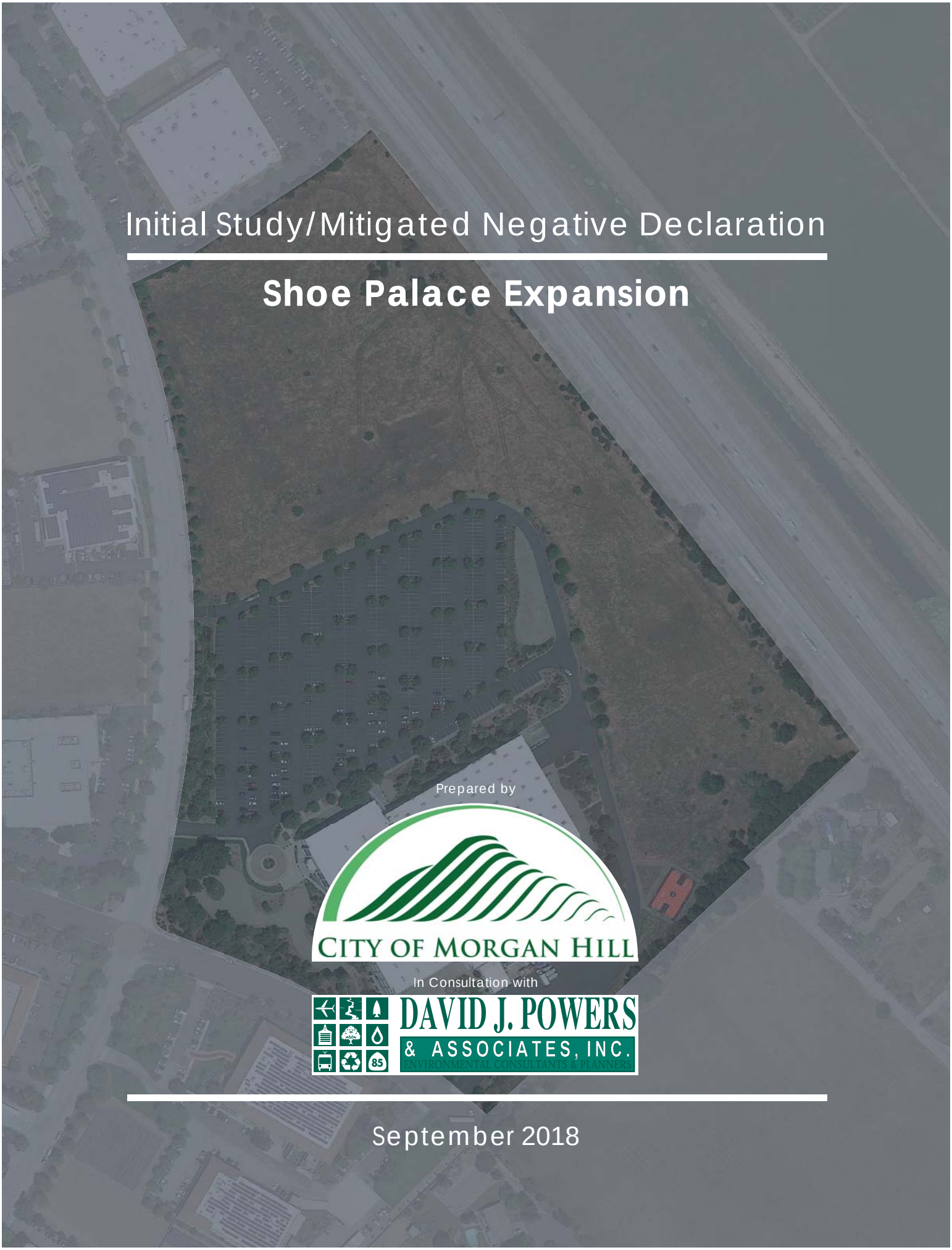

Initial Study/Mitigated Negative Declaration

Shoe Palace Expansion

Prepared by

CITY OF MORGAN HILL

In Consultation with

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

September 2018

CITY OF MORGAN HILL

COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

17575 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

DRAFT
MITIGATED NEGATIVE DECLARATION

I. DESCRIPTION OF PROJECT:

Application #s: SR#2018-0013/EA#2018-0009

APN: 726-30-012 and -013

Project Title: Shoe Palace Expansion Project

Project Location: The 38.06-acre project site is located at 755 Jarvis Drive on the west side of US 101, south of Cochrane Road, and east of Butterfield Boulevard, in the City of Morgan Hill.

Project Proponent: Shoe Palace Corporation, George Mersho, 755 Jarvis Drive, Morgan Hill, CA 95037

Project Description: The 38.06-acre project site is located on 755 Jarvis Drive, west of US 101 in the City of Morgan Hill. The project proposes to construct a 503,400 square foot warehouse, office, and distribution facility. A lot line adjustment to allow the existing facility and proposed facility to be on two separate parcels is also part of the project. The new facility would employ 100 additional employees, for a total of 300 employees and would increase truck deliveries from five to eight per day.

II. DETERMINATION

In accordance with the City of Morgan Hill procedures for compliance with the California Environmental Quality Act (CEQA), the City has completed an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, the City makes the following determination:

- Although the project, as proposed, could have had a significant effect on the environment, there will not be a significant effect in this case because mitigation measures are included in the project, and, therefore, this **MITIGATED NEGATIVE DECLARATION** has been prepared.

III. CONDITIONS (Mitigation and Standard Measures):

A. Biological Resources

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.

Mitigation Measures:

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 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 the start of construction.

Impact BIO-2: The removal of 115 trees on-site would result in a significant impact.

Mitigation Measures:

MM BIO-2.1: Trees proposed for removal will be replaced consistent with the City of Morgan Hill's Tree Removal Controls.

Impact BIO-3: Project construction activities could adversely impact trees on-site.

Mitigation Measures:

MM BIO-3.1: The following measures shall be implemented throughout the entirety of the project:

1. All Plan Sheets with work near any tree to be preserved, detailing any work near a tree, or where work occurs within the Tree Protection Zone (TPZ) will make reference to the project-specific Tree Inventory & Protection Plan in bold so that it is clearly visible.
2. All Plan Sheets are to show accurate driplines in their entirety on all sheets where improvements and work is to occur in the TPZ
3. The General Notes sheet shall make reference to the Tree Protection Guidelines sheet.
4. The Project Arborist (PA) is to attend the preconstruction meeting.
5. The PA or contractor shall verify, in writing, that all preconstruction conditions have been met (tree protection fencing, erosion control, pruning, etc.).

6. The demolition, grading and underground contractors, subcontractors, construction superintendent and other pertinent personnel are required to meet with the PA at the site prior to beginning specific work in a TPZ to review procedures, tree protection measures, and to establish appropriate haul routes, staging, areas, contacts, watering, etc. to maintain tree preservation.
7. Prior to any grading or construction, the PA shall assist in the setup of the TPZ.
8. Fenced enclosures shall be erected around trees to be protected to achieve three primary goals:
    - To keep foliage crowns and branching structure of the trees to be preserved clear from contact by equipment, materials and activities;
    - Preserve roots intact and maintain proper soil conditions in a non-compacted state and;
    - To identify the TPZ in which no soil disturbance is permitted and activities are restricted.

MM BIO-3.2: A tree protection zone (TPZ) shall be established during all phases of construction. Each tree to be preserved shall have a designated TPZ identifying the area sufficiently large enough to protect the tree and roots from disturbance. The recommended TPZ can be determined by the canopy footprint. All work that occurs in the dripline would be considered as being within the TPZ, which would require involvement of the qualified project arborist (PA). Direct involvement requires the PA to be on site for all work in the dripline to provide direction when tree roots are encountered. Improvements or activities such as paving, utility, and irrigation trenching and other ancillary activities shall occur outside the TPZ, unless authorized by the PA. Unless otherwise specified, the protective fencing shall serve as the TPZ boundaries. At no time shall tree protection be encroached without the directive of the PA or City Arborist (CA).

MM BIO-3.3: Any tree that will have numerous improvements very close to the trunks and well within the driplines will require all work in the TPZ to utilize boring (for utilities and storm drains), pneumatic or hydraulic tools.

MM BIO-3.4: The project shall prohibit the following activities within the TPZ:

- Storage or parking vehicles, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots. Poisonous materials include, but are not limited to, paint, petroleum products, concrete or stucco mix, dirty water or any other material which may be deleterious to tree health.
- The use of tree trunks as a winch support, anchorage, as a temporary power pole, sign posts or other similar function.
- Cutting of tree roots by utility trenching, foundation digging, placement of curbs and trenches and other miscellaneous excavation without prior approval of the PA.
- Soil disturbance or grade/drainage changes
- Materials must not be stored, stockpiled, dumped, or buried inside the dripline of trees.
- Excavated soil must not be piled or dumped, even temporarily, inside the TPZ of protected trees.

MM BIO-3.5: All trees to be preserved shall be protected with six (6) foot high fences. Fencing is to be mounted on two-inch diameter galvanized iron posts, driven into the ground to a depth of at

least two (2) feet at no more than ten (10) foot spacing. For trees located directly adjacent to hardscape, instead of driving the posts into the ground they can be mounted to portable stanchions. The stanchions shall be held down with rebar staples in order to avoid easy movement by equipment and construction personnel. A closeable 36-inch entry section for servicing the TPZ shall be provided. In addition, the trunks of the trees to be preserved are to be wrapped with brightly colored snow fencing, which will provide a visual reminder to workers that the trees are protected.

Initial installation of the TPZ will require the following dimensions:

- The fences shall enclose the entire area under the canopy dripline or designated TPZ of the tree(s) to be saved throughout the life of the project, or until final improvement work within the area is required, typically near the end of the project.
- For trees situated directly adjacent to a curb edge, along said curb edge and around the dripline shall be enclosed with the required chain link protective fencing in order to keep the street open for public use.
- If the fencing must be relocated on paving or sidewalk for final improvements, the posts may be supported by an appropriate stanchions.
- A warning sign a minimum of 8.5X11-inches shall be prominently displayed on each fence.

MM BIO-3.6: Pruning, Surgery, and Removal. Prior to construction, trees will require that branches be pruned clear from structures, activities, building encroachment or will need to be strengthened by means of mechanical support (cabling) or surgery. This should be performed under the direction of the PA. Such pruning, surgery or the removal of trees shall adhere to the following standards:

Pruning Limitations

- Minimum Pruning. If the PA recommends that trees be pruned, and the type of pruning is left unspecified, the standard pruning shall consist of 'crown cleaning' as defined by ISA Pruning Guidelines. Trees shall be pruned to reduce hazards and develop a strong, safe framework. Prune any desiccated material from the crown.
- Maximum Pruning. Maximum pruning should only occur in the rarest situation approved by the PA. No more than one-fourth (1/4) of the functioning leaf and stem area may be removed within one (1) calendar year of any tree, or removal of foliage so as to cause the unbalancing of the tree. It must be recognized that trees are individual in form and structure, and that pruning needs may not always fit strict rules. The PA shall assume all responsibility for special pruning practices that vary from the standards outlined in this document.
- Tree Workers. Pruning shall not be attempted by construction or contractor personnel, but shall be performed by a qualified tree care specialist or certified tree worker under the direction of a certified arborist.

B. Cultural Resources

Standard Measure

SM CUL-1: In the event any prehistoric or significant historic era cultural materials are encountered during subsurface construction, all construction within a radius of 50 feet of the find shall be halted, the

Director of the Community Development Department would be notified, and an archaeologist shall be retained to examine the find to make appropriate recommendations.

SM CUL-2:

- If human remains are discovered, the Santa Clara County Coroner shall be notified. The Coroner shall determine whether or not the remains were Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who shall identify the Most Likely Descendant (MLD) of the deceased Native American.

- If the Director of the Community Development Department finds that the cultural resource find is not a significant resource, work shall resume only after the submittal of a preliminary report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial shall follow the protocol set forth in the CEQA Guidelines. If the site is found to be a significant archaeological site, a mitigation program shall be prepared and submitted to the Director of the Community Development Department for consideration and approval, in conformance with the protocol set forth in the CEQA Guidelines.

C. Geology and Soils

Standard Measure

SM 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.

D. Greenhouse Gas Emissions

Impact GHG-1: Operation of the proposed project would generate GHG emissions resulting in a cumulatively considerable contribution to global climate change.

Mitigation Measures:

MM GHG-1: The following mitigation measure would reduce GHG operational emissions to a less than significant level:

- The applicant shall develop a GHG reduction plan that includes the proper elements that would reduce emissions from project implementation and demonstrate that GHG emission from the project would be reduced by a sufficient amount to achieve the 2020 or 2030 standard, based on when the project would become operational. If the project is operational prior to 2021, the project would require reductions of at least 2,145 MT of CO2e/ year based on a service population of 300 employees that would generate 1,380 MT of CO2e/ year. If the project is operational after 2020,

this would require reductions of at least 2,489 MT of CO2e/ year based on a service population of 300 employees that would generate 780 MT of CO2e/ year. Elements of this plan may include, but would not be limited to, the following:

- Installation of solar power systems or other renewable electric generating systems that provide electricity to power on-site equipment and possibly provide excess electric power;
- Construct onsite or fund off-site carbon sequestration projects (such as a forestry or wetlands projects for which inventory and reporting protocols have been adopted). If the project develops an off-site project, it must be registered with the Climate Action Reserve or otherwise approved by the BAAQMD in order to be used to offset Project emissions;
- Purchase of carbon credits to offset Project annual emissions. Carbon offset credits must be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by the California Air Resources Board or BAAQMD. The preference for offset carbon credit purchases include those that can be achieved as follows: 1) within the City; 2) within the San Francisco Bay Area Air Basin; 3) within the State of California; then 4) elsewhere in the United States. Provisions of evidence of payments, and funding of an escrow-type account or endowment fund would be overseen by the City;
- Develop and implement a transportation demand management (TDM) program to reduce mobile GHG emissions.

E. Hydrology and Water Quality

Standard Measure

SM HYD-1: 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).

III. FINDING

The City of Morgan Hill Community and Economic Development Director hereby finds that the proposed project could have a significant effect on the environment; however, there would not be a significant effect in this case because mitigation measures summarized above and described in the initial study are included in the project.

_____ _____

Jennifer Carman, Director Date
Community and Economic Development
City of Morgan Hill

this would require reductions of at least 2,489 MT of CO2e/ year based on a service population of 300 employees that would generate 780 MT of CO2e/ year. Elements of this plan may include, but would not be limited to, the following:

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III. FINDING

The City of Morgan Hill Community and Economic Development Director hereby finds that the proposed project could have a significant effect on the environment; however, there would not be a significant effect in this case because mitigation measures summarized above and described in the initial study are included in the project.

Jennifer Carman, Director
Community and Economic Development
City of Morgan Hill

10/17/18
Date

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Appendix B – Tree Inventory & Protection Plan
Appendix C – Geotechnical Report
Appendix D – Phase I Environmental Site Assessment
Appendix E – Noise and Vibration Assessment
Appendix F – Trip Generation and Operations Analysis

ACRONYMS AND ABBREVIATIONS

ALUC	Airport Land Use Commission
APN	Assessor Parcel Number
BAAQMD	Bay Area Air Quality Management District
CalEEMod	California Emissions Estimator Model
CA	City Arborist
CAP	Clean Air Plan
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CO2e	Carbon Dioxide Emissions
DPM	Diesel Particulate Matter
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
GHG	Greenhouse Gas
HCP/NCCP	Habitat Conservation Plan/Natural Communities Conservation Plan
MBTA	Migratory Bird Treaty Act
MND	Mitigated Negative Declaration
MT	Metric Tons
NPDES	National Pollutant Discharge Elimination System
NOD	Notice of Determination
NOI	Notice of Intent
NOx	Nitrogen Dioxide
PA	Project Arborist
PM	Particulate Matter
PM_{10}	Respirable Particulate Matter
$PM_{2.5}$	Fine Particulate Matter
ROG	Reactive Organic Gas
RWQCB	Regional Water Quality Control Board
SCRWA	South County Regional Wastewater Authority
SWMP	Storm Water Management Plan
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
TPZ	Tree Protection Zone

USFWS	United States Fish and Wildlife Service
USFWS	United States Fish and Wildlife Service

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 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:

Joey Dinh, Associate Planner
City of Morgan Hill
17575 Peak Avenue
Morgan Hill, CA 95037
Joey.Dinh@morganhill.ca.gov

1.2 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, 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 of Morgan Hill 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.

