5 dBA Ldn or greater, with a future noise level of less than 60 dBA $L_{dn}$ at residences; or b) the noise level increase is 3 dBA Ldn or greater, with a future noise level of 60 dBA $L_{dn}$ or greater at residences. Noise-sensitive receptors along roadways serving the project site are currently exposed to noise levels exceeding 60 dBA $L_{dn}$. Therefore, future noise levels at these receptors would also exceed 60 dBA $L_{dn}$. As a result, a significant impact would occur if traffic due to the proposed project would permanently increase ambient levels by 3 dBA $L_{dn}$. A 3 dBA $L_{dn}$ noise increase would be expected if the project would double existing traffic volumes along a roadway.

The AM and PM peak hour traffic volumes for seven intersections in the project vicinity were estimated as a part of the traffic analysis completed for the project. To determine the permanent traffic noise level increase along each roadway segment, the existing plus project peak hour traffic

volumes were compared to the existing traffic volumes. The increase in peak hour noise levels was conservatively assumed to correlate to the increase expected in day-night average noise levels. In all cases, the existing plus project traffic volumes were calculated to result in traffic noise increases of zero to 1 dBA $L_{dn}$. Therefore, the proposed project would not cause a substantial permanent noise level increase at noise-sensitive receptors in the project vicinity. **(Less Than Significant Impact)**

**Temporary Noise Increases**

The project proposes to construct a 55,000 square foot carpenters training center and a paved parking and outdoor yard and storage area. Equipment that would be used during construction includes tractors, excavators, graders, cranes, forklifts, industrial saws, and paving equipment.

Noise impacts from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily occur when construction activities are conducted during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), if the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction has an extended duration.

The Morgan Hill Municipal Code Chapter 8.28 establishes allowable hours of construction between 7:00 a.m. and 8:00 p.m., Monday through Friday, and between the hours of 9:00 AM to 6:00 PM on Saturday. Construction activities may not occur on Sundays or federal holidays. The proposed project's construction hours would be 7:30 AM to 4:30 PM, Monday through Friday. Project construction would, therefore, be consistent with the City's Municipal Code. The project's construction duration would be nine months and would not occur over an extended period of time.

Construction activities generate considerable amounts of noise, especially during earth-moving activities and during the construction of the building's foundation when heavy equipment is used. During each stage of construction, there would be a different mix of equipment operating, and noise levels would vary by stage and vary within stages, based on the amount of equipment in operation and the location at which the equipment is operating. The hauling of excavated materials and construction materials would generate truck trips on local roadways as well. Typical hourly average construction-generated noise levels for residential buildings are about 81 to 88 dBA $L_{eq}$ measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.). The typical range of maximum instantaneous noise levels for construction equipment used at this site would be 77 to 90 dBA $L_{max}$ at 50 feet.

The typical hourly average construction-generated noise levels for industrial land uses (77 to 89 dBA $L_{eq}$) were used to estimate the range of construction noise levels expected at the adjacent residential and industrial land uses. The typical hourly average noise levels were calculated considering the distance from the acoustic center of the construction site (assumed to be the center of the proposed building) to the nearest receptors. The nearest residential land uses are located approximately 200 feet to the northwest as measured from the acoustic center of the project site. At 200 feet, hourly average noise levels during busy construction periods would range from 65 to 77 dBA $L_{eq}$. The nearest industrial land use to the center of the site is located approximately 300 feet to the east. At 300 feet, hourly average noise levels during busy construction periods would range from 61 to 73 dBA $L_{eq}$.

Construction noise levels at these nearby receptors would at times exceed the 60 dBA $L_{eq}$ and 70 dBA $L_{eq}$ noise level thresholds, however, the proposed duration of construction activities is less than one year (nine months). Further, the project applicant will implement construction best management practices to reduce construction noise levels emanating from the site and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity.

A construction noise control plan, including, but not limited to, the following construction best management controls will be implemented as a standard condition of project approval:

**Impact NOI-1:** Project construction could result in excessive noise levels at nearby noise-sensitive receptors. **(Significant Impact)**

**Mitigation Measures**: The following mitigation measures shall be implemented to reduce construction noise impacts to nearby noise-sensitive receptors to less than significant.

**MM NOI-1.1:** *Construction Best Management Practices* - The project shall develop a construction noise control plan, including, but not limited to, the following construction best management controls:

- Construct temporary noise barriers, to screen stationary noise-generating equipment when located within 200 feet of adjoining sensitive land uses. Temporary noise barrier fences would provide a 5-dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used. Any enclosure openings or venting shall face away from sensitive receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

The implementation of the above mitigation measure would reduce construction noise levels and would minimize disruption and annoyance at adjacent land uses. With adherence to the City's Municipal Code and implementation of the mitigation measure listed above, project construction would not result in excessive noise exposure at nearby sensitive noise receptors. **(Less than Significant Impact with Mitigation Incorporated)**

| | |
|---|---|
| **Impact NOI-2:** | The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)** |

Construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used. Equipment that would be used during construction includes tractors, excavators, graders, cranes, forklifts, industrial saws, and paving equipment. The proposed project would not require pile driving, which can cause excessive vibration.

The California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings structurally sound and designed to modern engineering standards in order to reduce the potential for cosmetic damage to structures. Cosmetic damage is defined as hairline cracking in plaster, the opening of old cracks, the loosening of paint or the dislodging of loose objects. A vibration limit of 0.3 in/sec PPV has been used for buildings that are found to be structurally sound but where structural damage is a major concern. For historical buildings or buildings that are documented to be structurally weakened, a conservative limit of 0.08 in/sec PPV is often used to provide the highest level of protection. No historical buildings or buildings that are documented to be structurally weakened adjoin the project site. For the purposes of this study, groundborne vibration levels exceeding the 0.3 in/sec PPV limit at the existing adjacent residences or 0.5 in/sec PPV at the existing industrial buildings for would have the potential to result in a significant vibration impact.

Vibration levels would vary depending on soil conditions, construction methods, and equipment used. Calculations were made to estimate vibration levels at a distance of 130 feet (to represent the nearest industrial building to the east. Vibration levels are highest close to the source, and then attenuate with increasing distance at the rate.

At 25 feet to north of the site (at the nearest residence), vibration levels due to construction would reach 0.210 in/sec PPV, which would not exceed the 0.3 in/sec PPV threshold for residential buildings. At 130 feet, vibration levels would reach 0.034 in/sec PPV, which would not exceed the 0.5 in/sec PPV threshold for modern industrial buildings. Cosmetic damage (e.g., hairline cracks in plaster, opening of old cracks, etc.) would not occur at buildings located 20 feet or further from the project site. Construction vibration may still be perceptible at times. Given project construction noise vibration levels at adjacent uses would be below vibration thresholds and the short duration of vibration levels, the project would not result in excessive groundborne vibration at adjacent land uses. Implementation of best management practices listed in the response to Impact NOI-1, project construction would not result in excessive groundborne noise levels at adjacent land uses. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact NOI-3:** | The project would not be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. **(No Impact)** |

As discussed in Section 4.13.1, the nearest airport to the site is the South County Airport, approximately six miles south of the site. The project site is outside of the 60 dBA CNEL noise contour lines shown and the airport influence area (AIA) in the Comprehensive Land Use Plan. Therefore, the project would not expose people residing or working in the project area to excessive aircraft noise levels. **(No Impact)**

## 4.14 POPULATION AND HOUSING

### 4.14.1 Environmental Setting

#### 4.14.1.1 *Existing Conditions*

Based on the California Department of Finance population estimates, the City's total population was approximately 44,513 in January 2018 and the average persons per household was an estimated 3.15.[59] The City grew in population by 1.9 percent from January 2017 to January 2018. The City's total population is projected to grow to approximately 46,100 by 2030.[60]

### 4.14.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☒ | ☐ |
| 2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

**Impact POP-1:** The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). **(Less than Significant Impact)**

A project can induce substantial population growth by: 1) proposing new housing beyond projected or planned development levels, 2) generating demand for housing as a result of new businesses, 3) extending roads or other infrastructure to previously undeveloped areas, or 4) removing obstacles to population growth (i.e., expanding capacity of a wastewater treatment plant beyond that necessary to serve planned growth).