1.3 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

Shoe Palace Expansion

2.2 LEAD AGENCY CONTACT

Joey Dinh, Associate Project Manager
City of Morgan Hill

2.3 PROJECT APPLICANT

George Mersho, CEO
Shoe Palace Corporation

2.4 PROJECT LOCATION

755 Jarvis Drive
Morgan Hill, CA 95037

2.5 ASSESSOR'S PARCEL NUMBERS

APNs: 726-30-012 & 726-30-013

2.6 PURPOSE OF THE INITIAL STUDY

The City of Morgan Hill, as the Lead Agency, has prepared this Initial Study for the Shoe Palace Expansion 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 503,400 square foot expansion to the existing Shoe Palace warehouse, office, and distribution facility at 755 Jarvis Drive. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

2.7 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

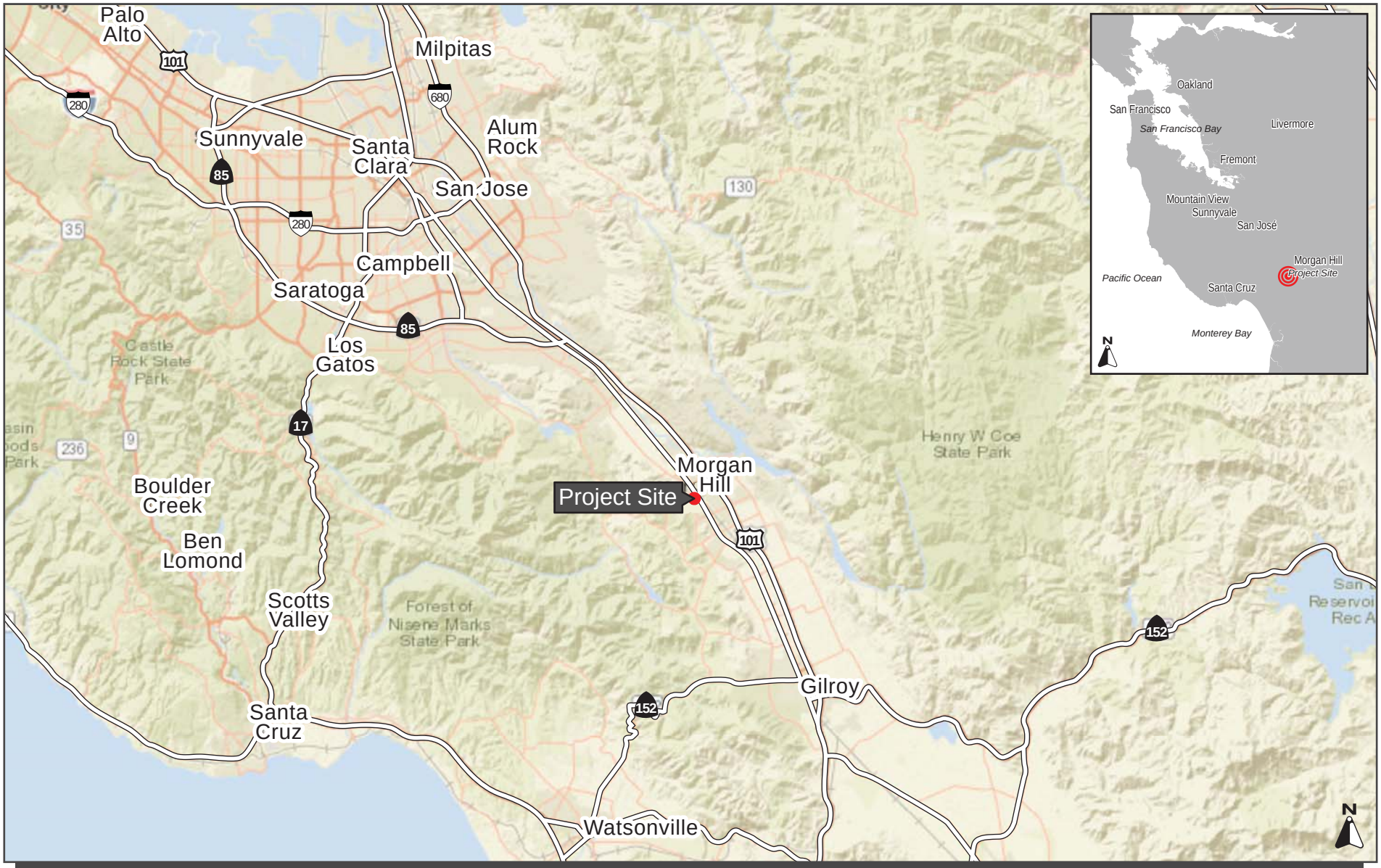
General Plan: *Industrial*
Zoning District: *Industrial Planned Unit Development Zoning District*

2.8 HABITAT PLAN DESIGNATION

Land Cover: Fee Zone B (Agricultural and Valley Floor Lands) Urban Areas

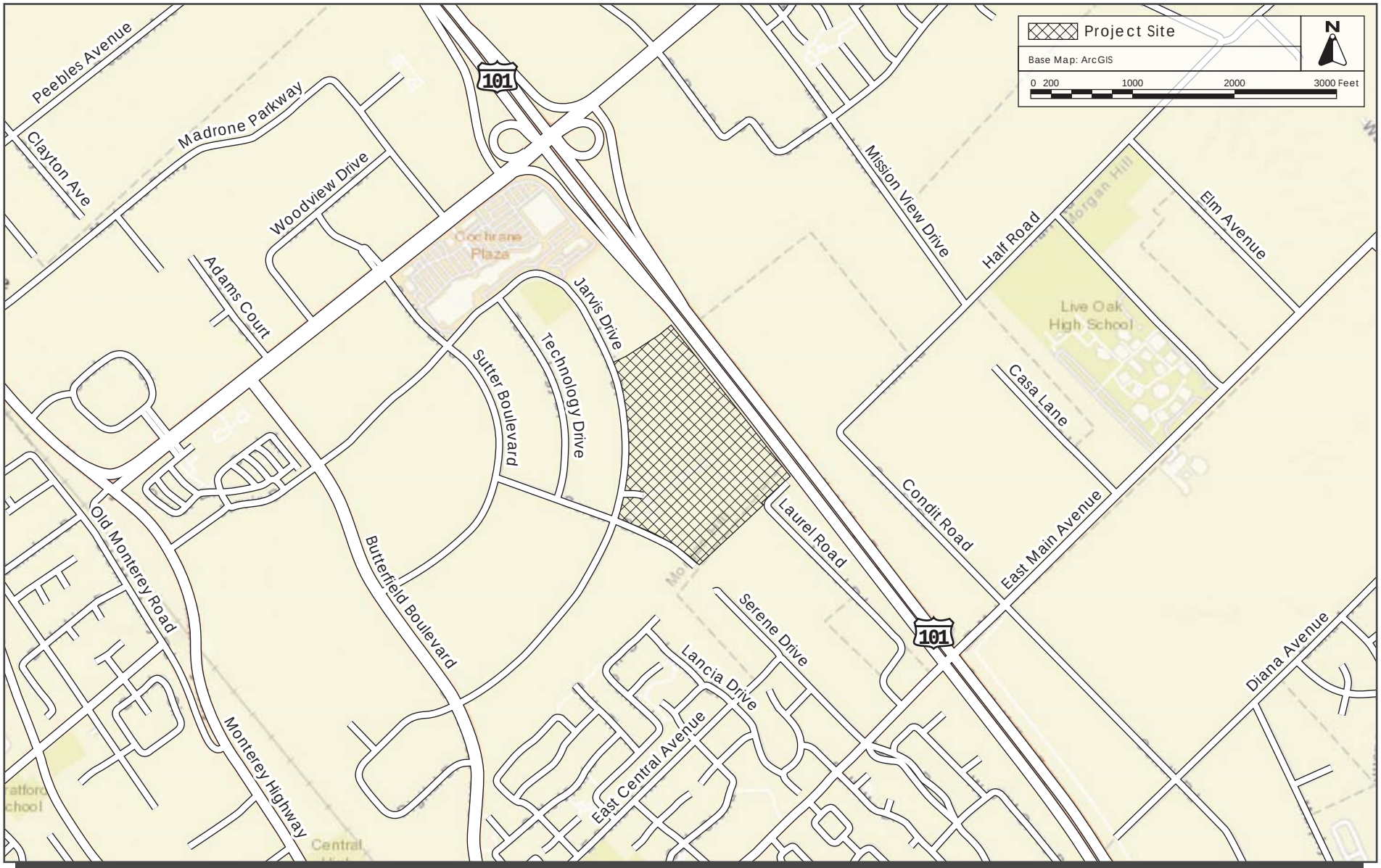
2.9 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

- Lot Line Adjustment
- Site and Architectural Review
- Tree Removal Permit
- Grading Permit



REGIONAL MAP

FIGURE 2.0-1



VICINITY MAP

FIGURE 2.0-2

AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.0-3

SECTION 3.0 PROJECT DESCRIPTION

3.1.1 Proposed Development

The project site consists of the existing 250,00-square foot Shoe Palace warehouse, office, and distribution facility, a paved surface parking lot, and an undeveloped property located at 755 Jarvis Drive in the Morgan Hill Ranch Business Park. The project site is comprised of two parcels (APNs: 726-30-012 and 726-30-013), totaling 38.06-acres.

The proposed project is the construction of a 503,400-square foot warehouse, distribution, and office facility adjacent to the existing facility. A lot line adjustment to allow the existing facility and proposed facility to be on two separate parcels is also part of the project. (see Figure 3.0-1)

The proposed facility would result in an increase of 100 personnel on site, an increase from the existing 200 personnel present during Monday through Friday, typically between 6:00 AM and 11:00 PM.

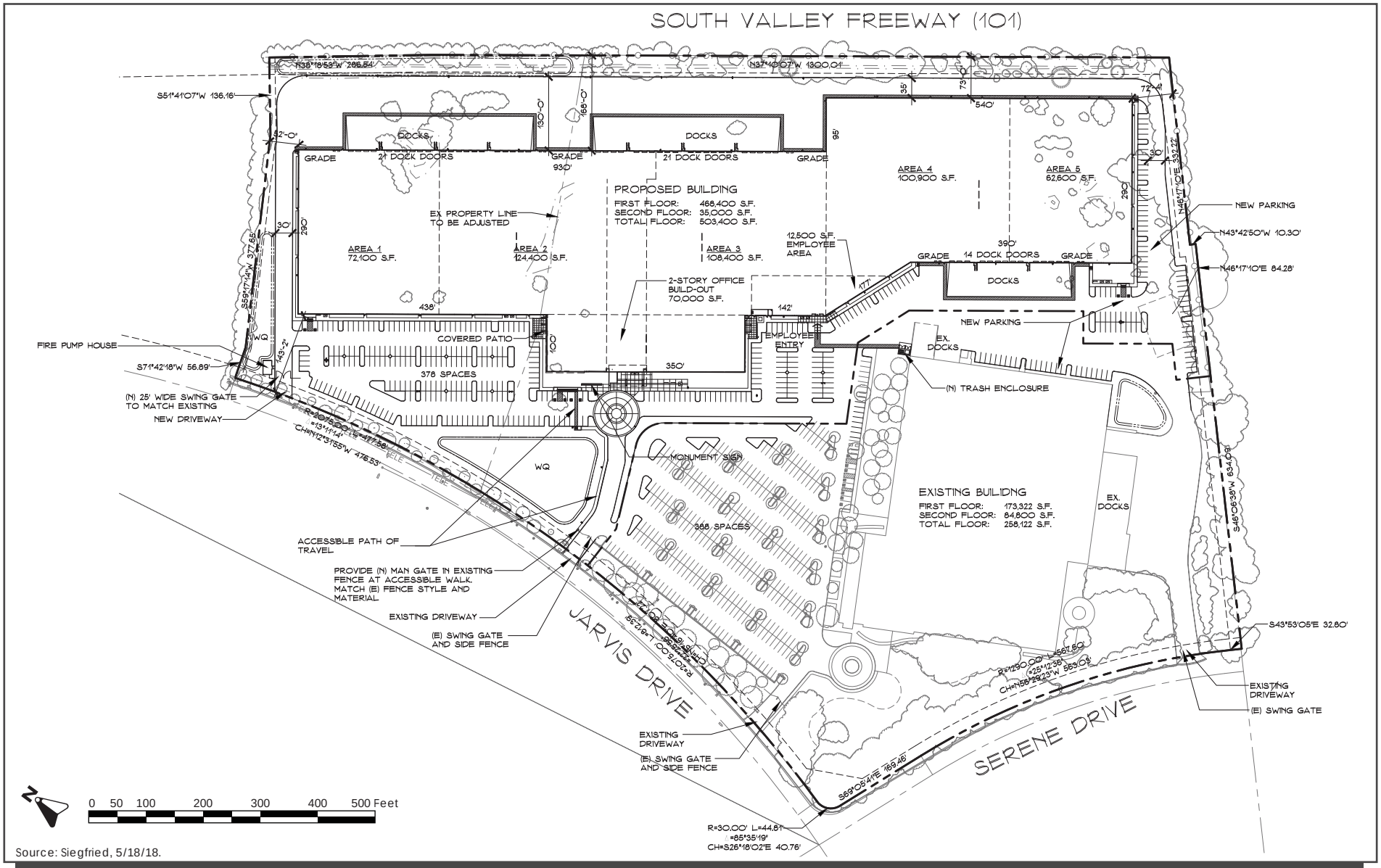
The existing warehouse and office typically receives three to five truck deliveries a day ?. The proposed project would result in an increase of five to eight daily truck trips. Truck deliveries would occur Monday through Friday, between 6:00 AM and 11:00 PM, with occasional weekend trips. The project has an existing permit that allows for truck deliveries to occur 24 hours a day, seven days a week.

3.1.2 Building Heights and Setbacks

The proposed warehouse, office, and distribution facility would not exceed 49 feet in height and would be setback approximately 35 feet from the site's eastern boundary, facing US 101 and 35 feet from the northern property boundary (see Figures 3.0-2 and 3.0-3).

3.1.3 Site Access and Truck Circulation

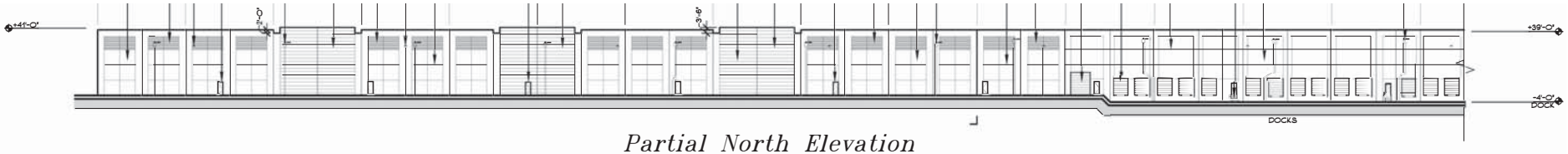
Access to the site would be provided from three existing driveways on Jarvis Drive and Serene Drive, and from one new 25-foot wide driveway northeast of the existing driveway, also along Jarvis Drive. The project would construct three new truck loading areas to accommodate up to 56 trucks. Two of the three loading areas would be located on the north side of the proposed building. The third loading area would be located on the eastern side of the building.



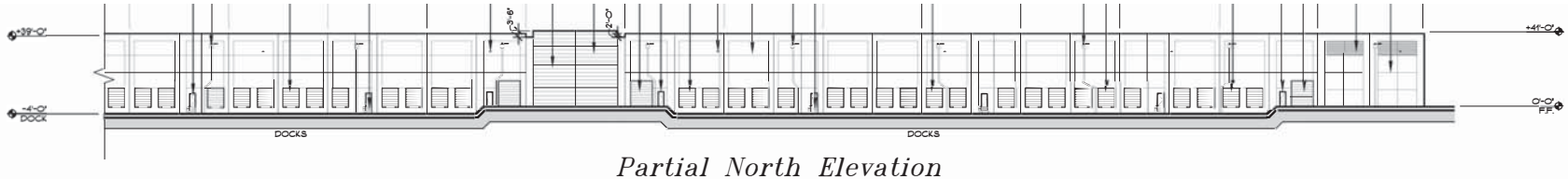
Source: Siegfried, 5/18/18.

SITE PLAN

FIGURE 3.0-1



Partial North Elevation



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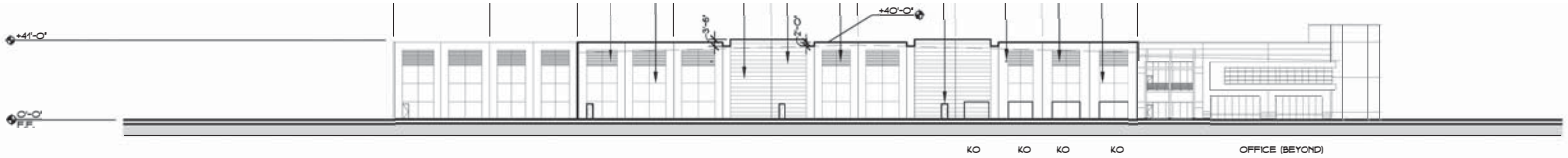
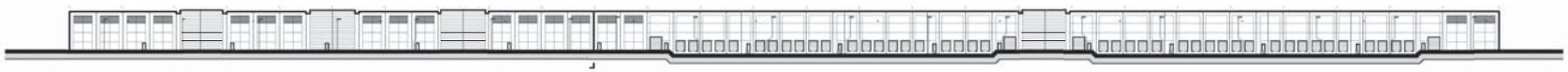


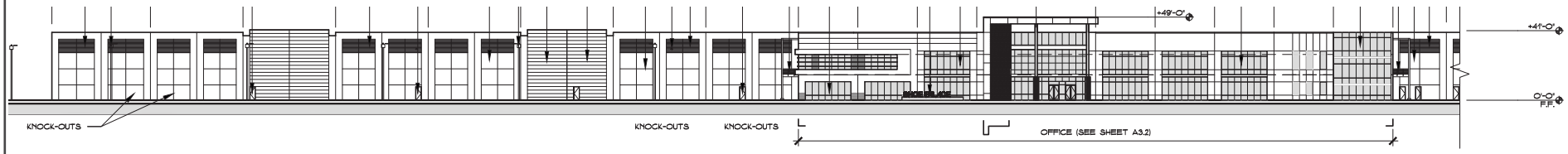
West Elevation



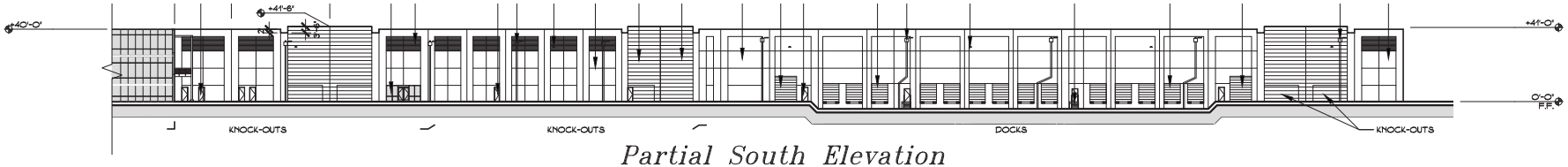
Overall North Elevation

Source: Perkins, Williams, Cotterill Architects., 5/18/18.

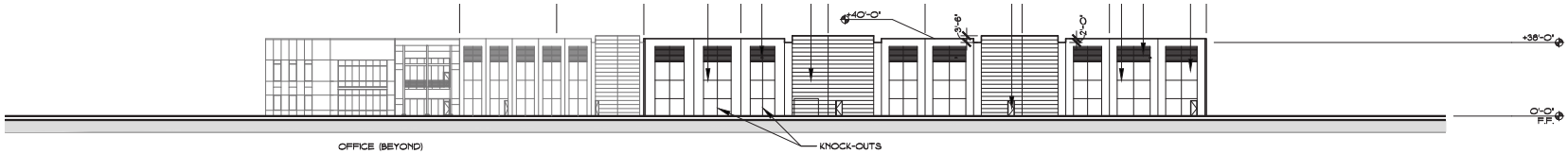
NORTH & WEST BUILDING ELEVATIONS | FIGURE 3.0-2



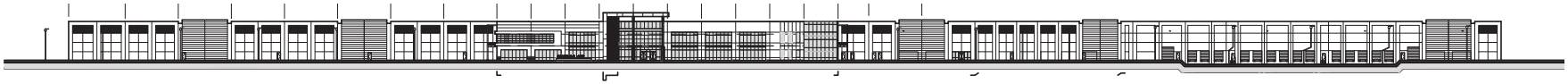
Partial South Elevation



Partial South Elevation



East Elevation



Overall South Elevation

Source: Perkins, Williams, Cotterill Architects., 5/18/18.

SOUTH & EAST BUILDING ELEVATIONS | FIGURE 3.0-3

3.1.4 Site Grading, Excavation, and Construction

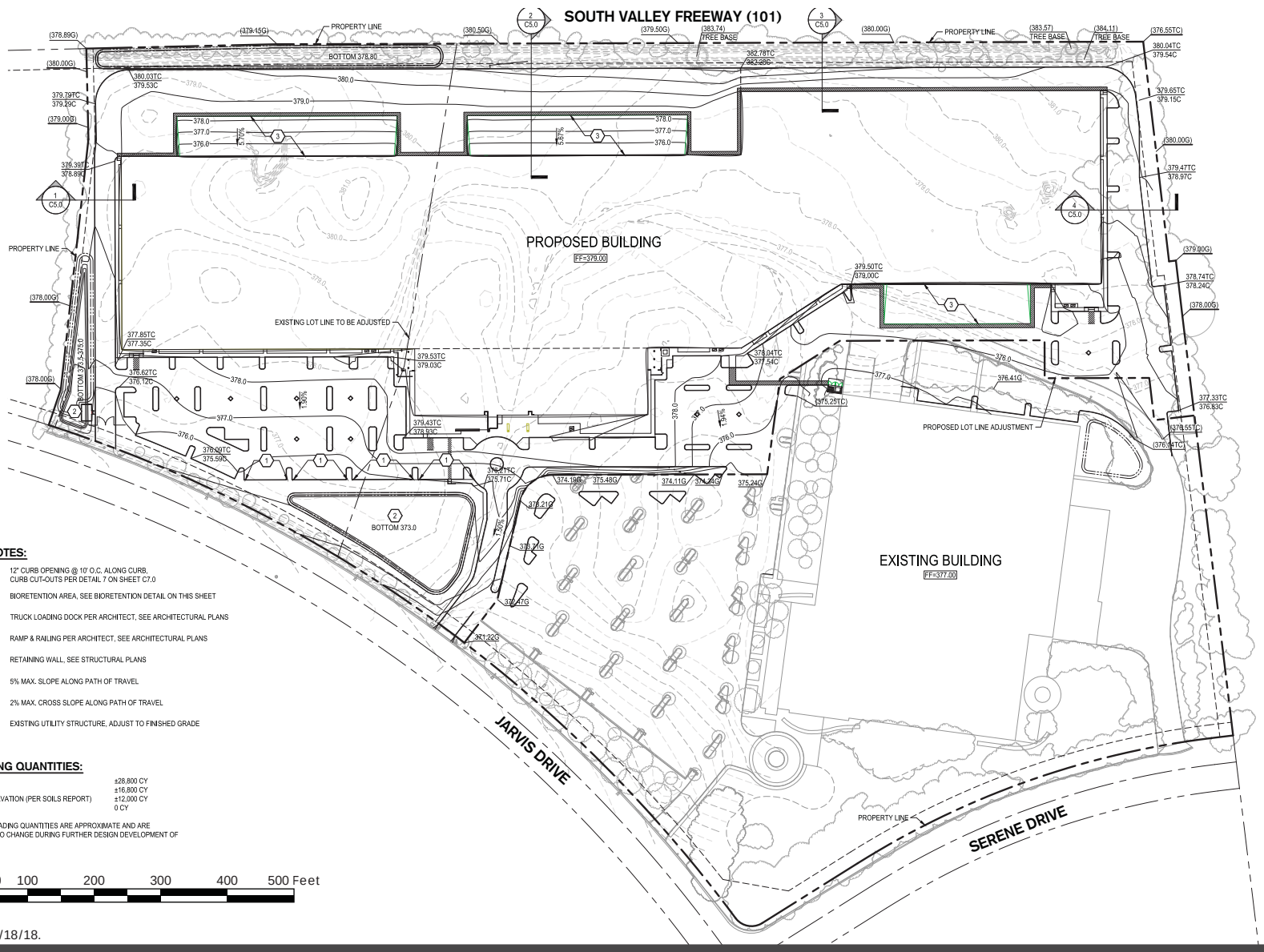
The project would be constructed in one phase, lasting approximately 10 to 11 months. Project construction would require removal of approximately 28,800 cubic yards from the site and fill of 16,800 cubic yards of soil (see Figure 3.0-4). The project would not require pile driving.

3.1.5 Landscaping

Project implementation would result in the removal of 115 trees on-site. The project proposes to install approximately 196,475 square feet of landscaping, including approximately 200 replacement trees throughout the site (see Figure 3.0-5a and Figure 3.0-5b).

3.1.6 Stormwater Controls

Stormwater would be treated on-site in drainage management bioretention basins prior to entering the City's storm drain system. The project would install three bioretention areas, totaling 41,929 square feet (refer to Figure 3.0-4).



KEY NOTES:

1. 12" CURB OPENING @ 10' O.C. ALONG CURB, CURB CUT-OUTS PER DETAIL 7 ON SHEET C7.0
2. BIORETENTION AREA, SEE BIORETENTION DETAIL ON THIS SHEET
3. TRUCK LOADING DOCK PER ARCHITECT, SEE ARCHITECTURAL PLANS
4. RAMP & RAILING PER ARCHITECT, SEE ARCHITECTURAL PLANS
5. RETAINING WALL, SEE STRUCTURAL PLANS
6. 5% MAX. SLOPE ALONG PATH OF TRAVEL
7. 2% MAX. CROSS SLOPE ALONG PATH OF TRAVEL
8. EXISTING UTILITY STRUCTURE, ADJUST TO FINISHED GRADE

GRADING QUANTITIES:

CUT	±28,800 CY
FILL	±16,800 CY
OVEREXCAVATION (PER SOILS REPORT)	±12,000 CY
NET	0 CY

*NOTE: GRADING QUANTITIES ARE APPROXIMATE AND ARE SUBJECT TO CHANGE DURING FURTHER DESIGN DEVELOPMENT OF THIS SITE.

0 50 100 200 300 400 500 Feet

Source: Siegfried, 5/18/18.

GRADING PLAN

FIGURE 3.0-4

TREE LEGEND

LARGE SHADE TREES
24" box trees.
Low/medium water use trees.
Parking lot planting island and site shade trees.
Install with root barrier when within 5' of pavement and structures.
Drip bubbler irrigation.

Acer rubrum 'Autumn Glory' / Autumn Glory Maple
Cinnamomum camphora / Camphor Tree
Fraxinus velutina 'Modesto' / Modesto Ash
Liriodendron tulipifera 'Fastigiata' / Tulip Tree
Platanus racemosa / California Sycamore
Quercus suber / Cork Oak
Zelkova serrata 'Village Green' / Sawleaf Zelkova

MEDIUM SHADE TREES
24" box trees.
Low/medium water use trees.
Shade trees located in site and parking lot planters.
Install with root barrier when within 5' of pavement and structures.
Drip bubbler irrigation.

Arbutus x 'Marina' / Arbutus Standard
Celtis sinensis / Chinese Hackberry
Nyssa sylvatica / Sour Gum
Olea europaea 'Wilsonii' / Wilson Olive
Pistacia chinensis 'Keith Davey' / Keith Davey Chinese Pistache
Pyrus calleryana 'Aristocrat' TM / Aristocrat Flowering Pear
Quercus lobata / Valley Oak
x Chitalpa tashkentensis / Chitalpa

NARROW UPRIGHT SCREEN TREES
15 gallon trees.
Low/medium water use trees
Site perimeter, parking lot and roadway trees in areas requiring narrow, upright growth and to avoid obstruction with large vehicles.
Install with root barrier when within 5' of pavement and structures.
Drip bubbler irrigation.

Acer platanoides 'Columnare' / Columnar Norway Maple
Alnus cordata / Italian Alder
Cedrus atlantica 'Fastigiata' / Columnar Blue Atlas Cedar
Fraxinus oxycarpa 'Raywood' TM / Raywood Ash
Ginkgo biloba 'Saratoga' / Maidenhair Tree
Lyonothamnus floribundus / Catalina Ironwood

SMALL ACCENT TREES
15 gallon trees.
Low/medium water use trees.
Accent trees at site, building and driveway entry.
Install with root barrier when within 5' of pavement and structures.
Drip bubbler irrigation.

Acer palmatum / Japanese Maple
Cercis occidentalis / Western Redbud
Eriobotrya deflexa / Bronze Loquat
Lagerstroemia x 'Tuscarora' / Crape Myrtle Coral Pink
Magnolia grandiflora 'Little Gem' / Dwarf Southern Magnolia
Rhaphiolepis i. 'Majestic Beauty' / Indian Hawthorne Standard
Vitex agnus-castus / Chaste Tree

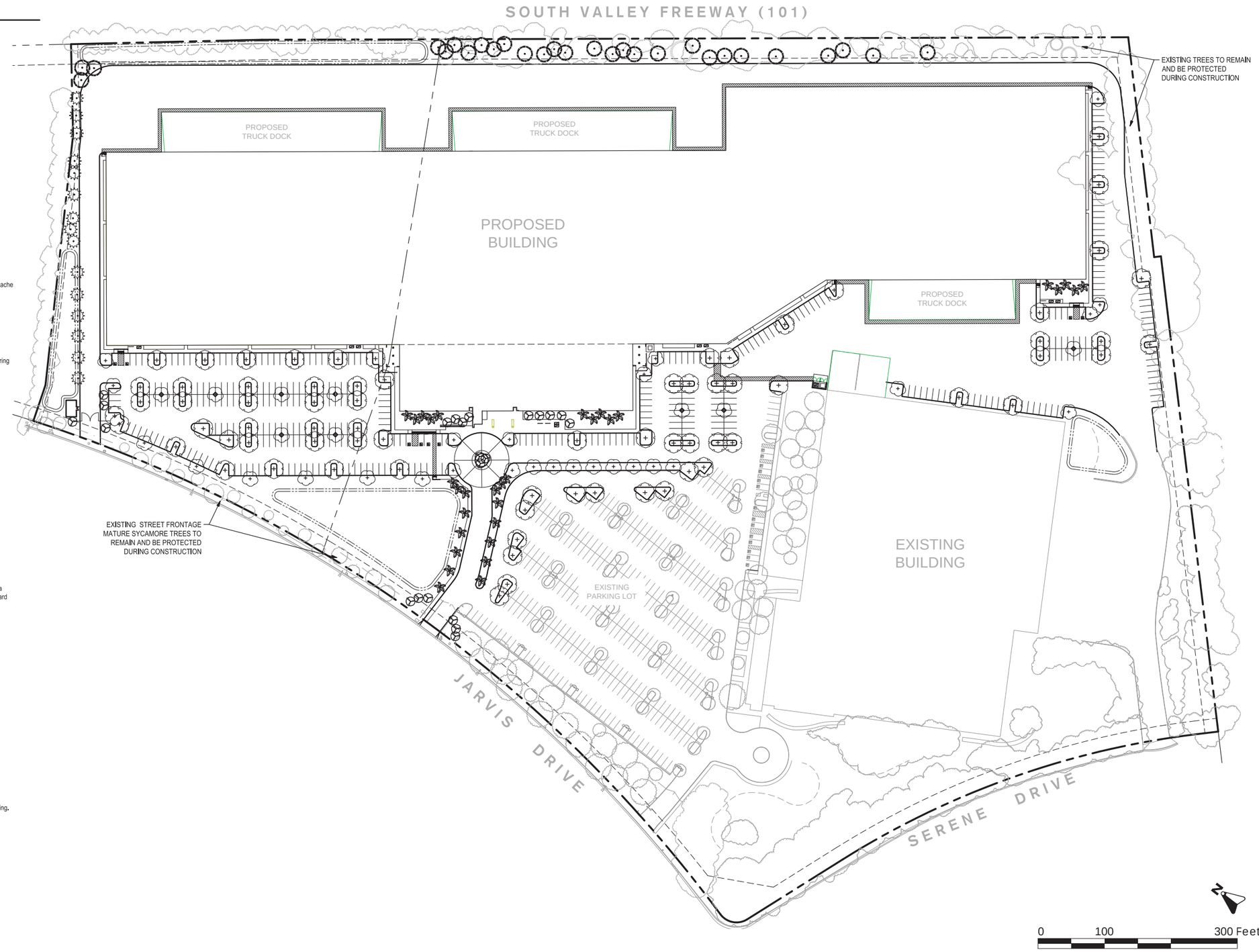
SCREEN TREES - EVERGREEN
24"-48" box trees.
Low/medium water use trees.
Evergreen trees planted on Highway 101 side of the site for screening.
Install with root barrier when within 5' of pavement and structures.
Drip bubbler irrigation.