The proposed project would construct a 55,000 square foot carpenters training center at 18640 Madrone Parkway to replace an existing carpenters training center at 485 Woodview Avenue. The

[59] California Department of Finance. *E-1: City/County Population Estimates with Annual Percent Change - January 2017 and 2018*. May 2018. Accessed March 29, 2019. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/.
--. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2018 with 2010 Census Benchmark. Table 2: E-5 City/County Population and Housing Estimates, 1/1/2018.* May 2018. Accessed March 29, 2019. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/.
[60] City of Morgan Hill. *Morgan Hill General Plan: City of Morgan Hill Housing Element*. Adopted February 2015.

new training center could result in a net increase of 50 students (from 100 to 150 students) and a decrease in five employees. The project does not propose residential units. The increase of 50 students would not result in unplanned growth and the project would not increase the population beyond what is projected in the General Plan. No new roads or infrastructure improvements are proposed within the scope of the project that would facilitate further population growth in the City. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact POP-2:** | The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)** |

The currently vacant site does not have existing residences. Therefore, the proposed project would not displace people or necessitate the construction of replacement housing elsewhere. **(No Impact)**

## 4.15 PUBLIC SERVICES

### 4.15.1 Environmental Setting

#### 4.15.1.1 *Regulatory Framework*

**State**

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, connects cities to the County's regional open space resources, connects County parks to other County parks, and connects the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails. The Countywide Trails Master Plan Update identifies the following countywide trails in the project vicinity: Llagas Creek Trail, Coyote Creek Trail, and West Little Llagas Creek Trail. Each of these trails is within four miles of the project site.

**Local**

City of Morgan Hill 2035 General Plan

The following goal and policy related public services is applicable to the proposed project:

*Goal SSI-11:* Efficient police, fire, and emergency medical response and services, and access to local medical facilities.

*Policy SSI-11.2:* **Prevention through Design**. Promote police and fire security considerations in all structures by ensuring that crime and fire prevention concepts are considered in development and design.

#### 4.15.1.2 *Fire Protection*

The City of Morgan Hill contracts with the California Department of Forestry and Fire Protection (CalFire) for fire and emergency medical services. The City is served by three stations at the following locations: 1) El Toro Fire Station, located at 18300 Old Monterey Road (approximately 1.4 miles southwest of the site), 2) Dunne Hill Fire Station, located at 2100 East Dunne Avenue (approximately 2.4 miles east of the project site), and 3) 15670 Monterey Street (approximately 3.0 miles south of the project site). In general, the response time meets the current standard of eight minutes 95 percent of the time. Based on estimated driving times provided by Google Maps, the project site is located within eight minutes driving distance of the El Toro Fire Station.

#### 4.15.1.3 *Police Protection*

Police service is provided to the project site by the City of Morgan Hill Police Department (MHPD). The MHPD facility is located at 16200 Vineyard Boulevard, approximately 2.5 miles southeast of the project site. The department employs 27 sworn officers, six reserve offices and four civilian

officers.[61] The Police Department's goal is to respond to Priority One calls within five minutes and Priority Two calls within eight minutes.[62] Priority One calls are reports of a crime in progress or where an injury has occurred and Priority Two calls are reports of felonies and other major calls.

#### 4.15.1.4 *Schools*

The project site is located within the Morgan Hill Unified School District. The District has eight elementary schools, two middle schools, two comprehensive high schools, one continuation high school, and a community adult school, as well as a home-schooling program. The nearest schools to the site, El Toro Elementary and Stratford School, are approximately 1.2 miles southeast and 2.2 miles southwest, respectively, from the site.

#### 4.15.1.5 *Parks*

The City owns 70 acres of developed park land and 59 acres of recreation facilities. The City maintains two community parks, five neighborhood parks, two neighborhood/school parks, and 15 mini-parks, in addition to its public trail system and open space. In addition to publicly owned park land, there is also a substantial amount of recreational land and open space in the City that is privately owned and maintained. The nearest park to the project site is Murphy Springs Park, located approximately one mile to the southwest.

The City also owns and operates special use facilities for recreational purposes. These facilities include the Morgan Hill Aquatics Center, Community and Cultural Center, the Centennial Recreation Center, the 38-acre Outdoor Sports Center, and Skateboard/BMX park. Many sports leagues and teams use Morgan Hill School District facilities after school hours and on weekends. These facilities include 12 baseball/softball fields, two football fields, two tracks, and four swimming pools. The nearest park and recreational facilities to the project site is the sports field at Ann Sobrato High School (located at 401 Burnett Avenue), just under one-mile northwest of the site and Murphy Springs Park located on Murphy Springs Court, approximately one mile southwest of the site.

[61] Morgan Hill Police Department. *Annual Report 2018*. Accessed May 21, 201. http://www.morgan-hill.ca.gov/DocumentCenter/View/25376/2018-MHPD-Annual-Report.
[62] City of Morgan Hill. *Morgan Hill 2035 General Plan DEIR, Section 4.13.2 Police Protection Services.* January 2016.

### 4.15.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| 1) Fire Protection? | ☐ | ☐ | ☒ | ☐ |
| 2) Police Protection? | ☐ | ☐ | ☒ | ☐ |
| 3) Schools? | ☐ | ☐ | ☐ | ☒ |
| 4) Parks? | ☐ | ☐ | ☐ | ☒ |
| 5) Other Public Facilities? | ☐ | ☐ | ☐ | ☒ |

**Impact PS-1:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. **(Less than Significant Impact)**

Development of the project would be completed in conformance with current building and fire codes, including features that would reduce potential fire hazards. Response times for fire protection services will not be substantially lowered as a result of the proposed project, due to its location in an urban area of Morgan Hill and its proposed commercial usage. The development would be reviewed by Morgan Hill Fire Department/CalFIRE to ensure appropriate safety features to reduce fire hazards are included in the project. Given that the proposed project is surrounded by existing development, the proposed training center would not substantially increase the demand for fire protection, or otherwise require construction or expansion of fire facilities.

**Impact PS-2:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services. **(Less than Significant Impact)**

The Morgan Hill Police Department will review the development plans to ensure safety features, such as appropriate lighting, to reduce the risk of criminal activity are incorporated into the project design. Given that the proposed project is surrounded by existing development, the proposed project

would not substantially increase the demand for police protection, or otherwise require construction or expansion of police facilities. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact PS-3:** | The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools. **(No Impact)** |

The proposed project does not propose to develop residential units that would increase the student population of the City. Therefore, the proposed project would have not increase demand on or require additional construction of school facilities. **(No Impact)**

| | |
|---|---|
| **Impact PS-4:** | The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks. **(No Impact)** |

The proposed project does not include residential development that would place demands on park, thus the proposed project would have no impact on park facilities. Given the distance of the nearest existing park and recreational facilities, students and employees at the proposed training center would not utilize these facilities. The project would, therefore, have no impact on park and recreational facilities. **(No Impact)**

| | |
|---|---|
| **Impact PS-5:** | The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities. **(No Impact)** |

The proposed project does not propose to develop residential units that would increase the use of other public facilities. Therefore, the proposed project would have not increase demand on or require additional construction of other governmental facilities. **(No Impact)**

## 4.16 RECREATION

### 4.16.1 Environmental Setting

#### 4.16.1.1 *Existing Conditions*

The City owns 70 acres of developed park land (including the Civic Center, assessment district parks and city owned trails) and 59 acres of recreation facilities. Included within this inventory, the City maintains two community parks, five neighborhood parks, two neighborhood/school parks, and 15 mini-parks, in addition to its public trail system and open space. In addition to publicly owned park land, there is also a significant amount of recreational land and open space in the City that is privately owned and maintained.

The City also owns and operates special use facilities for recreational purposes. These facilities include the Morgan Hill Aquatics Center, Community and Cultural Center, the Centennial Recreation Center, the 38-acre Outdoor Sports Center, and Skateboard/BMX park. Many sports leagues and teams use Morgan Hill School District facilities after school hours and on weekends. These facilities include 12 baseball/softball fields, two football fields, two tracks, and four swimming pools The nearest park and recreational facilities to the project site is the sports field at Ann Sobrato High School (401 Burnett Avenue), just under one mile northwest of the site and Murphy Springs Park located on Murphy Springs Court, approximately one mile southwest of the site.

### 4.16.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated? | ☐ | ☐ | ☐ | ☒ |
| 2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☒ |

**Impact REC-1:** The project would not increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **(No Impact)**

As discussed in *Section 4.13 Public Services*, the proposed project does not include the development of residential units that would place demands on parks. The employees and students at the training would not utilize nearby park/recreational facilities, given the distance of the site from these facilities. The project would not increase the use of existing neighborhood parks or recreational facilities. **(No Impact)**

| | |
|---|---|
| **Impact REC-2:** | The project would not include recreational facilities or require the construction of expansion of recreational facilities which might have an adverse physical effect on the environment. **(No Impact)** |

The project would not result in the increase in use of recreational facilities such that the facilities would need to be expanded or newly constructed. **(No Impact)**

## 4.17 TRANSPORTATION

The following discussion is based in part upon the Trip Generation and Operations Analysis prepared by *Hexagon Transportation Consultants* on March 29, 2019. A copy of the report is included in Appendix G of this Initial Study.

### 4.17.1 Environmental Setting

#### 4.17.1.1 *Regulatory Framework*

**State and Regional**

Regional Transportation Planning

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2040 in July 2017, which includes the region's Sustainable Communities Strategy (integrating transportation, land use, and housing to meet GHG reduction targets set by CARB) and Regional Transportation Plan (including a regional transportation investment strategy for revenues from federal, state, regional and local sources over the next 24 years).

Senate Bill 743

Senate Bill (SB) 743 establishes criteria for determining the significance of transportation impacts using a vehicle-miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires the replacement of automobile delay—as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts. OPR approved the CEQA Guidelines implementing SB 743 on December 28, 2018. Local jurisdictions are required to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant, or not. Notably, projects that locate within one half mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management, a land use impact

analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections.

**Local**

City of Morgan Hill 2035 General Plan

The following transportation goals and policies are applicable to the proposed project:

*Goal TR-3*: *A coordinated, continuous network of streets and roads.*

*Policy TR-3.2*: **Safe and Complete Improvements**. Avoid creating incomplete public improvements that create public safety hazards.

*Policy TR-3.4*: **Level of Service Standards**. As the Level of Service (LOS) policy and design criteria for roadway improvements, use a Tiered LOS Standard as follows:

- LOS F in the Downtown at Main/Monterey, along Monterey Road between Main and Fifth Street, and along Depot Street at First through Fifth Streets. This LOS standard in the Downtown recognizes the unique nature of and goals for Downtown Morgan Hill as the transit hub of the City and as a center for shopping, business, entertainment, civic and cultural events, and higher-density, mixed-use living opportunities. This standard does not preclude the City, developers, and property owners from voluntarily implementing improvements and employing operational strategies to improve level of service, especially at the Main/Monterey intersection, if and when land uses redevelop.

- LOS D for intersections and segments elsewhere; except:

    - Allow LOS E for identified freeway ramps/zones, road segments and intersections that (1) provide a transition to and are located on the periphery of downtown; (2) are freeway zone intersections; and/or (3) where achieving LOS D could result in interim intersection improvements which would be "over-built" once the City's circulation network has been completed, and/or would involve unacceptable impacts on existing buildings or existing or planned transportation facilities, including roads, sidewalks, bicycle and transit facilities; and/or would involve extraordinary costs to acquire land and existing buildings, and build the improvement in relation to benefits achieved; and/or the facility would be widened beyond requirements to serve local traffic, in that the facility accommodates a significant component of peak-hour sub-regional and regional through-traffic.

- In order to reduce the incentive for regional travel to be drawn off the freeway and onto local neighborhood streets, protect neighborhoods, avoid overbuilding intersections, and to create an incentive for using alternate

modes of travel, LOS E during peak hours of travel is acceptable for the following identified freeway ramps, road segments, and intersections:

- Main Avenue and Del Monte Avenue
- Main Avenue and Depot Street
- Dunne Avenue and Del Monte Avenue
- Dunne Avenue and Monterey Avenue
- Dunne Avenue and Church Street; also, until closed: Dunne Avenue and Depot Street
- Cochrane Road and Monterey Road
- Tennant Avenue and Monterey Road
- Tennant Avenue and Butterfield Boulevard
- Cochrane Road Freeway Zone: from Madrone Parkway/Cochrane Plaza to Cochrane/DePaul Drive
- Dunne Avenue Freeway Zone: from Walnut Grove/East Dunne to Condit/East Dunne
- Tennant Avenue Freeway Zone: from Butterfield/Tennant to Condit/Tennant Freeway Ramps

Projects shall pay the City's standard traffic impact fees imposed on new developments in accordance with the adopted impact fee schedule.

Morgan Hill LOS Guidelines and Methodology

The City of Morgan Hill level of service methodology is TRAFFIX, which is based on the 2000 Highway Capacity Manual (HCM) method for signalized intersections. TRAFFIX evaluates signalized intersections operations based on average delay time for all vehicles at the intersection. Since TRAFFIX is also the Congestion Management Plan (CMP)-designated intersections level of service methodology, the City of Morgan Hill methodology employs the CMP defaults values for the analysis parameters, which include adjusted saturation flow rates to reflect conditions in Santa Clara County. All intersections within the City of Morgan Hill are required to meet the City's LOS standard of LOS D, with the exception of intersections and freeway zones listed in General Plan Policy TR-3.4.

According to the City of Morgan Hill level of service guidelines, a development would create an adverse effect on traffic conditions at a signalized intersection if for either peak hour:

- The level of service at the intersection degrades from an acceptable level (LOS D or LOS E as identified above) under existing conditions to an unacceptable level (LOS E or F) under project conditions, or

- The level of service at the intersection is an unacceptable level (LOS E or F as identified above) under existing conditions and the addition of project trips causes the average critical delay to increase by four (4) or more seconds and the volume-to-capacity ratio (V/C) to increase by 0.01.

An exception to this rule applies when the addition of project traffic reduces the amount of average delay for critical movements (i.e., the change in average delay for critical movements is negative). In this case, the threshold of significance is an increase in the critical V/C value by 0.01 or more.

#### 4.17.1.2 *Existing Conditions*

**Roadway Network**

Regional Access

Regional access to the project is provided by *US 101, which* is a north-south freeway extending northward to San Francisco and southward through Gilroy. US 101 is an eight-lane freeway (three mixed-flow lanes and one high-occupancy vehicle [HOV] lane in each direction) north of Cochrane Road. South of Cochrane Road, it is a six-lane freeway with no HOV lanes. Existing access to and from the project area is provided via an interchange at Cochrane Road.[63]

Local Access

*Cochrane Road* is an east-west divided roadway that runs from Monterey Road to Malaguerra Avenue east of US 101. Cochrane Road is a four-lane road between Monterey Road and Sutter Boulevard. Between Sutter Boulevard and US 101, Cochrane Road widens to three lanes eastbound and two lanes westbound, then narrows back to four lanes east of US 101, and to two lanes east of Mission View Drive. It is located to the south of the project site and intersects with Madrone Parkway.

*Madrone Parkway* is a two-lane, partially divided roadway that begins at its intersection with Cochrane Road and ends at its intersection with Monterey Road. Madrone Parkway runs along the southern edge of the project site and provides access to the site for traffic headed in both directions.

**Existing Bicycle, Pedestrian and Transit Facilities**

Madrone Parkway has sidewalks on both sides of the street. No crosswalks or pedestrian signals are located in the vicinity of the site. Bicycle lanes are provided along the entire lengths of Cochrane Road, Butterfield Boulevard, and Sutter Boulevard. Currently, there are no bicycle lanes located on Madrone Parkway.

The project site is not directly served by any transit services. However, three VTA bus routes run along Cochrane Road with bus stops near the intersection of Sutter Boulevard and Cochrane Road, which is approximately 0.3 mile south of the site. The bus routes that run along Cochrane Road include VTA lines 16, 121, and 168.

[63] City of Morgan Hill. *Madrone Village Hotel Project: Addendum to an Initial Study/Mitigated Negative Declaration*. January 2019.

### 4.17.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities? | ☐ | ☐ | ☒ | ☐ |
| 2) For a land use project, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? | ☐ | ☐ | ☐ | ☒ |
| 3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)? | ☐ | ☐ | ☒ | ☐ |
| 4) Result in inadequate emergency access? | ☐ | ☐ | ☐ | ☒ |