Arbutus x 'Marina' / Arbutus Standard
Cedrus atlantica / Atlas Cedar
Geijera parviflora / Australian Willow
Pinus canariensis / Canary Island Pine
Quercus agrifolia / Coast Live Oak
Quercus lobata / Valley Oak
Quercus suber / Cork Oak

PALM TREES
36" - 60" box trees.
Low/medium water use trees.
Accent tree groupings along the entry drive and at the building.
Install with root barrier when within 5' of pavement and structures.
Drip bubbler irrigation.

Brahea armata / Mexican Blue Palm
Phoenix canariensis / Canary Island Date Palm
Phoenix dactylifera / Date Palm
Syagrus romanzoffiana / Queen Palm
Trachycarpus fortunei / Windmill Palm

EXISTING TREES TO REMAIN



Source: Siegfried, 5/18/2018.

TREE LANDSCAPING PLAN

FIGURE 3.0-5a

SHRUB & GROUNDCOVER LEGEND

STREET FRONTAGE - SHRUB & GROUNDCOVERS
Streetscape planter areas at back of walk.
Medium and small sized shrubs and grasses (18"-4' high, 5 gallon and 1 gallon).
Drip Irrigation.

Abelia x grandiflora / Glossy Abelia
Arctostaphylos x `Emerald Carpet` / Emerald Carpet Manzanita
Baccharis pilularis `Pigeon Point` / Coyote Brush
Callistemon viminalis `Little John` / Dwarf Weeping Bottlebrush
Ceanothus gloriosus `Anchor Bay` / Anchor Bay Lilac
Cistus x purpureus / Orchid Rockrose
Dietes vegeta / African Iris
Lantana camara `Confetti` / Confetti Lantana
Lavandula angustifolia `Hidcote Blue` / Hidcote Blue Lavender
Nassella tenuissima `Pony Tails` / Mexican Feathergrass
Phormium tenax `Maori Queen` / New Zealand Flax
Rhaphiolepis indica `Ballerina` / Ballerina Indian Hawthorn
Rosa x `Flower Carpet Pink` / Rose
Rosa x `Flower Carpet White` / Rose
Salvia leucantha `Santa Barbara` / Mexican Bush Sage

ENTRY AND ACCENT - SHRUB & GROUNDCOVERS
Entry and site accent planter areas.
Medium and small sized shrubs, groundcovers and grasses (18"-4' high, 5 gallon and 1 gallon).
Drip Irrigation.

Anigozanthos x `Bush Tango` / Orange Kangaroo Paw
Ceanothus griseus horizontalis `Yankee Point` / California Lilac
Chondropetalum tectorum / Cape Rush
Cistus pulverulentus `Sunset` / Rockrose
Dietes vegeta / African Iris
Dymondia margaretae / Dymondia
Erigeron karvinskianus `Profusion` / Santa Barbara Daisy
Escallonia x `Newport Dwarf` / Newport Dwarf Escallonia
Festuca glauca `Elijah Blue` / Blue Fescue
Helictotrichon sempervirens `Blue Oats` / Blue Oat Grass
Heuchera micrantha `Palace Purple` / Palace Purple Coral Bells
Lomandra longifolia `Breeze` / Dwarf Mat Rush
Nandina domestica `Monem` / Plum Passion Heavenly Bamboo
Nassella tenuissima `Pony Tails` / Mexican Feathergrass
Osteospermum fruticosum `African Queen` / Trailing African Daisy
Penstemon heterophyllus `Margarita BOP` / Beard Tongue
Phormium tenax `Amazing Red` / Dwarf Red Flax
Phormium tenax `Jack Spratt` / New Zealand Flax
Rhaphiolepis indica `Ballerina` / Ballerina Indian Hawthorn
Salvia greggii / Autumn Sage
Salvia spathacea / Hummingbird Sage
Teucrium x lucidrys prostratum / Germander
Vinca minor / Common Periwinkle

BUILDING & SCREENING - SHRUBS
Building perimeter and site perimeter planter areas.
Large sized shrubs (4'-8' high, 15 gallon).
Drip Irrigation.

Cistus x purpureus / Orchid Rockrose
Dodonaea viscosa `Purpurea` / Purple Leafed Hopseed Bush
Feijoa sellowiana / Pineapple Guava
Heteromeles arbutifolia / Toyon
Nerium oleander `Petite Pink` / Petite Pink Oleander
Podocarpus macrophyllus maki / Shrubby Yew
Westringia fruticosa / Coast Rosemary
Xylosma congestum / Shiny Xylosma

PARKING LOT - SHRUBS AND GROUNDCOVERS
Medium and small sized shrubs and grasses (18"-4' high, 5 gallon) with evergreen low groundcover planting (6"-18" high, 1 gallon).
Plants for use around the parking lot and drive aisle areas.
Drip and overhead spray rotator Irrigation.

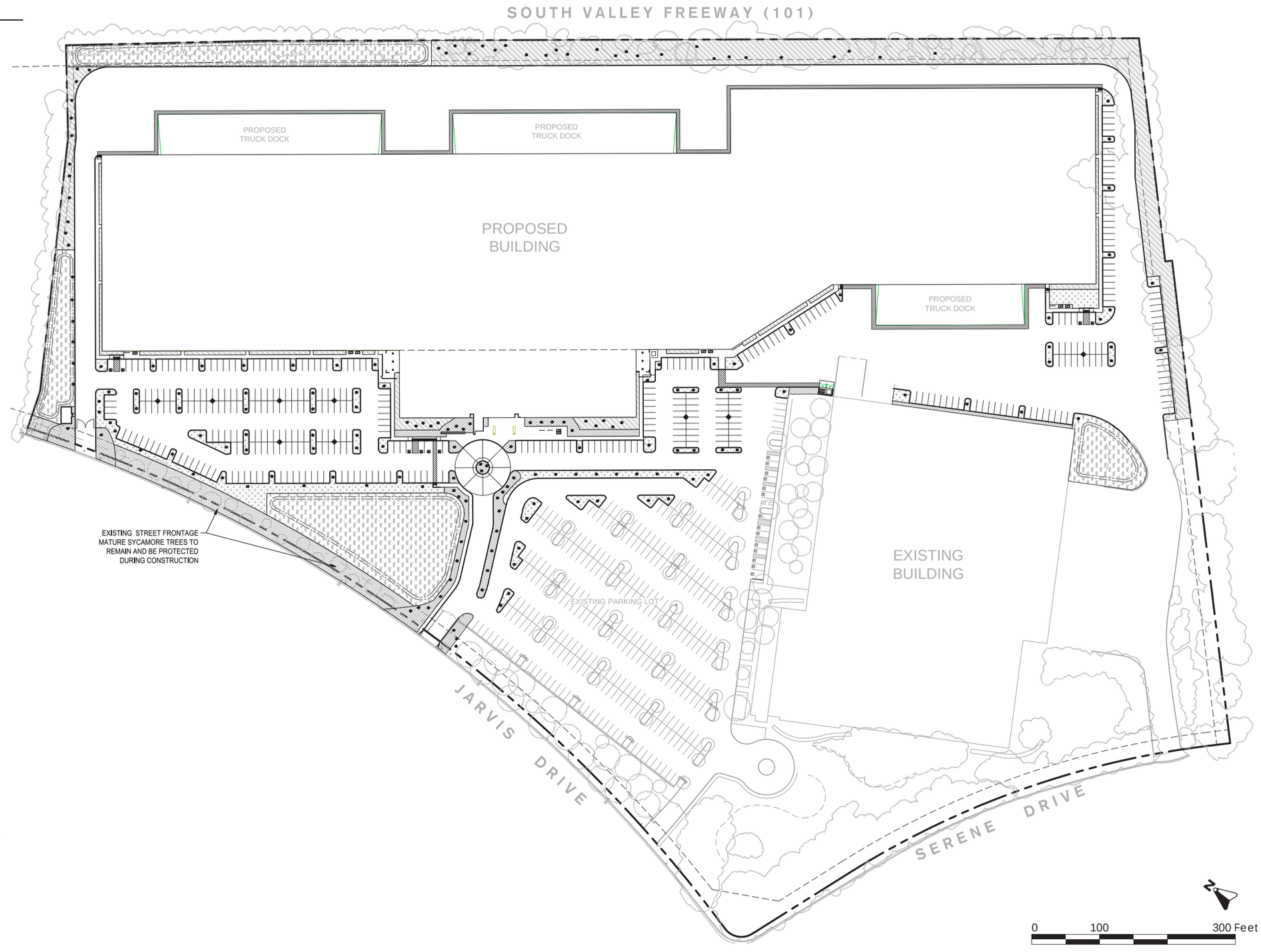
Arctostaphylos uva-ursi `Emerald Carpet` / Emerald Carpet Manzanita
Callistemon viminalis `Little John` / Dwarf Weeping Bottlebrush
Ceanothus griseus horizontalis `Yankee Point` / California Lilac
Cistus pulverulentus `Sunset` / Rockrose
Dietes vegeta / African Iris
Erigeron karvinskianus `Profusion` / Santa Barbara Daisy
Escallonia x `Newport Dwarf` / Newport Dwarf Escallonia
Festuca glauca `Elijah Blue` / Blue Fescue
Gazania rigens leucolaena / Trailing Gazania
Lomandra longifolia `Platinum Beauty` / Platinum Beauty Dwarf Mat Rush
Nassella tenuissima `Pony Tails` / Mexican Feathergrass
Osteospermum fruticosum `African Queen` / Trailing African Daisy
Phormium tenax `Amazing Red` / Dwarf Red Flax
Rhaphiolepis indica `Ballerina` / Ballerina Indian Hawthorn
Salvia greggii / Autumn Sage
Salvia spathacea / Hummingbird Sage
Xylosma congestum `Compacta` / Compact Xylosma

BIORETENTION BASIN - SHRUBS AND GRASSES
1 gallon plants.
Wet and dry tolerant plants.
Located at bottom of basins. Spacing 42" O.C.
Bioretention Compost Mulch installed.
Native seed turfgrass mix to be installed on slopes and at top of basins.
Irrigated, seasonal mowing only to prevent fire hazard.
Overhead Pop-up spray rotator irrigation.

Carex pansa / Sanddune Sedge
Chondropetalum tectorum / Cape Rush
Festuca x `Native Mow Free` / 1/3 Molate rubra, 1/3 Idaho, 1/3 Western Moke
Festuca x `Native Presevation Mix` / Biofiltration Mix
Juncus effusus / Soft Rush

BARK MULCH
Natural chip bark mulch. 3" thick layer minimum. Landscape areas within the project site to receive chip bark mulch. Not installed in Bioretention turfgrass slopes and basins.

TREE LOCATION (PROPOSED)
Layout reference of proposed trees



Source: Siegfried, 5/18/2018.

GROUNDCOVER LANDSCAPE PLAN

FIGURE 3.0-5b

SECTION 4.0 ENVIRONMENTAL CHECKLIST AND IMPACT DISCUSSION

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

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

The discussion for each environmental subject includes the following subsections:

- **Environmental Checklist –** The environmental checklist, as recommended by CEQA, identifies environmental impacts that could occur if the proposed project is implemented. The right-hand column of the checklist lists the source(s) for the answer to each question. The sources are identified at the end of this section.
- **Impact Discussion** – This subsection discusses the project's impact as it relates to the environmental 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 Section15370). Each impact is numbered using an alphanumeric system that identifies the environmental issue. For example, **Impact HAZ-1** denotes the first potentially significant impact discussed in the Hazards and Hazardous Materials section. Mitigation measures are also numbered to correspond to the impact they address. For example, **MM NOI-2.3** refers to the third mitigation measure for the second impact in the Noise section.

Important Note to the Reader

The California Supreme Court in a December 2015 opinion in *California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 *(BIA v. BAAQMD)* confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of Morgan Hill has policies that address existing conditions affecting a proposed project, which are also discussed in this EIR. This is consistent with one of the primary objectives of CEQA,

which is to provide objective information to decision-makers and the public. The CEQA Guidelines and the courts are clear that a CEQA can include information of interest even if such information is not an environmental impact as defined by CEQA.

Therefore, in addition to describing the impacts of the project on the environment, this IS will discuss operational issues as they relate to City policies. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, geologic hazard zone, high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS

4.1.1 Environmental Setting

4.1.1.1 *Existing Conditions*

The 38.06-acre site is located in central Morgan Hill, south of Cochrane Road, east of Jarvis Drive, and west of US 101. The site consists of the existing Shoe Palace Warehouse (see Photos 1-9), and an undeveloped field with sparse shrubbery scattered throughout. Large, mature trees are planted in landscaped islands throughout the parking lot for the existing Shoe Palace warehouse, as well as along the project's frontage with Jarvis Drive. Views of the eastern hills are visible from the parking lot.

4.1.1.2 *Surrounding Visual Character*

The project area is a patchwork of developed and undeveloped parcels. The area north of the site is developed with one-story office buildings. Single-family residences are located south of the project site along Serene Drive and Laurel Road, although they are not visible from the project site. The area west of the project site, across Jarvis Drive includes newer industrial and commercial buildings that are up to two stories in height. US 101 forms the site's eastern border.

Jarvis Drive is a two-lane roadway with streetlights that serves the industrial and commercial uses in the project area and forms the site's western boundary. Sidewalks are provided along the north side of Jarvis Drive, however there are no sidewalks along the project frontage.

4.1.1.3 *Scenic Vista and Resources*

Due to the flat topography, existing development, and trees 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.

1 – View of Shoe Palace office parking lot, facing the existing office.

2 – View of eastern hills from undeveloped portion of the project site.

3 – View of parking lot drive aisle and project site facing northwest.

4 – View of Shoe Palace office from drive aisle, facing south.

5 – View of eastern facing wall of Shoe Palace office.

6 – View of adjacent development across Jarvis Drive, facing southwest.

7 – View of Jarvis Drive and Serene Drive intersection.

8 – View of adjacent development west of the project site, across Jarvis Drive.

9 – View of front entrance to Shoe Palace office.

4.1.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	1,2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1,2
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐	1,2

4.1.3 Impact Discussion

a) Have a substantial adverse effect on a scenic vista?

The project site is not located along a state scenic highway. Views of the project site area are limited to the immediate area. The proposed project would not block views of the hills the west from US 101 since views from developments east of the site are obstructed by existing development.

Trees are considered visual resources in urban environments since they contribute to aesthetic interest and character. Based on an Arborist Report prepared by *Arborwell* in July 2018, there are a total of 261 trees on-site, including landscaped trees at the existing facility. Although 115 of these trees would be removed due to project design, trees would be planted in accordance with City policies to offset the aesthetic effects of tree removal (see *Section 4.4 Biological Resources* for a detailed discussion).

Development of this site would, therefore, not have a significant adverse effect on a scenic vista or damage scenic resources within a state scenic highway. **(Less Than Significant Impact)**

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

As stated in checklist response a), the project site is not located within a state scenic highway. **(No Impact)**

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The proposed project would construct a 503,400 square foot warehouse, office, and distribution facility in a primarily industrial area of Morgan Hill. While development under the proposed project would change the existing visual character on a portion of the site, the proposed facility would be similar in scale to the existing development in the project area and would be similar in scale and character to the existing Shoe Palace warehouse. The proposed warehouse facility would reach a maximum height of 49 feet, similar to the surrounding development. 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. **(Less Than Significant Impact)**

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

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 and additional vehicles traveling on and to and from 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 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)**

4.1.4 Conclusion

The proposed project would not result in significant aesthetics impacts. **(Less Than Significant)**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Setting

The project site is not used for agricultural production and is not the subject of a Williamson Act contract.[1] 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 *Industrial*, and the Zoning Map designates the project site as *Industrial Planned Unit Development Zoning District*. The land in the project vicinity is also designated and zoned for urban uses. Existing development on the site includes the existing Shoe Palace warehouse, office, and distribution facility and a paved parking lot. 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 *Urban and Built-up Land*.

4.2.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) 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?	☐	☐	☐	☒	2-5
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	2,5
c) 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))?	☐	☐	☐	☒	2,5
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1-3

[1] City of Morgan Hill. *2035 General Plan*. February 2010.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
e) 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?	☐	☐	☐	☒	1-3

4.2.3 Impact Discussion

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?

The City of Morgan Hill adopted its Agricultural Lands Preservation Program (Preservation Program) in November 2014 to preserve potential agricultural land subject to development. Lands classified as *Prime Farmland*, *Farmland of Statewide Importance*, *Unique Farmland*, *Farmland of Local Importance,* or *Grazing Land* under the California Department of Conservation Farmland Mapping Program are covered under the Preservation Program. The project site is not identified as *Prime Farmland, Unique Farmland,* or *Farmland of Statewide Importance.* **(No Impact)**

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is not zoned for agriculture and is not under a Williamson Act contract. **(No Impact)**

c) Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?