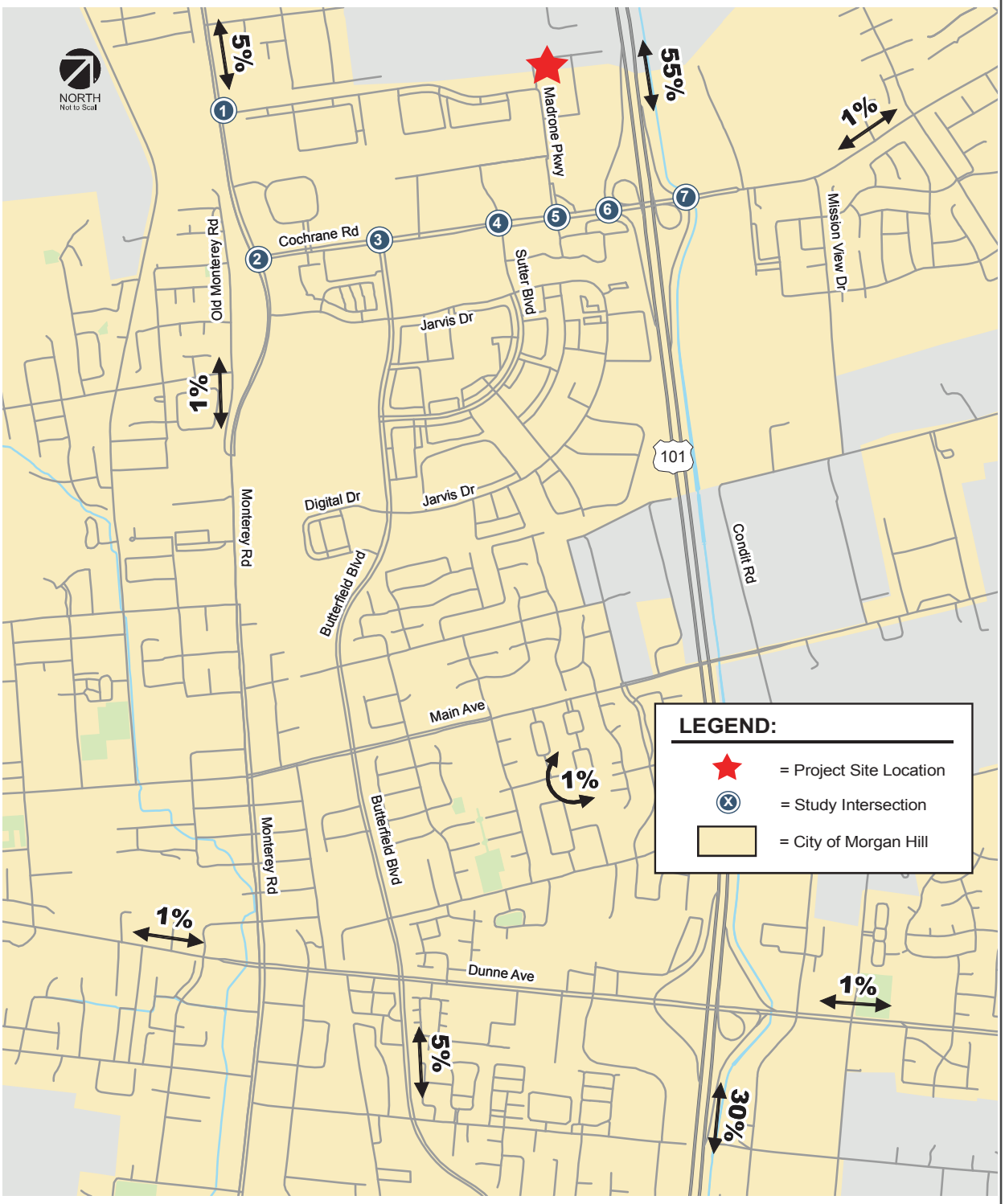
**Impact TRN-1:** The project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities. **(Less than Significant Impact)**

The City of Morgan Hill does not currently have an adopted vehicle-miles traveled (VMT) policy. The City's adopted transportation policy utilizes LOS as the metric by which the City determines the functionality of the roadway system and the effect of new development on the roadway network. The following discussion of LOS is provided as it pertains to consistency with the City's adopted LOS policy described in the General Plan.

**General Plan Level of Service Policy Evaluation**

Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak hours of traffic. The weekday AM peak hour of traffic generally falls within the 7:00 to 9:00 AM period and the weekday PM peak hour is typically in the 4:00 to 6:00 PM period. It is during these times that the most congested traffic conditions occur on a typical weekday.

Traffic conditions were evaluated under existing conditions. The methodology used for the traffic assessment is outlined in Section 4.17.1.1, *Regulatory Framework*. An analysis was completed to evaluate the effects of the project on seven key signalized intersections in the vicinity of the project site. The study intersections are identified in Table 4.17-2 and Figure 4.17-1.




Source: Hexagon Transportation Consultants, Inc. March 2019.

STUDY INTERSECTIONS AND PROJECT TRIP DISTRIBUTION | FIGURE 4.17-1

The following scenarios were studied to determine if the LOS of the local intersections in the project area would be adversely affected by project generated traffic:

1. **Scenario 1:** Existing Conditions – Existing traffic volumes were obtained from peak-hour turning movement counts conducted in May 2018 and February 2019.

2. **Scenario 2:** Existing Plus Project – Existing plus project peak-hour traffic volumes were estimated by adding to the existing traffic volumes the additional traffic that would be generated by the proposed project.

Trip Generation Estimates

Trip generation from the proposed project was estimated utilizing trip generation rates developed based on driveway counts at the existing training facility. The driveway counts were completed on Thursday, February 14, 2019. Using trip rates derived from the driveway counts, it is estimated that the proposed project will generate 138 trips (135 inbound and 3 outbound) during the AM peak hour and 137 trips (2 inbound and 135 outbound) during the PM peak hour. The trip generation estimates for proposed project are shown in Table 4.17-1.

**Table 4.17-1: Project Trip Generation Estimates**

| Land Use | AM Peak Hour[1] | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|
| | In | Out | Total | In | Out | Total |
| ***Land Use*** | | | | | | |
| Proposed Carpenters Training Center[2] | 135 | 3 | **138** | 2 | 135 | **137** |

Notes:
1. Classes at the existing facility began at 7:00 AM and ended 4:30 PM on the count day. Therefore, the AM peak-hour trips shown represent traffic that arrived prior to the typical AM peak commute period (7:00 - 9:00 AM).
2. Project trip generation estimates are based on driveway counts at the existing Carpenters Training Center located at 485 Woodview Avenue; the counts were collected on February 14, 2019.

Intersection Level of Service Analysis

The results of the intersection level of service analysis under existing plus project conditions are summarized in Table 4.17-2.

| Table 4.17-2: Study Intersections Level of Service – Existing Plus Project Conditions | | | | | | | |
|---|---|---|---|---|---|---|---|
| **No.** | **Intersection** | **Peak Hour** | **Existing** | | **Existing Plus Project** | | |
| | | | **Average Delay** | **LOS** | **Average Delay** | **LOS** | **Increase in Critical V/C** |
| 1 | Monterey Road and Madrone Parkway | AM<br>PM | 9.4<br>9.8 | A<br>A | 9.6<br>9.8 | A<br>A | 0.005<br>0.001 |
| 2 | Monterey Road and Cochrane Road | AM<br>PM | 28.1<br>24.0 | C<br>C | 28.1<br>24.0 | C<br>C | 0.000<br>0.000 |
| 3 | Butterfield Boulevard and Cochrane Road | AM<br>PM | 12.8<br>14.7 | B<br>B | 12.8<br>14.8 | B<br>B | 0.000<br>0.001 |
| 4 | Sutter Boulevard and Cochrane Road | AM<br>PM | 17.6<br>18.3 | B<br>B | 17.6<br>18.3 | D<br>D+ | 0.001<br>0.003 |
| 5 | Madrone Parkway/Cochrane Plaza and Cochrane Road | AM<br>PM | 19.1<br>31.4 | B<br>C | 18.8<br>32.9 | B<br>C | 0.084<br>0.036 |
| 6 | US 101 Southbound Ramps and Cochrane Road | AM<br>PM | 12.8<br>16.5 | B<br>B | 13.1<br>16.5 | B<br>B | 0.024<br>0.022 |
| 7 | US 101 Northbound Ramps and Cochrane Road | AM<br>PM | 8.6<br>11.3 | A<br>B | 9.0<br>11.3 | A<br>B | 0.014<br>0.001 |

The results show that, measured against the City of Morgan Hill LOS policy, all of the study intersections currently operate and would continue to operate at acceptable LOS C or better under existing plus project conditions. Therefore, the addition of project traffic would not result in a LOS deficiency, and, therefore, would not warrant improvements that require physical changes to the environment. The project would comply with the City's LOS policy. **(No Impact)**

CMP Freeway Segment Analysis

Traffic volumes on the following study freeway segments under existing plus project conditions were estimated by adding project trips to the existing volumes obtained from the 2016 CMP Annual Monitoring Report.

1. US 101 from Masten Avenue to San Martin Avenue NB
2. US 101 from San Martin Avenue to Tennant Avenue NB
3. US 101 from Tennant Avenue to East Dunne Avenue
4. US 101 from East Dunne Avenue to Cochrane Road NB
5. US 101 from Cochrane Road to Burnett Avenue (Lane Drop) NB
6. US 101 from Burnett Avenue (Lane Drop) to Sheller Avenue NB
7. US 101 from Sheller Avenue to Lane Drop (SB) NB
8. US 101 from Lane Drop (SB) to SR 85 NB
9. US 101 from SR 85 to Lane Drop (SB) SB
10. US 101 from Lane Drop (SB) to Sheller Avenue SB
11. US 101 from Sheller Avenue to Burnett Avenue (Lane Drop) SB
12. US 101 from Burnett Avenue (Lane Drop) to Cochrane Road SB
13. US 101 from Cochrane Road to East Dunne Avenue

14. US 101 from East Dunne Avenue to Tennant Avenue SB
15. US 101 from Tennant Avenue to San Martin Avenue SB
16. US 101 from San Martin Avenue to Masten Avenue SB

The results show that the project would not cause an increase in traffic volumes of one percent or more of freeway capacity on any freeway segments currently operating at an unacceptable LOS F, nor would the addition of project traffic result in the degradation of LOS on any freeway segments currently operating at an acceptable LOS E to an unacceptable LOS F. Therefore, the addition of project traffic would not result in an adverse effect on the operations of the freeway segments evaluated. The addition of project traffic would not warrant physical changes to the freeway segments to improve operations. The project would be consistent with the VTA CMP policy for freeway segments. **(No Impact)**

**Impacts to Pedestrian, Bicycle and Transit Facilities**

As discussed in Section 4.17.1, three VTA bus routes run along Cochrane Road with bus stops near the intersection of Sutter Boulevard and Cochrane Road, which is approximately 0.3 mile from the project site. The project would add four transit riders during each of the peak hours (7:00 to 9:00 AM or 4:00 to 6:00 PM). The transit ridership demands of the proposed project can be accommodated by the existing transit facilities. The increase in ridership, therefore, would not require the expansion of transit facilities nor would it result in a significant environmental impact on existing facilities. **(Less Than Significant Impact)**

Madrone Parkway has sidewalks on both sides of the street, including a sidewalk along the site frontage. The project would remove a small segment of the sidewalk to allow for the relocation of a driveway, which would provide access to the site. A new sidewalk segment would be installed in front of the existing driveway to provide connection between sidewalk segments along the site's frontage. The project proposes minor changes to the sidewalk along the site's frontage (described above) which would not result in a significant environmental impact to pedestrian facilities. **(Less Than Significant Impact)**

Bicycle lanes are provided along the entire lengths of Cochrane Road, Butterfield Boulevard, and Sutter Boulevard. The project would not generate more than one new bicycle trip during each of the peak hours. The demand generated by the proposed project can be accommodated by the existing bicycle facilities in the vicinity of the project site. The project would not result in a significant impact to existing or planned bicycle facilities described in the Bikeways, Trails, Parks and Recreation Master Plan.[64] **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact TRN-2:** | The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(No Impact)** |

VMT is identified in CEQA Guidelines Section 15064.3 as the most appropriate measure of transportation impacts. Per the CEQA Guidelines Section 15064.3, agencies have until July 1, 2020 to adopt a VMT-based threshold. The City or County has not yet adopted a standard approach or

[64] City of Morgan Hill. Bikeways, Trails, Parks and Recreation Master Plan. Adopted July 20, 2017. Accessed May 15, 2019. http://www.morganhill.ca.gov/1429/Master-Plan-for-Parks-Trails-and-Bikeway.

guidelines to evaluate a project's VMT impact. A project's effect on automobile delay shall not constitute a significant environmental impact (CEQA Guidelines Section 15064.3[a]). Therefore, the proposed project is not in conflict with CEQA Guidelines Section 15064.3, Subdivision (b). **(No Impact)**

| | |
|---|---|
| **Impact TRN-3:** | The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(Less than Significant Impact)** |

The proposed development would be accessed by two driveways at the 90-degree curve on Madrone Parkway. One driveway is proposed to be approximately 25 feet wide and the other driveway would be approximately 31 feet wide. Based on the City of Morgan Hill Street Design Standards, a minimum width of 16 feet and maximum width of 36 feet is allowed for the project driveways.[65] The project would comply with the City's design standards. The project driveways would provide adequate width for site access and not result in hazards. The project does not include sharp curves or incompatible uses. Therefore, the project would not increase hazards due to its geometric design. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact TRN-4:** | The project would not result in inadequate emergency access. **(No Impact)** |

The two project driveways would provide adequate emergency access to the site. By adhering to the City of Morgan Hill's standards and requirements for emergency access, the proposed site access points and layout of the surface parking areas would be adequate to accommodate circulation of both passenger and emergency vehicles. **(No Impact)**

[65] City of Morgan Hill. *Street Design Standards*. Accessed May 15, 2019. https://www.morgan-hill.ca.gov/DocumentCenter/View/805/3-Street-Design-Standards?bidId=

## 4.18 TRIBAL CULTURAL RESOURCES

### 4.18.1 Environmental Setting

#### 4.18.1.1 *Regulatory Framework*

**State**

Assembly Bill (AB) 52, effective July of 2015, established a new category of resources for consideration by public agencies when approving discretionary projects under CEQA, called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or when it is concluded that mutual agreement cannot be reached.

Under AB 52, a TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources[66]
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)
- A resource determined by the lead agency to be a TCR.

#### 4.18.1.2 *Existing Conditions*

AB 52 requires lead agencies to conduct formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts as a result of a project. This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency. The City of Morgan Hill has not been contacted for notification and consultation by a tribe.

[66] See Public Resources Code section 5024.1. The State Historical Resources Commission oversees the administration of the CRHR and is a nine-member state review board that is appointed by the Governor, with responsibilities for the identification, registration, and preservation of California's cultural heritage. The CRHR "shall include historical resources determined by the commission, according adopted procedures, to be significant and to meet the criteria in subdivision (c) (Public Resources Code, Section 5024.1 (a)(b)).

### 4.18.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| 1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? | ☐ | ☐ | ☐ | ☒ |
| 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying this criteria, the significance of the resource to a California Native American tribe shall be considered. | ☐ | ☐ | ☐ | ☒ |

**Impact TCR-1:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(No Impact)**

As described in Section 4.18.1, no tribes have requested notice under AB 52 and no known tribal cultural resources are present on-site. For this reason, the project would not cause an adverse change in the significance of tribal cultural resources listed on the California Register or City of Morgan Hill historic properties inventory. **(No Impact)**

**Impact TCR-2:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(No Impact)**

As discussed in the response to Impact TCR-1, there are no known tribal cultural resources on-site. The project would, therefore, not cause an adverse change in the significance of a tribal cultural resource. **(No Impact)**

## 4.19 UTILITIES AND SERVICE SYSTEMS

### 4.19.1 Environmental Setting

#### 4.19.1.1 *Regulatory Framework*

**State and Regional**

Urban Water Management Plan

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Morgan Hill adopted its most recent UWMP in August 2016.

Wastewater

The South County Regional Wastewater Authority (SCRWA) manages the treatment of wastewater for the Cities of Morgan Hill and Gilroy. Wastewater in Morgan Hill is treated at the SCRWA Wastewater Treatment Plant in Gilroy. Effluent from the Plant is discharged into percolation ponds, and then discharged into the Monterey Bay.[67]

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or Assembly Bill 939 (AB 939), established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

Assembly Bill (AB) 341 sets forth the requirements of the statewide mandatory commercial recycling program in the Public Resources Code. All businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

Senate Bill (SB) 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal

[67] City of Gilroy. South County Regional Wastewater Authority. Accessed May 21, 2019. http://www.ci.gilroy.ca.us/561/South-County-Regional-Wastewater-Authori.

reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

**Local**

City of Morgan Hill 2035 General Plan

The following goal and policies to reduce impacts to utilities are applicable to the proposed project:

*Goal SSI-14:* High quality water resources, managed effectively.

*Policy SSI-14.5:* **Water Supply**. Routinely evaluate the impact of new development proposals in Morgan Hill and require appropriate measures (fees, water supply assessments, etc.) to ensure long-term water supplies are available.

*Policy SSI-14.8:* **Sufficient Supply**. Ensure that new development does not exceed the water supply.

*Goal SSI-16:* Minimized adverse effects on property, natural resources, and ground and surface water quality from stormwater runoff.

*Policy SSI-16.2:* **Drainage System Capacity**. Ensure that the level of detention or retention provided on the site of any new development is compatible with the capacity of the regional storm drainage system.

### 4.19.1.2 *Existing Conditions*

**Water Service**

The City of Morgan Hill provides potable water service to its residential, commercial, industrial, and institutional customers within the City limits. The City's water system facilities include 17 groundwater wells, 12 potable water storage tanks, 10 booster stations, and over 180 miles of pressured pipes ranging from two to 14 inches in diameter. The City's water distribution system meets the needs of existing customers. In anticipation of future growth, the City has planned and constructed water projects in conjunction with new street construction.

The City of Morgan Hill relies on groundwater as its sole source of supply. The City relies on water imports from the State Water Project and the federal Central Valley Project for the purpose of groundwater recharge of the sub-basins that supply water to the City (Coyote Valley sub-area of the Santa Clara sub-basin and the Llagas sub-basin). The City's 2015 Urban Water Management Plan (UWMP) identified potential shortages which may occur during prolonged years of drought, however, upon implementation of water shortage contingency actions these shortages in supply can be mitigated in dry-year and multiple dry-year scenarios.[68]

[68] City of Morgan Hill. *2015 Urban Water Management Plan.* August 2016.