The project site is not zoned for forestland, timberland, or zoned for Timberland Production. **(No Impact)**

d) Result in a loss of forest land or conversion of forest land to non-forest use?

The project site does not have forest lands identified on-site**. (No Impact)**

e) 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?

As described above, the project site does not contain farmland or forest land and is not located within the vicinity of farmland or forest land. Project implementation, therefore, would not result in the conversion of farmland or forest land. **(No Impact)**

4.2.4 Conclusion

Project implementation would not result in impacts to agricultural or forestry resources. **(No Impact)**

4.3 AIR QUALITY

The following discussion is based on an air quality and greenhouse gas emissions analysis completed for the proposed project by *Illingworth & Rodkin* in September 2018. The report is included as Appendix A to this Initial Study.

4.3.1 Environmental Setting

Air quality and the concentration 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 determinants 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. Located on either side of the Santa Clara Valley, the Santa Cruz Mountains and Diablo Range 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.

4.3.1.1 *Regulatory Background*

Federal and State

Air Quality Overview

Federal, state, and regional 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, carbon monoxide, sulfur oxides, nitrogen oxides, 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. The Bay Area as a whole does not meet state or federal ambient air quality standards for ground level ozone and fine particulate matter ($PM_{2.5}$), nor does it meet state standards for respirable particulate matter (PM_{10}). The Bay Area is considered in attainment or unclassified for all other pollutants.

Toxic Air Contaminants and Fine Particulate Matter

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).[2]

Fine Particulate Matter ($PM_{2.5}$) is a complex mixture of substances that includes elements 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 the Bay Area Air Quality Management District (BAAQMD), $PM_{2.5}$ is the air pollutant most harmful to the health of Bay Area residents.

Common stationary sources of TACs and $PM_{2.5}$ include gasoline stations, dry cleaners, and diesel backup generators. The other more significant, common mobile source is motor vehicles on roadways and freeways. Unlike regional criteria pollutants, 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.

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 would 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

[2] CARB. "Overview: Diesel Exhaust and Health". Accessed April 16, 2018. https://www.arb.ca.gov/research/diesel/diesel-health.htm.

super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

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.

Local

City of Morgan Hill

The following goals, policies, and actions found in the City's General Plan are applicable to the proposed project:

Policy/Goal	**Description**
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.
Climate Change	
Goal NRE-15	An adaptive and resilient community that responds to climate change.
Policy NRE-12.1	**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.

4.3.1.2 *Existing Conditions*

The project site consists of a 250,000 square foot warehouse, office, and distribution facility, paved surface parking lot, and an undeveloped lot.

4.3.1.3 *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, child care centers, retirement homes, convalescent homes, hospitals and medical clinics. Sensitive receptors within the project area are the single-family residences located adjacent to the southeastern site boundary, and along Serene Drive and Laurel Road to the south.

4.3.2 **Environmental Checklist**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	1,2,6,7
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,2,6,7
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	1,2,6,7
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	6
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1,2,6,7

4.3.3 Impact Discussion

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 used in this analysis are identified in Table 4.3-1.

Table 4.3-1: Thresholds of Significance Used in Air Quality Analyses

Pollutant	Construction	Operation	
	Average Daily Emissions (pounds)	**Average Daily Emissions (pounds)**	**Maximum Annual Emissions (tons)**
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
Fugitive Dust (PM_{10}/$PM_{2.5}$)	Implement Best Management Practices	None	None
Risk and Hazards for New Sources and Receptors (Project)	Same as operational threshold	• Increased cancer risk of >10.0 in one million • Increased non-cancer risk of > 1.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase: > 0.3 μ/m^3 (Zone of influence: 1,000-foot radius from property line of source or receptor)	
Risk and Hazards for New Sources and Receptors (Cumulative)		• Increased cancer risk of >100 in one million • Increased non-cancer risk of > 10.0 Hazard Index (chronic or acute) • Ambient $PM_{2.5}$ increase: > 0.8 μ/m^3 (Zone of influence: 1,000-foot radius from property line of source or receptor)	

Sources: BAAQMD CEQA Thresholds Options and Justification Report (2009) and BAAQMD CEQA Air Quality Guidelines (dated May 2017).

a) Conflict with or obstruct implementation of the applicable air quality plan?

The most recent Clean Air Plan is the 2017 Bay Area Clean Air Plan (2017 CAP). The proposed project would not conflict with the 2017 CAP because it would have emissions below BAAQMD thresholds, is considered urban infill, and is consistent with the development assumptions of the City's General Plan. Because the project would not exceed BAAQMD significance thresholds, it 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 standards and eliminating health-risk

disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(Less Than Significant Impact)**

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Construction Emissions

Criteria Pollutants and Fugitive Dust

Project construction emissions were modeled using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2, to determine emissions for both on- and off-site construction activities. On-site activities are primarily made up of construction equipment emissions, while off-site activity includes worker, hauling, and vendor traffic. Project construction activities, including a proposed equipment list and schedule, were used to determine project construction emissions. It was assumed that project construction would occur over 46 weeks and would involve 11.5 tons (1,240 cubic yards) of demolition debris, 980 one-way cement truck deliveries for building construction, and 265 one-way paving truck deliveries were also inputted to generate emissions.

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. The project would incorporate the following Best Management Practices during project construction:

Best Management Practices:

During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:

- 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.
- 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 California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- 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.

Incorporation of best management practices would reduce potential generation of PM_{10} and $PM_{2.5}$ to a less than significant level. **(Less Than Significant Level)**

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?

Operational Emissions

Operational air emissions from the project would be generated primarily from autos driven by employees and truck deliveries to and from the site. Evaporative emissions from architectural coatings and maintenance products (classified as consumer products) are typical emissions from these types of uses. Other inputs considered for calculation of the project's operational emissions include energy consumed and solid waste generation. Given that the current owners of the Shoe Palace warehouse and distribution facility are planning on selling or leasing the existing facility to a new tenant, the operational emissions of the existing Shoe Palace warehouse facility were not considered in calculating the proposed project's emissions. Table 4.3-2 presents the operational emissions associated with the proposed project.

Table 4.3-2: Operational Emissions

Scenario	**ROG**	**NOx**	**PM_{10}**	**$PM_{2.5}$**
2021 Project Operational Emissions (*tons/year*)	2.8 tons	2.7 tons	2.1 tons	0.6 tons
BAAQMD Thresholds (tons /year)	*10 tons*	*10 tons*	*15 tons*	*10 tons*
Exceed Threshold?	No	No	No	No
2021 Project Operational Emissions (*lbs/day*)	15.3 lbs.	14.8 lbs.	11.5 lbs.	3.3 lbs.
BAAQMD Thresholds (pounds/day)	*54* lbs.	*54* lbs.	*82* lbs.	*54* lbs.
Exceed Threshold?	No	No	No	No
Notes: Assumes 365-day operation.				

As shown in Table 4.3-2, project operations would not result in emissions in excess of BAAQMD thresholds. Project operational emissions are, therefore, less than significant. **(Less Than Significant)**

Cumulative TAC and $PM_{2.5}$ emissions from the project take into account construction of the project, stationary sources, and highway sources. There are four stationary sources of air pollution within the project vicinity (Plant #12786, 13045, 16356, 15000). As shown in Table 4.3-2, the proposed project would not exceed the cumulative TAC thresholds for maximum cancer risk, $PM_{2.5}$, or the hazard index at the maximally exposed individual (MEI)[3]; therefore, the project would have a less than significant impact. **(Less Than Significant Impact)**

Table 4.3-2: Cumulative TAC Emissions at Construction MEI

Source	Maximum Cancer Risk (per million)	$PM_{2.5}$ concentration ($\mu g/m^3$)	Hazard Index
Project Construction Unmitigated Resident MEI	8.3 (infant)	0.05	<0.01
BAAQMD Threshold – Single Source	***>10.0***	***>0.3***	***>1.0***
Significant?	*No*	*No*	*No*
Highway 101 at 250 feet west	81.3	0.56	0.07
Stationary Source #12786 – Plant – Diesel Generator at 1000 feet	<0.1	<0.01	<0.01
Stationary Source #13045 – Plant – Diesel Generator at 1000 feet	0.1	<0.01	<0.01
Stationary Source #16356 – Plant – Diesel Generator at 1000 feet	<0.1	<0.01	<0.01
Stationary Source #15000 – Plant – Diesel Generator at 1000 feet	0.1	<0.01	<0.01
Combined Sources at Residential MEI - Unmitigated Construction	90.0	0.65	0.12
BAAQMD Threshold – Combined Sources	***>100***	***>0.8***	***>10.0***
Significant?	*No*	*No*	*No*

All single source impacts and cumulative source impacts would be below the significance thresholds. Implementation of the BAAQMD Best Management Practices listed in checklist response b), would reduce emissions to a less than significant impact. **(Less Than Significant Impact)**

d) Expose sensitive receptors to substantial pollutant concentrations?

As described in checklist response c), the project would generate pollutants during project construction and operations. Implementation of best management practices and the following Condition of Approval would reduce exposure of sensitive receptors to pollutant concentrations to a less than significant level:

[3] A maximally exposed individual (MEI) is an individual that would be exposed to the highest concentration of pollutant within the project vicinity.

In addition to incorporating Best Management Practices, the project shall adhere to the following condition of approval:

Condition of Approval:

- The project shall use, at minimum, Tier 2 construction equipment during all phases of construction.

Use of Tier 2 construction equipment would further reduce potential exposure of sensitive receptors in the area to substantial pollutant concentrations. **(Less Than Significant Level)**

e) Create objectionable odors affecting a substantial number of people?

The proposed operations at the proposed Shoe Palace warehouse and distribution facility would not include any odor generating activities. The project therefore, would not create an objectionable odor. **(Less Than Significant Impact)**

4.3.4 Conclusion

Implementation of standard Best Management Practices and Condition of Approval listed in Section 4.3.3 above would reduce potential air quality impacts to a less than significant level. **(Less Than Significant Level)**

4.4 BIOLOGICAL RESOURCES

The following discussion is based, in part, on an Arborist Report prepared by *Arborwell* in July 2018. The report is attached as Appendix B to this Initial Study.

4.4.1 Environmental Setting

4.4.1.1 *Applicable Plans, Policies, and Regulations*

Migratory Birds

The Federal Migratory Bird Treaty Act (MBTA) prohibits killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. The trustee agency that addresses issues related to the MBTA is the US Fish and Wildlife Service (USFWS). Species of birds protected under the MBTA include all native birds and certain game birds. The MBTA protects whole birds, parts of birds, bird eggs, and nests and prohibits the possession of all nests of protected bird species whether they are active or inactive. An active nest is defined as having eggs or young. Birds protected by the MBTA may be present in the grassland habitat and/or in the cottonwood tree located on the project site.

Birds of Prey

Birds of prey are protected in California under provisions of the State Fish and Game Wildlife Code, Section 3503.5, which states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season that results in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment is considered a "taking" by the California Department of Fish and Wildlife.

Local Plans and Policies

Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan

The project site is located within the Santa Clara Valley Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP) area. The HCP/NCCP was developed by the County of Santa Clara, the Cities of San Jose, Gilroy and Morgan Hill, the Santa Clara Valley Water District, and the Santa Clara Valley Transportation Authority (collectively the "local partners") under the guidance of the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife (CDFW). The HCP/NCCP provides 'take' authorization [per the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA)] for 18 listed and non-listed species (i.e. covered species). The HCP/NCCP also includes conservation measures to protect all 18 species and a conservation strategy designed to mitigate impacts on covered species and to contribute to the recovery of these species in the study area.

The project site, including both parcels, is designated as 20-acres of *Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed,* and 18.6-acres of *Urban-Suburban.*

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 and H). 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 include tree species such as oaks (all types), California bays, madrones, 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.

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.

4.4.1.2 *Existing Conditions*

The project site, historically disturbed by agricultural activities, provides grassland habitat that supports a mixture of ruderal (weedy) species, dominated by non-native annual grasses and forbs. The 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 the urban development on and adjacent to the site, 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 Madrone Channel (approximately 320 feet east across US 101).

Trees

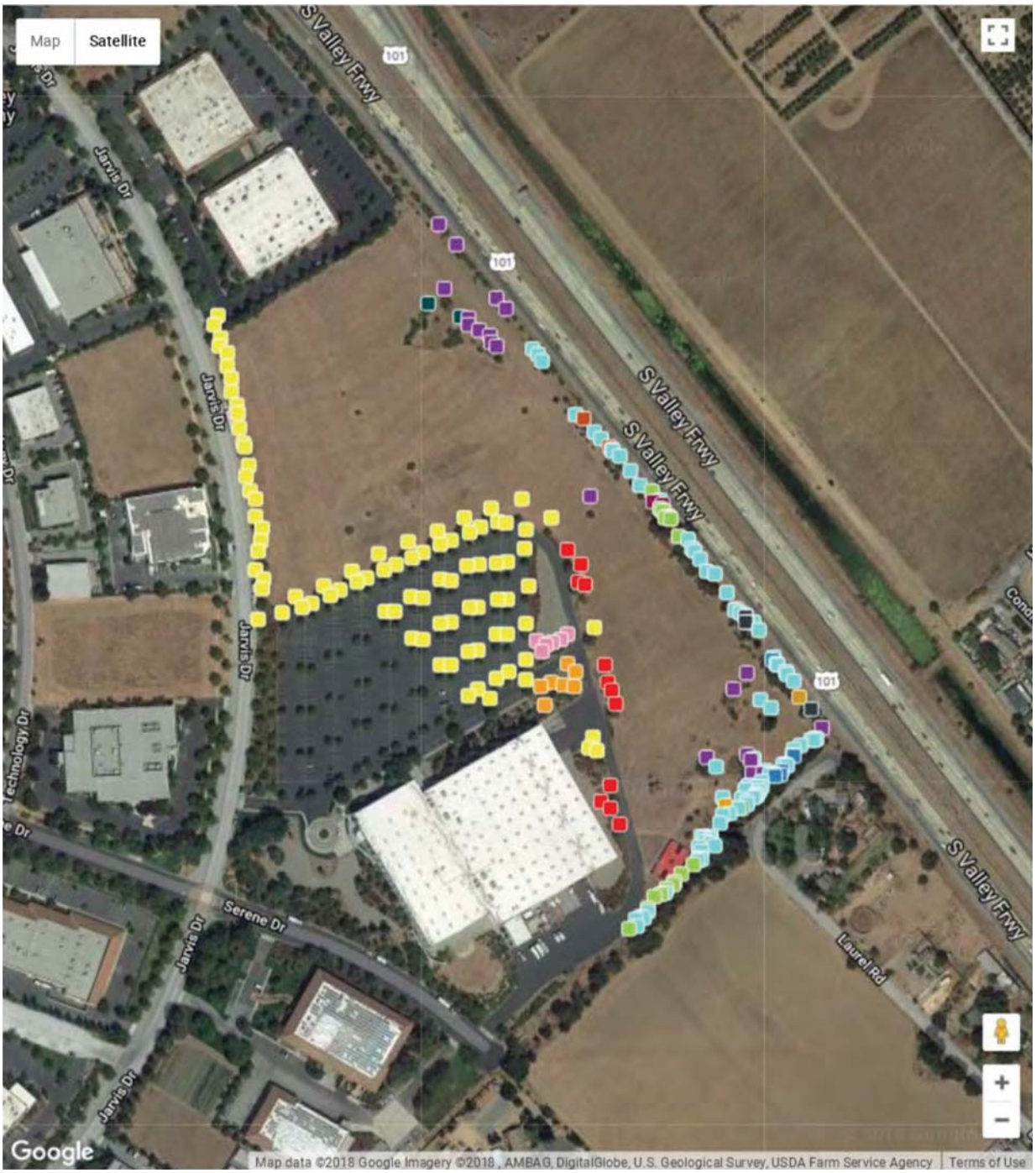
There is a total of 261 trees within the proposed development area. The 261 trees measured five inches or greater at 54 inches above grade. The 261 trees represented 13 species, as displayed in Table 4.4-1.

Table 4.4-1: Tree Species On-Site

Common Name	Species	Total	Condition				
			Dead	Critical	Poor	Fair	Good
Black Walnut	Juglans nigra	21	2	12	1	6	0
Brazilian Pepper Tree	Schinus terebinthifolia	2	0	0	1	1	0
Coast Live Oak	Quercus agrifolia	86	1	5	24	42	14

Table 4.4-1: Tree Species On-Site							
Common Name	**Species**	**Total**	**Condition**				
			Dead	**Critical**	**Poor**	**Fair**	**Good**
Coast Redwood	Sequoia sempervirens	14	5	4	1	4	0
Eucalyptus	Eucalyptus spp.	17	3	2	11	1	0
Evergreen Ash	Fraxinus uhdei	12	0	2	4	5	1
Flaxleaf Paperbark Maelaleuca	Melaleuca linarifolia	7	0	0	7	0	0
Fruitless Olive	Olea europaea	2	0	0	0	0	2
Incense Cedar	Calocedrus decurrens	1	0	1	0	0	0
Monterey Pine	Pinus radiata	1	1	0	0	0	0
Peruvian Pepper	Schinus mole	6	0	0	6	0	0
Prunus spp.	Prunus spp.	1	1	0	0	0	0
Sycamore	Platanus acerifolia	91	0	0	2	17	72
Total	**13**	**261**	**13**	**26**	**57**	**76**	**89**

There are 171 Ordinance Trees, as defined by the City of Morgan Hill's Municipal Code 12.32.020, on the site. There are 25 street trees within the City's Right-of-way. For a map of the approximate location of trees on-site, refer to Figure 4.4-1.



Legend (262)

London Plane Tre... (91)	fracsinus uhdei (12)	Redwood, Coa... (4)	Sequoia Semperiv... (1)
Oak, Coast L... (87)	Melaleuca, F... (7)	Sequoia, Gia... (3)	Prunus c. "T... (1)
eastern black wa... (21)	sequoia sempervi... (6)	schinus teribint... (2)	Pine, Monter... (1)
Eucalyptus (17)	California peppe... (6)	Olive (2)	Cedar, Incen... (1)

N

Source: Arborview

TREE MAP | FIGURE 4.4-1

4.4.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) 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)?	☐	☒	☐	☐	1,8,9
b) 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?	☐	☐	☒	☐	1,8,9
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	1,8,9
d) 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?	☐	☐	☐	☒	1,8,9
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	1,8,9
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐	1,8,9

4.4.3 Impact Discussion

a) 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?

Nesting Raptors and Migratory Birds

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 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 the start of construction. **(Less Than Significant Impact with Mitigation)**

b) 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?

The non-native grassland habitat provided by the project site is regionally abundant. 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. The proposed development of the project site would not directly affect wetlands, riparian habitat or other sensitive natural community.

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. For these reasons, loss of the 23.35 acres of non-native grassland habitat present on the site would not be significant. **(Less Than Significant Impact)**

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

As previously described in checklist response b), there are no riparian areas or wetlands on-site. **(No Impact)**

d) 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?

As previously described in responses a), b) and c), the project site does not contain wetlands, sensitive habitats, or acts as a wildlife corridor. 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)**

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The trees on the project site have not been maintained or cared for and, as a result, are not in good condition. Based on the proposed site plan, project implementation would result in the removal of 115 of the 261 trees on-site. Ninety of the proposed 115 trees to be removed, are considered ordinance trees per Morgan Hill Municipal Code 12.32.020 G and H. The removal of 115 trees, 90 of which are ordinance sized trees, would result in a significant impact. **(Significant Impact)**

Impact BIO-2: The removal of 115 trees on-site would result in a significant impact.

<u>Mitigation Measures:</u> The following mitigation measures shall be implemented during project construction:

MM BIO-2.1: Trees proposed for removal will be replaced consistent with the City of Morgan Hill's Tree Removal Controls. **(Less Than Significant Impact)**

Replacement of trees consistent with the City of Morgan Hill's Tree Removal Controls (MM BIO-2.1), would result in a less than significant impact. **(Less Than Significant Impact with Mitigation Incorporated)**

Additionally, trees that are proposed to be retained may be inadvertently impacted during project construction activities. The adverse impact of trees to be retained would result in a significant impact. **(Significant Impact)**

Impact BIO-3: Project construction activities could adversely impact trees on-site.

Mitigation Measures: The following mitigation measures shall be implemented prior to any work on-site:

MM BIO-3.1: The following measures shall be implemented throughout the entirety of the project:

- All Plan Sheets with work near any tree to be preserved, detailing any work near a tree, or where work occurs within the Tree Protection Zone (TPZ) will make reference to the project-specific Tree Inventory & Protection Plan bold so that it is clearly visible.
- All Plan Sheets are to show accurate driplines in their entirety on all sheets where improvements and work is to occur in the TPZ
- The General Notes sheet shall make reference to the Tree Protection Guidelines sheet.
- The Project Arborist (PA) is to attend the preconstruction meeting.
- The PA or contractor shall verify, in writing, that all preconstruction conditions have been met (tree protection fencing, erosion control, pruning, etc.).
- The demolition, grading and underground contractors, subcontractors, construction superintendent and other pertinent personnel are required to meet with the PA at the site prior to beginning specific work in a TPZ to review procedures, tree protection measures, and to establish appropriate haul routes, staging, areas, contacts, watering, etc. to maintain tree preservation.
- Prior to any grading or construction, the PA shall assist in the setup of the TPZ.
- Fenced enclosures shall be erected around trees to be protected to achieve three primary goals:
- To keep foliage crowns and branching structure of the trees to be preserved clear from contact by equipment, materials and activities;
- Preserve roots intact and maintain proper soil conditions in a non-compacted state and;

- To identify the TPZ in which no soil disturbance is permitted and activities are restricted.

MM BIO-3.2: A tree protection zone (TPZ) shall be established during all phases of construction. Each tree to be preserved shall have a designated TPZ identifying the area sufficiently large enough to protect the tree and roots from disturbance. The recommended TPZ can be determined by the canopy footprint. All work that occurs in the dripline would be considered as being within the TPZ, which would require involvement of the qualified project arborist (PA). Direct involvement requires the PA to be on site for all work in the dripline to provide direction when tree roots are encountered. Improvements or activities such as paving, utility, and irrigation trenching and other ancillary activities shall occur outside the TPZ, unless authorized by the PA. Unless otherwise specified, the protective fencing shall serve as the TPZ boundaries. At no time shall tree protection be encroached without the directive of the PA or City Arborist (CA).

MM BIO-3.3: Any tree that will have numerous improvements very close to the trunks and well within the driplines will require all work in the TPZ to utilize boring (for utilities and storm drains), pneumatic or hydraulic tools.

MM BIO-3.4: The project shall prohibit the following activities within the TPZ:

- Storage or parking vehicles, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots. Poisonous materials include, but are not limited to, paint, petroleum products, concrete or stucco mix, dirty water or any other material which may be deleterious to tree health.
- The use of tree trunks as a winch support, anchorage, as a temporary power pole, sign posts or other similar function.
- Cutting of tree roots by utility trenching, foundation digging, placement of curbs and trenches and other miscellaneous excavation without prior approval of the PA.
- Soil disturbance or grade/drainage changes
- Materials must not be stored, stockpiled, dumped, or buried inside the dripline of trees.
- Excavated soil must not be piled or dumped, even temporarily, inside the TPZ of protected trees.

MM BIO-3.5: All trees to be preserved shall be protected with six (6) foot high fences. Fencing is to be mounted on two-inch diameter galvanized iron posts, driven into the ground to a depth of at least two (2) feet at no more than ten (10) foot spacing. For trees located directly adjacent to hardscape, instead of driving the posts into the ground they can be mounted to portable stanchions. The stanchions shall be held down with rebar staples in order to avoid easy movement by equipment and construction personnel. A closeable 36-inch entry section for servicing the TPZ

shall be provided. In addition, the trunks of the trees to be preserved are to be wrapped with brightly colored snow fencing, which will provide a visual reminder to workers that the trees are protected.

Initial installation of the TPZ will require the following dimensions:

- The fences shall enclose the entire area under the canopy dripline or designated TPZ of the tree(s) to be saved throughout the life of the project, or until final improvement work within the area is required, typically near the end of the project.
- For trees situated directly adjacent to a curb edge, along said curb edge and around the dripline shall be enclosed with the required chain link protective fencing in order to keep the street open for public use.
- If the fencing must be relocated on paving or sidewalk for final improvements, the posts may be supported by an appropriate stanchions.
- A warning sign a minimum of 8.5x11-inches shall be prominently displayed on each fence.

MM BIO-3.6: Pruning, Surgery, and Removal. Prior to construction, trees will require that branches be pruned clear from structures, activities, building encroachment or will need to be strengthened by means of mechanical support (cabling) or surgery. This should be performed under the direction of the PA. Such pruning, surgery or the removal of trees shall adhere to the following standards:

Pruning Limitations

- Minimum Pruning. If the PA recommends that trees be pruned, and the type of pruning is left unspecified, the standard pruning shall consist of 'crown cleaning' as defined by ISA Pruning Guidelines. Trees shall be pruned to reduce hazards and develop a strong, safe framework. Prune any desiccated material from the crown.
- Maximum Pruning. Maximum pruning should only occur in the rarest situation approved by the PA. No more than one-fourth (1/4) of the functioning leaf and stem area may be removed within one (1) calendar year of any tree, or removal of foliage so as to cause the unbalancing of the tree. It must be recognized that trees are individual in form and structure, and that pruning needs may not always fit strict rules. The PA shall assume all responsibility for special pruning practices that vary from the standards outlined in this document.
- Tree Workers. Pruning shall not be attempted by construction or contractor personnel, but shall be performed by a qualified tree care specialist or certified tree worker under the direction of a certified arborist.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The current proposed project is a covered activity under the HCP/NCCP (Private Development Covered, Urban Development Equal to or Greater Than Two Acres Covered). The area of the project site to be disturbed (approximately 23.35-acres) is designated as *Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed* land cover (23.35 acres) and is mapped as *Fee Zone B* (Agricultural and Valley Floor Lands).[4] 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 current proposed project would generate approximately 1,950 more daily vehicle trips.

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[5] 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)**

[4] Santa Clara Valle Habitat Agency. "Geobrowser". Accessed July 24, 2018. http://www.hcpmaps.com/habitat/.
[5] Chapter 18.69 of the City of Morgan Hill Municipal Code

4.4.4 Conclusion

The proposed project, with the implementation of the above mitigation measures, would not result in significant impacts to biological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

4.5 CULTURAL RESOURCES

4.5.1 Environmental Setting

4.5.1.1 *Existing Conditions*

The project site consists of a portion of the existing Shoe Palace warehouse and distribution facility and an undeveloped field covered by non-native grassland. The area surrounding the project site is developed with light industrial buildings and single-family dwellings. There are no historic structures located on or adjacent to the project site.

4.5.1.2 *Archaeological Resources*

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.

California Assembly Bill (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 consultation by a tribe.

4.5.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	☐	☒	1,2,10
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	☒	☐	1,2,10
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☒	☐	1,2,10
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐	1,2,10

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
e) 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); or	☐	☐	☐	☒	1,2
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.	☐	☐	☒	☐	1,2,10

4.5.3 Impact Discussion

a) Cause a substantial adverse change in the significance of an historical resource?

The project site is currently developed with a portion of the existing Shoe Palace warehouse and distribution facility and an undeveloped field. There are no structures listed, determined eligible, or pending on the California Register of Historical Resources located on or adjacent to 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 or adjacent to the project site. For these reasons the proposed project would have no impact on historic resources. **(No Impact)**

b) Cause a substantial adverse change in the significance of an archaeological resource?

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 Coyote Creek, located approximately 1.26 miles north of the site. Nevertheless, the project shall implement the following standard measure in the event that an undiscovered archaeological resource is encountered during project construction activities:

Standard Measure CUL-1:

- In the event any prehistoric or significant historic era cultural materials[6] are encountered during subsurface construction, all construction within a radius of 50 feet of the find shall be halted, the Director of the Community Development Department would be notified, and an archaeologist shall be retained to examine the find to make appropriate recommendations.

Implementation of the standard measure would ensure that if an unknown archaeological resource is found, it would not result in a significant impact. **(Less Than Significant Impact)**

c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?

The proposed project would excavate to a maximum depth of approximately ten feet to install necessary utility infrastructure. Given that the proposed project would not require excavation below five feet below ground surface, paleontological resources would not likely be discovered during construction. The project would, therefore, not result in a significant impact to paleontological resources. **(Less Than Significant Impact)**

d) Disturb any human remains, including those interred outside of dedicated cemeteries?

While unlikely, it is possible that project construction activities may unearth unknown resources, including human remains. The project shall implement the following standard measure during construction, as required by state law:

Standard Measure CUL-2:

- If human remains are discovered, the Santa Clara County Coroner shall be notified. The Coroner shall determine whether or not the remains were Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who shall identify the Most Likely Descendant (MLD) of the deceased Native American.

- If the Director of the Community Development Department finds that the cultural resource find is not a significant resource, work shall resume only after the submittal of a preliminary report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial shall follow the protocol set forth in the CEQA Guidelines. If the site is found to be a significant archaeological site, a mitigation program shall be prepared and submitted to the Director of the Community Development Department for consideration and approval, in conformance with the protocol set forth in the CEQA Guidelines. **(Less than Significant Impact)**

[6] Significant cultural materials includes but are not limited to: aboriginal human remains, chipped stone; ground stone; shell and bone artifacts; concentrations of fire-cracked rock; ash and charcoal; shell; bone; and historic features such as privies or building foundations.

e) Cause a substantial adverse change in the significance of a tribal cultural resource that is: 1) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources, 2) determined to be a significant resource to a California Native American tribe.

As described previously, the project site is not located within an archaeologically sensitive area of the City and has been highly disturbed through historic development. No tribes have requested notice under AB 52. The project is, therefore, not likely to encounter unknown tribal cultural resources. Nevertheless, the project shall implement the standard measures, described in checklist response d), above, to reduce potential impacts to encountered tribal cultural resources to a less than significant level. **(Less Than Significant Impact)**

4.5.4 Conclusion

The implementation of Standard Measures CUL-1 and CUL-2, as described in checklist responses b) and d), would reduce potential cultural resource impacts to a less than significant level. **(Less Than Significant Impact)**

4.6 GEOLOGY AND SOILS

The following discussion is based, in part, on a Geotechnical Engineering Investigation prepared by *Krazan & Associates, Inc.* in December 2017. A copy of the report is attached as Appendix C to this Initial Study.

4.6.1 Environmental Setting

4.6.1.1 *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. Bedrock in this area is made up of the Franciscan Complex, a diverse group of igneous, sedimentary, and metamorphic rocks of Upper Jurassic to Cretaceous age (70-140 million years old). Overlaying the bedrock at substantial depths are marine and terrestrial sedimentary rocks of Tertiary and Quaternary age.

The project site is underlain by fill soil until approximately 4.5 feet deep. The fill material predominantly consists of clayey silty sand with gravel, clayey silty sand, clayey sand and gravelly clayey sand. Below the loose surface soils and fill material, there is approximately 1.5 to 3 feet of medium dense to very dense clayey silty sand, clayey sand and gravelly clayey sand or very stiff sandy clayey silt and sandy silty clay. These soils are slightly compressible and have a moderate potential for expansion. The shrinking and swelling is the result of the soil absorbing water in the winter and drying in the summer. The shrinking and swelling action can damage improperly designed and/or constructed building foundations and pavements.

Beyond the four to seven feet of soil characterized above, the site is underlain with alternating layers of predominately medium dense to very dense gravelly clayey sand, gravelly silty sand, clayey sand and sandy clayey gravel or hard sandy clayey silt and silty clay.

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.[7]

4.6.1.2 *Seismicity*

An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. The degree of shaking is dependent on the magnitude of the event, the distance to its zone of rupture and local geologic conditions. According to the City of Morgan Hill Geotechnical Hazards maps and the County's *Geologic Hazard Zones* Map, the project site is not located in a fault rupture hazard zone.

[7] County of Santa Clara. *County Geologic Hazard Zones Map 53*. October 26, 2012.

The nearest active fault lines to the project site are displayed in Table 4.6-1.

Table 4.6-1: Active Faults in the Project Area	
Fault Name	**Distance & Direction to Fault**
Calaveras	4.1 NE
San Andreas	10.2 SW
Monte Vista-Shannon	11.6 NW
Zayante-Vergeles	13.6 W
Quien Sabe	1.3 SE
Hayward-Rodgers Creek	24.8 N

4.6.1.3 *Liquefaction*

Soil liquefaction is a phenomenon in which saturated, cohesion-less soils undergo a temporary loss of strength during earthquake ground shaking. The liquefaction potential of valley floor terrain is estimated based on groundwater elevations in alluvial deposits within 50 feet of the ground surface.[8] The project site is not located within a liquefaction hazard zone.[9]

4.6.1.4 *Lateral Spreading*

Lateral spreading of soils on-site typically occurs when the site is near a creek or other open channel. There are no creeks or open channels within the project vicinity. The likelihood of lateral spreading on the site is low.