The project site is vacant and does not place any demands on the City's water supply. There are existing 12-inch water pipes in Madrone Parkway that provide water service to development to the southwest of the site.[69]

**Wastewater**

The City of Morgan Hill sewer collection system consists of approximately 160 miles of four-inch through 30-inch diameter sewers, three miles of force mains, and 14 sewage lift stations. The "backbone" of the system consists of the trunk sewers, generally 12-inches in diameter and larger, that convey the collected wastewater flows south to the South County Regional Wastewater Authority (SCRWA) Wastewater Treatment Plant.[70,71] The treatment plant provides service to the cities of Morgan Hill and Gilroy. The treatment plant has capacity to treat an average dry weather flow (ADWF) of 8.5 million gallons per day (mgd) and is currently permitted by the Central Coast RWQCB to treat up to 8.5 mgd.[72] Currently, Morgan Hill is allocated 42 percent of the treatment plant's 8.5 mgd capacity, amounting to 3.6 mgd. In 2016, the ADFW in the City was 2.35 mgd, leaving approximately 1.2 mgd of allowable growth within the City's General Plan before capacity at the plant is reached.[73]

Using data through 2016, the SCRWA estimated in 2017 that the Wastewater Treatment Plant will reach capacity in 2025, using anticipated permit issuances/associated wastewater allocations and projected population data for the cities of Morgan Hill and Gilroy.[74] The SCRWA recommends that a fully commissioned plant expansion be completed by 2024 to ensure that the treatment plan has adequate capacity to service both cities. Following completion of the design process, appropriate project-level CEQA review would be completed by SCRWA.

**Storm Drainage**

The City of Morgan Hill is divided into several hydrologically distinct drainage areas. Each drainage area has a system of curb and gutter facilities, inlets, conveyance facilities, pumps, and detention basins to collect and dispose of runoff. The stormwater runoff from these areas is ultimately discharged into creeks that flow through the City and are tributary to either Monterey Bay or San Francisco Bay. The drainage areas include Coyote Creek, Fisher Creek, Tennant Creek, Madrone Channel, Butterfield Channel, West Little Llagas Creek, and Llagas Creek.

The project site is located in the Fisher Creek drainage basin, and any water that does not infiltrate locally would run off from the site to the detention basin 250 feet west of the site, and ultimately

[69] City of Morgan Hill. *2017 Water System Master Plan.* October 2017.
[70] City of Morgan Hill. *Sewer System Master Plan.* October 2017.
[71] City of Morgan Hill. *City Council State Report 2163: Accept Report Regarding Wastewater System Needs and Rate Study Schedule*. May 18, 2019.
[72] Santa Clara Valley Water District. *US Bureau of Reclamation WaterSMART Title XVI Water Reclamation and Reuse Program Funding FY 2017, FOA BOR-DO-17-F002. South Santa Clara County Recycled Water Project (Phases 1B and 2A)*. December 15, 2016. Accessed May 18, 2019. https://www.usbr.gov/watersmart/title/docs/applications/authorized/2017/F002-007santaclara.pdf
[73] City of Morgan Hill. *Madrone Village Hotel Project: Addendum to IS/MND.* January 2019.
[74] California Regional Water Quality Control Board. *Waste Discharge Requirements for the South County Wastewater Authority South County Regional Wastewater Treatment and Reclamation. Order No. R3-2017-0028, NPDES No. CA0049964*. Accessed May 18, 2019. https://www.waterboards.ca.gov/centralcoast/board_decisions/adopted_orders/2017/2017_0028_permit.pdf.

flow north toward the San Francisco Bay. There are existing 12-inch storm drain lines on Madrone Parkway that convey flows from the surrounding areas into the City's storm drain system.[75]

### Solid Waste

Recology South Valley provides solid waste and recycling services to the residents and businesses of the City. Recology South Valley is contracted with the Salinas Valley Solid Waste Authority for the disposal of municipal solid waste at Johnson Canyon Sanitary Landfill. Johnson Canyon Sanitary Landfill is expected to reach capacity in 2055.[76] No solid waste is currently generated at the project site.

### Other Utilities

The project site is vacant, and no electricity, natural gas, or telecommunication facilities currently serve the site. Pacific Gas & Electric Company supplies the electricity and natural gas to the residential, commercial, and industrial developments in the project area. Section 4.6, *Energy* includes a discussion of electricity and natural gas use at the site.

## 4.19.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ |
| 2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | ☐ | ☐ | ☒ | ☐ |
| 3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☒ | ☐ |
| 4) Generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | ☐ | ☐ | ☒ | ☐ |

[75] City of Morgan Hill, *2018 Storm Drainage Master Plan*. September 2018.
[76] CalRecycle. *SWIS Facility Detail: Johnson Canyon Sanitary Landfill (27-AA-0005)*. Accessed May 18, 2019. https://www2.calrecycle.ca.gov/swfacilities/Directory/27-AA-0005.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| Would the project: | | | | |
| 5) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals? | ☐ | ☐ | ☒ | ☐ |
| 6) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste? | ☐ | ☐ | ☐ | ☒ |

**Impact UTL-1:** The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

The proposed project would install new on-site storm drains, water lines, and sanitary sewer lines that would connect to existing utility lines on Madrone Parkway. The proposed project would utilize existing utility connections to connect to the electric power, natural gas lines, and telecommunications facilities.

**Sanitary Sewer and Wastewater Treatment**

The proposed project would connect to the City's existing sanitary sewer system. The proposed project's sanitary sewer lines would connect to the existing 10-inch sanitary sewer line sewer lines on Madrone Parkway and the project would not require the relocation of these lines.

The proposed project would dispose of wastewater at the SCWRA's Wastewater Treatment Plant, a wastewater treatment facility which has adequate capacity to accommodate the increased demand created by the proposed development. The Wastewater Treatment Plant would not need to be expanded or relocated to accommodate the incremental increase in wastewater created by the proposed development (refer to the response to Impact UTL-3). **(Less Than Significant Impact)**

**Storm Drainage**

The on-site storm drains would connect to the existing storm drain on Madrone Parkway, which would drain runoff into the detention basin located 250 feet west of the site. The project would be consistent the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements and Storm Drainage Master Plan, and, therefore, would not cause the City's storm drainage system to exceed capacity. The City's existing storm drainage system has the capacity to serve the site. The proposed project would not require expansion of the City's existing storm drainage system. **(Less Than Significant Impact)**

**Electric Power, Natural Gas, and Telecommunications**

The project would connect to existing electric power, natural gas, and telecommunication lines in the project area. The project does not propose relocation of these utilities. Therefore, the project would not result in a significant environmental effect from the construction or relocation of natural gas, electricity or telecommunication utilities. **(Less than Significant Impact)**

| | |
|---|---|
| **Impact UTL-2:** | The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)** |

Based on CalEEMod estimates of water use, the proposed training center would demand approximately 7,390 gallons of water per day for indoor use and 11,560 gallons of water per day for outdoor use.[77] The City has accounted for the increase in water use based on the General Plan's projection of population growth in the City and planned development. Given that the site is consistent with the General Plan land use designation, the development proposed by the project would not increase water demand above that forecasted in the most recent 2015 Urban Water Management Plan. The project's new water lines would connect to the existing 12 -inch water main on Madrone Parkway. There is City's water system has sufficient capacity to serve the project. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact UTL-3:** | The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. **(Less than Significant Impact)** |

The proposed expansion would generate approximately 7,021 gallons of wastewater per day.[78] As discussed in Section 4.19.1, the ADFW in the City is approximately 2.35 mgd, leaving approximately 1.2 mgd of allowable growth within the City's General Plan before capacity at the plant is reached. The project's wastewater flow would not cause the Plant to exceed capacity. The City's General Plan determined that build-out of the General Plan would not result in significant impacts to the SCRWA Treatment Plant. The project was accounted for in the General Plan and Sanitary Sewer System Master Plan and would not adversely affect the functionality or the capacity of the existing wastewater treatment system. **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact UTL-4:** | The project would not generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)** |

The City of Morgan Hill has contracted with Recology South Valley to provide solid waste disposal and recycling service within the City. Recology South Valley will dispose of solid waste from the

[77] CalEEMod Version 2016.3.2. *Carpenters Training Center, Morgan Hill.* May 13, 2019.
[78] Assumes wastewater is equal to 95 percent of the potable water use on-site.

City at Johnson Canyon Sanitary Landfill which has a projected permitted capacity of approximately 13,830,000 cubic yards and is expected to remain open through 2055.[79] The proposed project would generate approximately 392 pounds of solid waste per day; the proposed development would be served by a landfill with adequate capacity to serve the project site.[80] **(Less Than Significant Impact)**

| | |
|---|---|
| **Impact UTL-5:** | The project would not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals. **(Less Than Significant Impact)** |

The proposed project would be consistent with the state's solid waste reduction goal 75 percent by 2025. The proposed project uses would be required to direct and recycle waste consistent with federal, state, and local requirements. Thus, the project would not impair the attainment of solid waste reduction goals.

| | |
|---|---|
| **Impact UTL-6:** | The project would not be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste. **(No Impact)** |

See discussion under Impact UTL-5, the project would comply with regulations related to solid waste. **(No Impact)**

[79] CalRecycle. *SWIS Facility Detail: Johnson Canyon Sanitary Landfill (27-AA-0005)*. Accessed May 18, 2019. https://www2.calrecycle.ca.gov/swfacilities/Directory/27-AA-0005.
[80] CalEEMod Results. *Carpenters Training Center – Operational.* May 13, 2019.