4.6.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as described 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)?	☐	☐	☒	☐	1,2,11,12

[8] Pacific Geotechnical Engineering, *Geology, Geologic, and Geotechnical Hazards, City of Morgan Hill*, December, 1991.
[9] County of Santa Clara, *County Geologic Hazard Zones Map 53*, October 26, 2012.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
2. Strong seismic ground shaking?	☐	☐	☒	☐	1,2,11,12
3. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,2,11,12
4. Landslides?	☐	☐	☐	☒	1,2,11,12
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1,2,11,12
c) 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?	☐	☐	☒	☐	1,2,11,12
d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2016), creating substantial risks to life or property?	☐	☐	☒	☐	1,2,11,12
e) 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?	☐	☐	☐	☒	1,2,11,12

4.6.3 Impact Discussion

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: 1) rupture of a known earthquake fault, 2) strong seismic ground shaking, 3) seismic-related ground failure, or 4) landslides?

The likelihood that a fault rupture would occur at the site is low; however, the site is located in a seismically active region and strong ground shaking will likely occur during the life of the project. The site is located in an area of relatively stable ground not likely to be involved in landsliding, faulting or other lateral displacement type ground failures. Based on the *Santa Clara County Geologic Hazard Zones* Map, the site is not located in a fault rupture, landslide, or liquefaction hazard zone. **(Less Than Significant Impact)**

b) Result in substantial soil erosion or the loss of topsoil?

Construction of the proposed project would disturb the ground and expose soils, thereby increasing the potential for wind- or water-related erosion and sedimentation at the site until the completion of construction. The City's National Pollutant Discharge Elimination System (NPDES) General Permit, urban runoff policies, and the Municipal Code, as discussed in *Section 4.9 Hydrology and Water Quality*, are the primary means for enforcing erosion control measures. Construction activities would

be subject to the requirements of the aforementioned policies and regulations. The project would not, therefore, result in substantial soil erosion or loss of topsoil. **(Less Than Significant Impact)**

c) 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?

Since the soils on the site are not prone to liquefaction nor is the site near a creek or other open channel, the probability of lateral spreading occurring on-site is low. **(Less Than Significant Impact)**

The project site is underlain by approximately 4.5 feet of fill soil. Soil testing done on-site for preparation of the Geotechnical Report indicated that the fill material was predominately loosely placed and not properly compacted, which may result in unstable soils that would compromise the proposed building's structural integrity. In accordance with the City of Morgan Hill standards, the project shall implement the following measure to reduce and/or avoid soil hazards.

Standard Measure 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.

Impacts from seismic and seismic-related hazards would be minimized through the use of standard engineering and seismic safety design techniques per the City's Building Division and the California Building Code. The proposed development would be designed to withstand soil hazards and to reduce the risk to life or property to the extent feasible and in compliance with the California Building Code. **(Less Than Significant Impact)**

d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2007), creating substantial risks to life or property?

Soils on the project site range from a moderate to high expansion potential. Expansive soil conditions could damage future development and improvements proposed under the project, which would represent a significant impact (unless substantial damage is avoided by incorporating appropriate engineering into the grading and foundation design of proposed buildings).

As described in checklist response c), the use of standard engineering and seismic safety design techniques per the City's Building Division and the California Code would minimize seismic-related impacts. The project would be required to adopt the recommendations of the design-level geotechnical report, further reducing potential seismic-related impacts.

Implementation of Standard Measure GEO-1 would reduce potential impacts related to expansive soils on-site to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

e) 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?

New development at the site would connect to the 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)**

4.6.4 Conclusion

Conformance with the recommendations of a design-level geotechnical engineering report and with the California Building Code, and conformance with the City's Standard Measure GEO-1 would avoid geology and soil impacts at the project site. **(Less Than Significant Impact)**

4.7 GREENHOUSE GAS EMISSIONS

The following discussion is based on an air quality and greenhouse gas emissions analysis completed for the proposed project by *Illingworth & Rodkin, Inc.* in September 2018. The report summarizing the results of the analysis is included as Appendix C of this Initial Study.

4.7.1 Environmental Setting

4.7.1.1 *Background Information*

This section provides a general discussion of global climate change and focuses on emissions from human activities that alter the chemical composition of the atmosphere. The discussion on global climate change and greenhouse gas (GHG) emissions is based in part upon the California Global Warming Solutions Act of 2006 (Assembly Bill (AB) 32) and research, information and analysis completed by the International Panel on Climate Change (IPCC), the U.S. EPA, and the California Air Resources Board (CARB).

Global climate change refers to changes in weather including temperatures, precipitation, and wind patterns. Global temperatures are modulated by naturally occurring and anthropogenic (generated by mankind) atmospheric gases such as carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (NOx).[10] These gases allow sunlight into the earth's atmosphere but prevent heat from radiating back out into outer space and escaping from the earth's atmosphere, thus altering the earth's energy balance. This phenomenon is known as the greenhouse effect.

Naturally occurring GHGs include water vapor,[11] CO_2, CH_4, NO_x, and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but are for the most part solely a product of industrial activities.

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of GHGs have a broader, global impact. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors.

Impacts to California from climate change include shifting precipitation patterns, increasing temperatures, increasing severity and duration of wildfires, earlier melting of snow pack and effects on habitats and biodiversity. Sea levels along the California coast have risen up to seven inches over the last century, and average annual temperatures have been increasing. These and other effects will

[10] IPCC, 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Bases. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor, and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at: <http://ipcc.ch/ >. Accessed March 25, 2013.

[11] Concentrations of water are highly variable in the atmosphere over time, with water occurring as vapor, cloud droplets and ice crystals. Changes in its concentration are also considered to be a result of climate feedbacks rather than a direct result of industrialization or other human activities. For this reason, water vapor is not discussed further as a greenhouse gas.

likely intensify in the coming decades and significantly impact the State's public health, natural and manmade infrastructure, and ecosystems.

Agencies at the international, national, state, and local levels are considering strategies to control emissions of gases that contribute to global warming. There is no comprehensive strategy that is being implemented on a global scale that addresses climate change; however, in California a multi-agency "Climate Action Team," has identified a range of strategies and the Air Resources Board, under AB 32, has approved the *Climate Change Scoping Plan* (Scoping Plan), discussed below.

Assembly Bill 32 and Executive Order S-3-05

Assembly Bill 32 (AB 32), also known as the Global Warming Solutions Act, was passed in 2006 and established a goal to reduce GHG emissions to 1990 levels by 2020. Prior to the adoption of AB 32, the Governor of California also signed Executive Order S-3-05, which set a long-term objective to reduce GHG emissions to 90 percent below 1990 levels by 2050. The CalEPA is the state agency in charge of coordinating the GHG emissions reduction effort and establishing targets along the way.

In December 2008, the California Air Resources Control Board (CARB) approved the Climate Change Scoping Plan, which proposes a comprehensive set of actions designed to reduce California's dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Climate Change Scoping Plan must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 GHG reduction goal.

Senate Bill 32 and Assembly Bill 197

SB 32 and AB 197 were signed into law in September 2016. SB 32 legislation amends 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.

The mid-term target established under SB 32 is considered critical by the state to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue reducing GHG emissions. As a part of this effort, CARB updated the Climate Change Scoping Plan in December 2018 to express the new 2030 target of 260 million metric tons (MT) of carbon dioxide equivalent. The most recently plan update was approved by CARB in December of 2017 SB 32 applies to projects that are completed after 2020.

4.7.1.2 *Regulatory Framework*

Bay Area 2017 Clean Air Plan

The Bay Area Air Quality Management District (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. BAAQMD has permit authority over stationary sources, acts as the primary reviewing agency for environmental documents, and develops regulations that must be consistent with or more stringent than, federal and state air quality laws and regulations.

Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state 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 closely related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how the 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.

The 2017 CAP includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants; to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

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 assessment uses a "Substantial Progress" efficiency metric of 2.6 MT CO2e/year/service population. This is calculated for 2030 based on the GHG reduction goals of SB 32 and Executive Order B-30-15, taking into account the 1990 inventory and the projected 2030 statewide population and employment levels.[12]

[12] Association of Environmental Professionals, 2016. Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California. April.

4.7.1.3 *Existing Conditions*

The project site consists of a 250,000 square foot warehouse, office, and distribution facility, and an undeveloped lot. The existing warehouse uses approximately 2,327.17 kWh of electricity per day.[13]

4.7.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☐	1,2,6,7
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☒	☐	☐	1,2,6,7

4.7.3 Impact Discussion

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction Emissions

Construction phases include site grading, trenching, building construction, and paving. The project site is located in an urbanized location, within proximity of construction supplies and equipment, which would help minimize greenhouse gas emissions generated from the transport of construction materials and waste. GHG emissions from project construction are expected to be 525 metric tons (MT) of carbon dioxide emissions (CO_2e) for the total construction period, based on the GHG report prepared for the project by *Illingworth & Rodkin, Inc*.

Neither the City of Morgan Hill nor the BAAQMD have quantified thresholds for construction activities. BAAQMD also encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible and applicable. Best Management Practices 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. With incorporation of the Best Management Practices described above, the project would not contribute substantially to local or regional greenhouse gas emissions. **(Less than Significant Impact)**

[13] Chris Conway, Project Manager. Personal Communication. August 15, 2018.

Operational Emissions

The CalEEMod model along with the project-specific information was used to calculate operational period GHG emissions associated with operation of the proposed project. Construction of the project is anticipated to take approximately 46 weeks, meaning the project could be in operation prior to the end of 2020 and thereby subject to the 2020 GHG targets based on AB 32. However, the construction timing is not guaranteed, and the possibility exists that the project could be in operation after 2020 and, therefore, this analysis also accounts for a condition where the 2030 GHG targets based on SB 32 apply to the project.

As shown in Table 4.7-1, annual GHG emissions resulting from operation of the project is estimated to exceed the BAAQMD significance threshold of 1,100 MT of CO2e/ year for 2020 emissions per AB 32 and the Substantial Progress threshold of 660 MT of CO2e/ year for 2030 emissions per SB 32. This would be considered a significant impact. Since the project would exceed the BAAQMD brightline threshold in either 2020 or 2030, Table 4.7-1 presents significance thresholds based on the project's service population efficiency rate. The service population efficiency rate is based on the number of future employees of the proposed project, which are estimated to be 300.

Table 4.7-1:
Annual Project GHG Emissions (CO_2e) in Metric Tons

Source Category	Proposed Project Emissions
Area	<1
Energy Consumption	1,100
Mobile	2,034
Solid Waste Generation	237
Water Usage	153
Total	**3,525**
Service Population Emissions*	11.75 MT/yr
2020 Service Population Significance Threshold	*4.6 MT/yr*
2020 Reduction Target	2,145
2030 Service Population Significance Threshold	*2.6 MT/yr*
2030 Reduction Target	2,745

Impact GHG-1: Operation of the proposed project would generate GHG emissions resulting in a cumulatively considerable contribution to global climate change. **(Significant Impact)**

<u>Mitigation Measures</u>

MM GHG-1: The following mitigation measure would reduce GHG operational emissions to a less than significant level:

- The applicant shall develop a GHG reduction plan that includes the proper elements that would reduce emissions from project implementation and demonstrate that GHG emission from the project would be reduced by a sufficient amount to achieve the 2020 or 2030 standard, based on when the project would become operational. If the project is operational prior to 2021, the project would require reductions of at least 2,145 MT of CO2e/ year based on a service population of 300 employees that would generate 1,380 MT of CO2e/ year. If the project is operational after 2020, this would require reductions of at least 2,489 MT of CO2e/ year based on a service population of 300 employees that would generate 780 MT of CO2e/ year. Elements of this plan may include, but would not be limited to, the following:

    - Installation of solar power systems or other renewable electric generating systems that provide electricity to power on-site equipment and possibly provide excess electric power;
    - Construct onsite or fund off-site carbon sequestration projects (such as a forestry or wetlands projects for which inventory and reporting protocols have been adopted). If the project develops an off-site project, it must be registered with the Climate Action Reserve or otherwise approved by the BAAQMD in order to be used to offset Project emissions;
    - Purchase of carbon credits to offset Project annual emissions. Carbon offset credits must be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by the California Air Resources Board or BAAQMD. The preference for offset carbon credit purchases include those that can be achieved as follows: 1) within the City; 2) within the San Francisco Bay Area Air Basin; 3) within the State of California; then 4) elsewhere in the United States. Provisions of evidence of payments, and funding of an escrow-type account or endowment fund would be overseen by the City;
    - Develop and implement a transportation demand management (TDM) program to reduce mobile GHG emissions.

The GHG reduction plan shall be submitted to the Community Development Director, prior issuance of any grading permits. **(Less Than Significant Impact with Mitigation)**

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

With implementation of MM GHG-1, the project would implement on-site and off-site GHG reduction measures to ensure that project emissions are below the 2020 or 2030 threshold, as applicable. The project would, therefore, contribute to the City's goal of maintaining its GHG reduction targets and would not frustrate the City's nor the State's comprehensive efforts to reduce GHG emissions to remain on a path to achieving the 2050 statewide targets. **(Less Than Significant Impact with Mitigation)**

4.7.4 Conclusion

With implementation of the above mitigation measures, the proposed projects would result in less than significant GHG emission impacts. **(Less Than Significant Impact)**

4.8 HAZARDS AND HAZARDOUS MATERIALS

The following discussed is based, in part, on a Phase I Environmental Site Assessment (Phase I ESA) prepared for the project by *Partner Engineering and Science, Inc.* in July 2018. A copy of the report is attached as Appendix D to this Initial Study.

4.8.1 Environmental Setting

The proposed project is the construction of a 503,400-square foot warehouse, distribution, and office facility adjacent to the existing Shoe Palace facility. A lot line adjustment to allow the existing facility and proposed facility to be on two separate parcels is also part of the project. The area surrounding the site is primarily developed with commercial, light industrial, and office uses. Review of historic topographic maps and aerial photographs indicated the project was formerly developed with residential farmhouses and barns from as early as 1917 through around 1980; was developed with agricultural/orchards between 1939 and 1974; was developed with the south portion of the landing strip for the former Morgan Hill Airport between 1950 and 1980. In 1997 a portion of the site was redeveloped with the current Shoe Palace facility and paved parking lot, while the undeveloped area remained unchanged.

The project site is not subject to wildland fires. The project site is not located within the Santa Clara County Airport Land Use Commission (ALUC) jurisdiction, and there are no private airstrips located near the project site.

4.8.1.1 *Onsite Hazardous Material Conditions*

As mentioned above, the project site has been historically used for agricultural purposes. The site was likely exposed to agricultural related chemicals such as pesticides, herbicides, and fertilizers from past agricultural use.

4.8.1.2 *Offsite Sources of Contamination*

Groundwater beneath the site likely flows northwest towards San Francisco Bay or southwest towards local creeks and Monterey Bay. Federal, State, and/or local databases were searched to determine if groundwater contamination (e.g. a leaking underground storage tank) in the project area could affect the groundwater beneath the project site. Although there are some listed sites in the project vicinity, based on the regulatory agency status (e.g., closed) and/or location of these facilities relative to the subject site (e.g., downgradient), the potential for these sites to have impacted the subject property was considered low at the time the Phase I Environmental Site Assessment was completed for the project site.[14]

[14] *Partner Engineering and Science.* Phase I Environmental Site Assessment. July 2018.

4.8.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1,2,13
b) 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?	☐	☐	☒	☐	1,2,13
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	1,2
d) 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?	☐	☐	☐	☒	1,2,13
e) 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, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,2
f) For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,2
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1,2

4.8.3 Impact Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed warehouse, office, and distribution facility 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)**

b) 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?

As described above, the project site was historically used for agricultural purposes and was likely exposed to agricultural related chemicals such as pesticides, herbicides, and fertilizers.

During site development activities, however, near surface soils where residual agricultural chemical concentrations would have most likely been present, soils would be mixed with fill material or disturbed during grading. It is likely that the potential residual agricultural chemicals, if any, would have likely degraded since the site was last used for agricultural purposes. Based on the presence of fill soil and time elapsed since the site's previous agricultural uses, the site's potential presence of agricultural chemicals on-site would not pose a hazard during the project construction and operation. **(Less Than Significant Impact)**

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The nearest school to the project site is El Toro Elementary School, located approximately 1.21 miles south of the project site. Due to the distance of the site from the nearest school, the project impacts of hazardous construction emissions and hazardous wastes on nearby schools would be less than significant. **(Less Than Significant Impact)]**

d) 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?

The project site is not listed as a historic or current hazardous materials site pursuant to Government Code Section 65962.5. **(No Impact)**

e) Result in a nearby airport-related safety hazard for people residing or working in the project area?