## 4.20 WILDFIRE

### 4.20.1 Environmental Setting

#### 4.20.1.1 *Existing Conditions*

The California Department of Forestry and Fire Protection (Cal Fire) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZ), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. The project site is not located in a FHSZ.[81]

### 4.20.2 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| 1) Impair an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| 2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | ☐ | ☐ | ☐ | ☒ |
| 3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | ☐ | ☐ | ☐ | ☒ |
| 4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | ☐ | ☐ | ☐ | ☒ |

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

[81] California Board of Forestry and Fire Protection. *Fire Hazard Severity Zones Maps*. Accessed April 8, 2019. http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones.

## 4.21 MANDATORY FINDINGS OF SIGNIFICANCE

### 4.21.1 Impact Discussion

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---|---|---|---|
| 1) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☒ | ☐ | ☐ |
| 2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☐ | ☒ | ☐ |
| 3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☒ | ☐ | ☐ |

**Impact MFS-1:** The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. **(Less than Significant Impact with Mitigation Incorporated)**

As discussed in the previous sections of this Initial Study, the proposed project would not degrade the quality of the environment with implementation of identified Standard Permit Conditions and mitigation measures. As discussed in *Section 3.4, Biological Resources,* with implementation of the identified mitigation measures (**MM BIO-1.1** and **MM BIO-1.2 and MM BIO-5.1-MM BIO-5.7)**, the project would not significantly impact sensitive habitats or species. As discussed in Section 3.5, *Cultural Resources*, with implementation of the identified standard measures, the project would result in a less than significant impact on archaeological resources. The project would have no impact

on historic or tribal cultural resources. The project would not result in new or more significant impacts than identified in the General Plan EIR. **(Less Than Significant Impact with Mitigation)**

| | |
|---|---|
| **Impact MFS-2:** | The project does not have impacts that are individually limited, but cumulatively considerable. **(Less than Significant Impact)** |

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." This Initial Study evaluates the environmental impacts of the proposed carpenters training center project. This Initial Study also takes into account other past, pending, and probable future projects whose impacts could combine to produce cumulative impacts.

Based on the City's development projections, there are no current or future projects adjacent to the site. The nearest projects to the site include an approved project that proposes the development of two hotels with a total number of 206 rooms located at 735 Cochrane Road (Phase II of the Madrone Village Shopping Center project), approximately 900 feet south of the site, and a pending project that proposes to construct a 44,000 square foot hotel, a gas station, 35,000 square foot medical office building, retail/fast food space, and assisted living facility on the southeast corner of the Butterfield Boulevard and Cochrane Road intersection (APN 726-25-035), approximately 1,800 feet southwest of the site. Other pending, approved projects, and approved projects under construction are approximately one-half mile or more away from the project site.

### Resource Topics not Impacted by the Project

The project would result in no wildfire hazards and would have no impact on agricultural resources, mineral resources, recreational facilities or tribal cultural resources; therefore, the project has no potential to combine with other projects to result in cumulative impacts to those resources. **(No Cumulative Impact)**

### Cumulative Air Quality Impacts

By its very nature, air pollution is largely a cumulative impact. The geographic area for cumulative air quality impacts is the San Francisco Bay Area Air Basin. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. The project would emit criteria air pollutants and contribute to the overall regional emissions of these pollutants. The project-level thresholds identified by BAAQMD (which the project's impacts were compared to in Section 3.3, *Air Quality*) are the basis for determining whether a project has a cumulatively considerable contribution to the existing cumulatively significant air quality impact. The project's construction and operational criteria air pollutant emissions would be below BAAQMD screening criteria and thresholds for these pollutants; therefore, the project would result in a less than cumulatively considerable contribution to significant regional air quality impact. **(Less Than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

A review of TAC sources within 1,000 feet of the site was completed to estimate the cumulative impacts on the project's maximally exposed individual. There was one stationary TAC source identified within 1,000 feet of the site. The stationary source did not have associated cancer risks, $PM_{2.5}$ concentrations or a hazard index value and, therefore, would not contribute to a cumulative impact. US.101 is a mobile TAC source (with an ADT of great than 10,000). The results that show $PM_{2.5}$ concentrations and risks at the maximally exposed individual (residence immediately to the north of the site) during construction are shown in Table 4.21-1.

**Table 4.21-1: Cumulative Community Risk at the Residential Maximally Exposed Individual**

| **Sources** | **Maximum Cancer Risk** (per million) | **$PM_{2.5}$ Concentration** ($\mu g/m^3$) | **Hazard Index** |
|---|---|---|---|
| Project Construction | | | |
| Unmitigated | **13.9 (infant)** | 0.2 | 0.02 |
| Mitigated | 8.5 (infant) | 0.08 | 0.01 |
| **BAAQMD Threshold – Single Source** | **>10.0** | **>0.3** | **>1.0** |
| ***Significant (with Mitigation)?*** | *No* | *No* | *No* |
| US 101, 700 feet west of the site | 29.6 | 0.13 | 0.02 |
| Combined Sources | | | |
| Unmitigated | 43.5 | 0.44 | 0.04 |
| Mitigated | 38.1 | 0.27 | 0.03 |
| **BAAQMD Threshold – Cumulative Sources** | **>100** | **>0.8** | **>10.0** |
| ***Significant?*** | | | |
| Unmitigated | *No* | *No* | *No* |
| Mitigated | *No* | *No* | *No* |

The results show that **MM AIR-1.1** and **MM-AIR-1.2 (**refer to Section 4.3, Air Quality) are necessary to reduce the project construction emissions impacts of TACs on the MEI to less than significant. The cumulative impact of the combined TAC sources (including the proposed project construction) on the project MEI would be less than significant with or without mitigation. Therefore, the combined effects of TACs on the project MEI would be less than significant. **(Less Than Significant Cumulative Impact)**

### Cumulative GHG Impacts

The proposed project and past, present, present and future development projects worldwide contribute to global climate change. No single project is sufficient in size to, by itself, change the global average temperature. Therefore, due to the nature of GHG impacts, a significant project impact is a significant cumulative impact. As discussed in Section 4.8, *Greenhouse Gas Emissions*,

the project's operational emissions would be below the 660 MT of $CO_2e$ per year bright-line threshold (for 2030); the project would, therefore, not result in significant GHG impact. For these reasons, the project would not result in a cumulatively considerable contribution to a significant cumulative GHG impact. **(Less Than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

### Cumulative Cultural Resources and Geology Impacts

The project would have no impact on historic resources and, therefore, would not combine impacts to these resources with other projects or contribute to any cumulative impacts to these resources. **(No Cumulative Impact).**

The geographic area for cumulative archaeological resources and human remains impacts are locations with approximately 1,000 feet of the site. The approved 785 Cochrane Road hotel project is the only current/future project within this geographic area. Both projects (Cochrane Road hotel and proposed projects) would implement standard permit conditions to reduce potential impacts to archaeological resources and human remains during construction to less than significant. The combined project would, therefore, have a less than significant cumulative impact on archaeological resources and human remains. **(Less Than Significant Cumulative Impact)**

The geographic area for cumulative geological impacts would be locations adjacent to the site, since geological impacts are limited to the project site and adjacent properties. There are no other current or future projects immediately adjacent to the project site. Therefore, the project has no potential to combine impacts to geological resources or soils with other projects. **(No Cumulative Impact)**

### Cumulative Hydrology and Utilities Impacts

The geographic area for cumulative hydrology and water quality impacts is the Coyote Creek watershed and Fisher Creek drainage basin. Cumulative developments near the project would be subject to similar hydrological and urban runoff conditions. All projects occurring within Morgan Hill would be required to implement the same standard conditions and measures related to construction water quality as the proposed project (including preparation of a SWPPP if disturbance if greater than one acre). In addition, all current and probable future projects that would disturb more than one acre of soil or replace/add more at least 10,000 square feet of impervious surfaces would be required to meet applicable MRP and the City's Storm Drainage Manual requirements on a project-specific basis. For these reasons, the cumulative projects, including the proposed project, would not result in significant cumulative hydrology or water quality impacts. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative utility and service systems is the City boundaries. The project would incrementally contribute to cumulative demands on utilities and service systems (water, sewer, solid waste, storm drainage). Implementation of the proposed project would not cause the City to exceed water demand projections, which are primarily based on population and employment growth disclosed in the City's most recent Urban Water Management Plan.

The City's share of the South County Regional Wastewater Authority Wastewater Treatment Plant's treatment capacity is 3.6 mgd. The ADFW in the City is approximately 2.35 mgd, leaving

approximately 1.2 mgd of allowable growth within the City before capacity at the plant is reached. The proposed project and identified current and probable projects are consistent with the growth assumptions in the Sewer System Master Plan, with the exception of the pending project that is proposing a General Plan Amendment to allow for the future development of three industrial buildings ranging from 195,000 to 540,000 square feet, a commercial building with a maximum square footage of 75,000, and a maximum of 300 residential units located at 1040 Cochrane Road. The combined projects would not result in a significant cumulative impact to the Wastewater Treatment Plant.

The final drainage system design for each of the cumulative projects would be subject to review and approval by the City of Morgan Hill Public Works Department, who would confirm that the proposed drainage system for each project is consistent with the City's stormwater-related conditions of approval and NPDES regulations. Therefore, the combined projects would not result in a significant cumulative impact to storm drainage systems.

As discussed in the Section 4.19, *Utilities and Service Systems*, the landfills serving the project site and the City as a whole, have remaining capacity to serve the region through 2055. Based on the above reasons, the combined projects would not result in significant cumulative impacts to the City's water, sewer, solid waste and storm drainage facilities. **(Less Than Significant Cumulative Impact)**

The project would not relocate natural gas, electricity or telecommunications lines. The project would not combine impacts to these utility lines with other projects, therefore, no cumulative impacts to these utilities would result from the combined projects. **(No Cumulative Impact)**

**Cumulative Biological Resources Impacts**

The geographic area for cumulative impacts to trees includes the project site and adjacent parcels. There are no current or reasonably foreseeable projects adjacent to the project site. Therefore, the project would not have the potential to result in combined impacts to trees. **(No Cumulative Impact)**

The geographic area for cumulative impacts to sensitive habitats such as wetland, riparian habitats, and serpentine habitats, and special-status species would be Santa Clara County. The project would have no impact on riparian, wetland habitats or special-status species, and therefore, would not combine impacts to these habitats with other projects elsewhere. **(No Cumulative Impact)**

The project applicant will pay applicable Habitat Plan fees to offset the cumulative effects of nitrogen deposition from new vehicle trips to serpentine habitats protected by the Habitat Plan. **(Less Than Significant Cumulative Impact)**

The geographic area for cumulative impacts to migratory wildlife would be Santa Clara County. Construction of projects throughout the County, including the proposed project, could result in a significant cumulative impact on nesting birds. Each project is subject to federal, state, and local regulations (including the MBTA, Fish and Game Code, and CEQA), which would avoid and/or minimize impacts to nesting birds. The project, with the implementation of mitigation measure MM BIO-1.1 and MM BIO-1.2 to comply with the MBTA and Fish and Game Code, would not result in a

cumulatively considerable contribution to a significant cumulative impact to nesting birds. **(Less Than Cumulatively Considerable Contribution to Significant Cumulative Impact)**

### Cumulative Population and Housing Impacts

The geographic area for cumulative population and housing impacts is defined as the City of Morgan Hill. The proposed project would a construct 55,000 square foot carpenters training center and would not directly increase population growth. The project proposed project is consistent with General Plan growth projections. The proposed project, as well as other projects consistent with the City's General Plan, would not cause the City to exceed General Plan or planned growth projections. Only one probable future commercial/industrial project (pending application with the City), which would be located on 1040 Cochrane Road, is proposing a General Plan Amendment for future industrial, commercial, and residential development (up to 300 units). The General Plan Amendment combined with other cumulative projects (including the proposed project) would not result in significant cumulative population impacts. (**Less Than Significant Cumulative Impact)**

The project site is vacant with no existing residences. Therefore, the project would not result in combined impacts to the displacement of people housing. **(No Cumulative Impact)**

### Cumulative Public Services Impacts

The geographic area for cumulative public services and recreation facilities is the City's boundaries. The proposed project would be a training center that would accommodate 150 students and approximately 15 employees. The project would, therefore, result in an incremental demand for fire protection and police services. The projects would be built to applicable fire code standards. The City would review plans and conduct construction inspections to ensure that new development complies with existing building and fire code requirements and public safety requirements for all of the cumulative projects. The cumulative projects would comply with General Plan policies pertaining to public safety. For these reasons, the combined effects of police and fire service demands by the cumulative projects (including the proposed project) would result in a less than significant cumulative impact on police and fire services and facilities. **(Less Than Significant Cumulative Impact)**

The project does not propose construction of residences, and therefore, would have no impacts on parks or schools. Therefore, the project has no potential to combine with other projects to result in cumulative impacts to these facilities. **(No Cumulative Impact)**

### Cumulative Land Use and Aesthetic Impacts

The geographic area for cumulative land use impacts is the project's immediate area (projects adjacent to the site or on Madrone Parkway). The future Cochrane hotel project (approximately 900 feet south of the site) is not visible from the single-family residences, therefore, there are no cumulative aesthetic impacts (from the proposed project and hotel) to these resources. **(No Cumulative Impact)**

The project would not physically divide a neighborhood, therefore, would not combine impacts to a neighborhood with other projects. The project would be consistent with the General Plan land use

designation for the site and zoning designation with City-approval of a Conditional Use Permit. for the site. The proposed project and probable future hotel project would conform with applicable land use plans, policies, and regulations for the purpose of avoiding or mitigating environmental impacts. For these reasons, the combined projects would result in a less than significant cumulative land use impact. (**Less Than Significant Cumulative Impact)**

**Cumulative Hazards and Hazardous Materials and Impacts**

The geographic area for cumulative hazardous materials impacts would be within 1,000 feet of the project site. Pesticide chemicals and metals could be present on-site based on previous agricultural activities conducted at the site. The probable Cochrane Road hotel project has lead contamination on the property's soils. Both projects will implement mitigation measures to reduce the impacts of contamination on construction workers and sensitive receptors (adjacent to the site). With the implementation of these mitigation measures, which requires preparation of a soil management plan for both the proposed project and future hotel project, and sampling for the proposed project, the combined projects would not result in a significant cumulative impact related to hazardous materials. **(Less Than Significant Cumulative Impact)**

The project would not result in an aircraft hazard given the project site is not located within an AIA of a Comprehensive Land Use Plan and is not located within an FAA height restriction area for new structures. The project would, therefore, not result in cumulative impacts due to aircraft hazards when combined with the impacts of other projects. **(No Cumulative Impact)**

**Cumulative Noise Impacts**

The geographic area for cumulative noise impacts is approximately a 1,000 feet radius from the site. The future Cochrane Road Hotel project is located within 1,000 feet of the site.

Construction

While the cumulative projects could be constructed at the same time as the proposed project and result in a temporary construction noise increase, both projects would be required to implement best management practices discussion in Section 4.13, *Noise*. Construction of the proposed project be approximately nine months, therefore, the overlap in the cumulative projects' construction schedules would likely be less than nine months. The combined projects, therefore, would have a less than significant cumulative construction noise impact on noise sensitive receptors to the north of the site. **(Less Than Significant Cumulative Impact)**

Operational

A significant cumulative permanent noise impact would occur if two criteria are met: 1) if the cumulative traffic noise level increase was 3 dBA $L_{dn}$ or greater for future levels exceeding 60 dBA $L_{dn}$ or was 5 dBA $L_{dn}$ or greater for future levels at or below 60 dBA $L_{dn}$ and 2) if the project would make a "cumulatively considerable" contribution to the overall traffic noise increase. A "cumulatively considerable" contribution would be defined as an increase of 1 dBA $L_{dn}$ or more attributable solely to the proposed project.

Cumulative traffic noise level increases were calculated by comparing the cumulative traffic volumes and the cumulative plus project volumes to existing traffic volumes. Traffic noise increases of 3 dBA $L_{dn}$ or more were calculated along the north and south approaches of the Butterfield Boulevard and Cochrane Road intersection under both the cumulative and cumulative plus project traffic scenarios. Since the same increase was calculated for the cumulative and the cumulative plus project scenarios, the project's contribution would be zero dBA $L_{dn}$. Therefore, the project would result in a less than cumulatively considerable contribution to a significant cumulative traffic noise impact. **(Less Than Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

**Cumulative Traffic Impacts**

The geographic area for cumulative transportation resource impacts includes the project site and its surrounding area as defined by the study intersections as shown in Figure 4.17-1. The proposed project and above-mentioned pending and approved projects would be consistent with applicable General Plan policies regarding circulation and, therefore, would not result in a cumulative conflict with those policies. All cumulative projects (including the project) would comply with current building and fire codes and be reviewed by the Fire Department to ensure adequate emergency access. For these reasons, the cumulative projects would not result in a significant cumulative impact to emergency access. **(Less Than Significant Cumulative Impact)**

| | |
|---|---|
| **Impact MFS-3:** | The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. **(Less than Significant Impact with Mitigation Incorporated)** |

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Pursuant to this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. Implementation of the best management practices, standard permit conditions, mitigation measures, and adherence to General Plan, City Code, and state and federal regulations described in these sections of the report, would avoid significant impacts. No other direct or indirect adverse effects on human beings have been identified. **(Less Than Significant Impact with Mitigation Incorporated)**

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# SECTION 6.0 LEAD AGENCY AND CONSULTANTS

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