The project site is not located within the South County Airport Influence Areas 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) of an airport, the site is not subject to Santa Clara County Airport Land Use Commission (ALUC) evaluation. **(No Impact)**

f) Result in a private airstrip-related safety hazard for people residing or working in the project area?

The project site is not located within the vicinity of a private airstrip. **(No Impact)**

g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The proposed warehouse, office, and distribution facility would not interfere with the City-adopted Local Hazard Mitigation Plan or any adopted statewide emergency response or evacuation plans. **(No Impact)**

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project is in a highly developed urban area and it is not adjacent to any wildland areas that would be susceptible to fire. 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.[15] **(No Impact)**

4.8.4 Conclusion

The proposed project would store hazardous materials in accordance with local, state, and federal regulations. There are no hazardous material concerns on the project site or in the project area that would affect the proposed project. For these reasons, the proposed project would not result in a significant hazards and hazardous materials impact. **(Less Than Significant Impact)**

[15] CAL FIRE. *Very High Fire Hazard Severity Zones in LRA*. Map. October 2008.

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Environmental Setting

4.9.1.1 *Drainage and Flooding*

The project site is located in the Butterfield Channel storm water drainage basin. Butterfield Channel, previously named Sutter Channel, is an improved channel that drains the area west of US 101 and east of Railroad Avenue to East Little Llagas Creek. The largely undeveloped site currently generates little stormwater runoff.

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. Zone X is an area of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods.[16]

4.9.1.2 *Water Quality*

The water quality of ponds, creeks, streams, and other surface water-bodies 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 the proposed billboard 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.

Regulatory Overview (Water Quality)

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 (EPA) and the State Water Resources Control Board have been developed to fulfill the requirements of this legislation. 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 south of Cochrane Road[17] is the Central Coast Regional Water Quality Control Board (RWQCB).[18] The Central Coast

[16] Federal Emergency Management Agency, Flood Insurance Rate Map, Community Panel #06085C0444H, May 18, 2009.
[17] Santa Clara Valley Water District. *Uvas-Llagas Watershed Map.* <https://valleywater.maps.arcgis.com/apps/MapJournal/index.html?appid=7ca58d914afe456fac2a1920a7c66149> Accessed August 28, 2018.
[18] Historically, efforts to prevent water pollution focused on "point" sources, meaning the source of the discharge was from a single location (e.g., a sewage treatment plant, power plant, factory, etc.). More recent efforts are focusing on pollution caused by "non-point" sources, meaning the discharge comes from multiple locations. The

RWQCB issues and enforces NPDES permits for discharges to water bodies in the portion of Santa Clara County that drains to the Monterey Bay. The RWQCB is also tasked with preparation and revision of a regional Water Quality Control Plan, also known as the Basin Plan. The Central Coast RWQCB's latest Basin Plan was approved in September 2017. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to control water quality and protect beneficial uses.

Under Section 303(d) of the 1972 Clean Water Act, States are required to identify impaired surface water bodies and develop total maximum daily loads (TMDLs) for contaminants of concern.[19] The TMDL is the quantity of pollutant that can be safely assimilated by a water body without violating water quality standards. Listing of a water body as impaired does not necessarily suggest that the water body cannot support the beneficial uses; rather, the intent is to identify the water body as requiring future development of a TMDL to maintain water quality and reduce the potential for future water quality degradation. The Llagas Creek watershed is listed by the U.S. Environmental Protection Agency as an impaired water body for chloride, fecal coliform, low dissolved oxygen, pH, sodium, and total dissolved solids.

NPDES General Permit for Construction Activity

The State Water Resources Control Board has implemented a NPDES General Construction Permit for the State of California. Construction activity subject to this permit includes clearing, grading, and ground disturbances such as stockpiling or excavation. For projects disturbing one acre or more of soil,[20] a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.[21]

NPDES Municipal Stormwater Permit

The U.S. Environmental Protection Agency has delegated management of NPDES requirements for municipal urban runoff discharges in California to the State Water Resources Control Board and the nine RWQCB's. 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

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best example of this latter category is urban stormwater runoff, the source of which is a myriad of impervious surfaces (e.g., highways, rooftops, parking lots, etc.) that are found in a typical city or town.

[19] California State Water Resources Control Board, "Total Maximum Daily Load Program," http://www.waterboards.ca.gov/water_issues/programs/tmdl/303d_lists2006_epa.shtml, viewed August 28, 2018.

[20] Effective July 1, 2010, all dischargers were required to obtain coverage under the Construction General Permit Order 2009-0009-DWQ adopted on September 2, 2009. Source: State Water Resources Control Board website, updated February 2013. Available at: <http://www.swrcb.ca.gov/water_issues/programs/stormwater/construction.shtml>. Accessed August 28, 2018.

[21] State Water Resources Control Board, Division of Water Quality. *Construction General Permit Fact Sheet*. Last Updated January 2013. Available at: <http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml>. Accessed August 28, 2018.

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.

The Central Coast RWQCB adopted Resolution No. R2-2013-0032 "*Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region"* on July 12, 2013. The Resolution ensures permittees are reducing pollutant discharges to the Maximum Extent Practicable and to prevents stormwater discharges from causing or contributing to a violation of receiving water quality standards in all applicable development projects that require approvals and/or permits issued under the Permittee's planning, building, or other comparable authority. Permittees of the Central Coast RWQCB develop and implement Best Management Practices to be incorporated in applicable development projects.

4.9.1.3 *Groundwater*

Groundwater at the project site has been encountered between seven and 72 feet below ground surface.[22] The source of the groundwater on-site is from the Coyote and Llagas aquifers.

4.9.1.4 *Surface Water*

The nearest surface water to the project site is Coyote Creek, located approximately 1.26 miles north of the property. There are no settling ponds, lagoons, surface impoundments, wetlands or natural catch basins on-site. Madrone Channel is located east of the site across the US 101 freeway.

4.9.1.5 *Dam Failure*

The Association of Bay Area Governments has compiled dam failure inundation hazard maps submitted to the State Office of Emergency Services by dam owners throughout the Bay Area. The maps for the City of Morgan Hill show the project site to be in the dam failure inundation hazard zone for Anderson Reservoir.[23] The dams in Santa Clara County are managed by the Santa Clara Valley Water District. Anderson Dam is currently limited to about half its capacity due to seismic concerns, in order to protect against potential dam failure. The dam is currently being retrofitted to solve the seismic issue.[24]

4.9.1.6 *Seiches, Tsunamis, and Mudflows*

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.

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[22] *Partner Environmental Engineering, Inc.* Phase I Environmental Site Assessment. Project No. 18-219518.1. July 3, 2018.
[23] Association of Bay Area Governments, *Bay Area Dam Failure Inundation Hazards*, October 5, 2009, http://www.abag.ca.gov/bayarea/eqmaps/damfailure/.
[24] Santa Clara Valley Water District. "Anderson Dam Seismic Retrofit". 2018. https://www.valleywater.org/project-updates/dam-reservoir-projects/anderson-dam-seismic-retrofit.

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, tsunamis can devastate coastal regions. The project site does not lie within a tsunami inundation hazard area.[25]

A mudflow is the rapid movement of a large mass of mud formed from loose soil and water. The project site is relatively flat and is not susceptible to mudflows.

4.9.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1,2
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	1,2
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1,2
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☐	☐	☒	☐	1,2
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1,2

[25] California Emergency Management Agency, Tsunami Inundation Map for Emergency Planning San Francisco Bay Area, December 9, 2009, http://www.consrv.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Documents/Tsunami_Inundation_SanFranciscoBayArea300.pdf.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	1,2
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☐	☒	1,2,14
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐	1,2,15
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1,2,15

4.9.3 Impact Discussion

a) Violate any water quality standards or waste discharge requirements?

Construction

There is the potential for water quality impacts to occur during project construction (e.g., grading and excavation activities). 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. The proposed project would disturb more than one acre of soil and would be required to follow the requirements of the Statewide Construction General Permit.

Construction activities could temporarily increase pollutant loads in storm water runoff, degrading water quality downstream of the project site. In accordance with the City of Morgan Hill Standard Conditions of Approval and the NPDES General Permit for Construction Activities, Standard Measures GEO-1 and the following Standard Measure are included in the project to reduce construction-related water quality impacts to a less than significant level:

Standard Measure HYD-1:

- 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). **(Less Than Significant Impact)**

Post-Construction

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. The project would conform to the City's Storm Water Management Plan (SWMP) to reduce the discharge of pollutants into waterways and to protect local water quality that could be degraded by storm water and urban run-off within the corporate limits of Morgan Hill.

In order to meet SWMP requirements onsite, the project would direct all runoff to the onsite bioretention areas (see Figure 3.0-4) to treat stormwater prior to discharging the stormwater into the City's public storm drain system. Conformance with the SWMP, as proposed by the project, would reduce the potential for the project to result in post-construction water quality impacts. **(Less Than Significant Impact)**

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?

As discussed above, the depth to groundwater at the project site has been encountered at seven to 72 feet below ground surface (bgs). Given the recent drought years, it is likely the groundwater would not be encountered at depths above seven feet bgs. The groundwater is deep enough such that the project, which entails only shallow ground disturbance for building foundations and utility trenching, 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. **(Less Than Significant Impact)**

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?

A portion of the project site is developed with the existing Shoe Palace warehouse and distribution facility and a portion of the site is undeveloped. Project implementation would result in

approximately 878,017 square feet of new impervious surfaces, replacing approximately 164,293 square feet of impervious surfaces for a net impervious area of 795,871 square feet on-site.

Per the implementation of the SWPPP and other drainage standards implemented by the City, the project should not significantly increase stormwater flows into the existing system. The project would be required to minimally retain all water from the 85th percentile of rainfall events (approximately two- to five-year storm events) on site; therefore, during 85 percent of the rainfall events, the existing storm drain system would not be impacted by the project. Furthermore, any on-site systems (bioretention basins) would be required to be designed to detain a volume of water up to a 25-year storm event while releasing water at a rate reflective of the 10-year predevelopment flow. This design limits stormwater flows off-site to less than 10-year predevelopment flows. The existing public storm water system is already designed to convey a 10-year storm event; therefore, the project should not significantly contribute to any additional flooding during the most frequent events. The final drainage system design for the project would be subject to review and approval by the City of Morgan Hill Land Development Engineering Division, who would confirm that the proposed drainage system for the project is consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval.

The project would install three bioretention areas (see Figure 3.0-4), totaling 41,929 square feet throughout the post-development drainage management area of the site which would include three continuous deflection separation (CDS) units, totaling 79,664 square feet.

With implementation of the SWPPP and other drainage standards, as well as installation of bioretention areas throughout the site, the project would not substantially alter the drainage pattern of the site. **(Less Than Significant Impact)**

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?

As described in checklist response c), the project would be required to implement SWPP and other drainage standards to prevent a significant increase in stormwater flows into the existing stormwater drainage system. Implementation of these measures would prevent a substantial alteration of the existing drainage pattern and therefore, would not result in flooding on- or off-site. **(Less Than Significant Impact)**

e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

As described in checklist response c), the project would be required to implement SWPP and other drainage standards to prevent a significant increase in stormwater flows into the existing stormwater drainage system. Furthermore, the project would treat stormwater runoff on-site in bioretention basins prior to discharging the stormwater into the City's public drain system. The existing public

storm water system is already designed to convey a 10-year storm event, therefore, the project should not significantly contribute any additional flooding. **(Less Than Significant Impact)**

f) Otherwise substantially degrade water quality?

As described in checklist response c), the project would implement SWPPP measures to ensure water quality is preserved during project construction and operation. The fully constructed project would include stormwater treatment features, as described in checklist response c) to treat stormwater prior to entering the storm drainage system. As such, the project would not degrade water quality during project operations. **(Less Than Significant Impact)**

g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The project does not propose to construct housing. **(No Impact)**

h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?

As described above, the project site is not located within a 100-year flood hazard area. **(No Impact)**

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

The City of Morgan Hill is located in the dam failure inundation area of Anderson Dam. While the project site is subject to deep inundation should the Anderson Dam fail catastrophically, the dam is inspected twice a year by the SCVWD in the presence of representatives from the California Division of Safety of Dams and the Federal Energy Regulatory Commission. Furthermore, the Anderson Reservoir is managed to present significant damage during a maximum credible earthquake. While the potential inundation resulting from catastrophic dam failure could damage property and proposed structures within Morgan Hill as a whole and pose a severe hazard to public safety, the probability of such failure is extremely remote and reservoir levels have been lowered to maintain an additional level of safety; therefore, dam inundation failure is not considered a significant hazard.[26] **(Less Than Significant Impact)**

j) Result in inundation by seiche, tsunami, or mudflow?

The project site would not be at risk from damage due to sea waves or tsunamis. The project site would not be subject to inundation by seiche, tsunami, or mudflow. The site is not in an area that could be exposed to inundation from sea level rise. **(No Impact)**

[26] Santa Clara Valley Water District. "Anderson Dam Seismic Retrofit". 2018. https://www.valleywater.org/project-updates/dam-reservoir-projects/anderson-dam-seismic-retrofit.

4.9.4 Conclusion

With the implementation of standard measures and the City's policies and standards, the project would have a less than significant impact on hydrology and water quality. **(Less Than Significant Impact)**

4.10 LAND USE AND PLANNING

4.10.1 Environmental Setting

The 38.06-acre project site is located south of Cochrane Road, west of Jarvis Drive, and west of US 101 in the City of Morgan Hill. Approximately 23.35 acres of the site is undeveloped, with the remainder developed with the existing Shoe Palace warehouse and distribution facility. The site's existing General Plan land use designation and Zoning District are *Industrial* and *Industrial Planned Unit Development District*, respectively.

The project area includes primarily industrial, office, and some commercial uses. There are single-family residences located on Serene Drive and Laurel Road within the project vicinity. An aerial photograph of the project site and the surrounding land uses is shown in Figure 3.0-3.

4.10.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Physically divide an established community?	☐	☐	☐	☒	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	1,2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1,2,9

4.10.3 Impact Discussion

a) Physically divide an established community?

The site is in an urban setting predominantly characterized by industrial, office, and commercial. The area is currently developed with a mix of land uses and development of the proposed industrial development would not physically divide an established community. **(No Impact)**

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

Consistency with Applicable Land Use Plan

Land use conflicts can arise from two basic causes: 1) a new development or land use may cause impacts to persons or the physical environment in the vicinity of the project site or elsewhere; or 2) conditions on or near the project site may have impacts on persons or development introduced onto the site by the project. Both of these circumstances are aspects of land use compatibility. 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 proposed warehouse, office, and distribution facility would be compatible with the surrounding industrial, office, and commercial uses. The proposed project is consistent with the *Industrial* General Plan land use designation and the *Industrial Planned Unit Development* Zoning District. A lot line adjustment to allow the existing facility and proposed facility to be located on two separate parcels is proposed as part of the project and is shown on Figure 3.0-1. The lot line adjustment would result in the parcel with the proposed warehouse and distribution facility to be 23.35-acres and the parcel with the existing building to be 14.71 acres. The proposed change would not affect off-site parcels. The lot line adjustment would not conflict with any of the policies or regulations governing the land as it currently exists. The project would, therefore, not result in a land use compatibility impact. **(Less Than Significant Impact)**

Shade and Shadow Impacts

Shadow sensitive land uses, such as parks, community facilities, and historic resources within the project area were identified based upon a visual reconnaissance and review of aerial photographs. There are no shadow sensitive land uses immediately adjacent to the project site. The nearest shadow sensitive land use is Murphy Springs Park, approximately 1.25 mile southwest of the site, on Murphy Springs Court. The proposed project is not adjacent to any shadow sensitive land uses and would undergo design review by the City. For these reasons, the project would not result in significant shade and shadow impacts. **(Less Than Significant Impact)**

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Project consistency with the Santa Clara Valley Habitat Plan (VHP) is discussed in *Section 4.4, Biological Resources*. The proposed project is a covered activity under the Santa Clara Valley Habitat Plan and would be required to pay the appropriate development fees and adhere to applicable conditions. The proposed project would not conflict with the VHP. **(No Impact)**

4.10.4 Conclusion

The proposed project would not physically divide an established community and would not conflict with the VHP. The proposed commercial use of the project site is compatible with surrounding land uses. **(Less Than Significant Impact)**

4.11 MINERAL RESOURCES

4.11.1 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.

4.11.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) 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?	☐	☐	☐	☒	1,2
b) 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?	☐	☐	☐	☒	1,2

4.11.3 Impact Discussion

a) 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?

The project site consists of a portion of the existing Shoe Palace warehouse and distribution facility and an undeveloped field and does not contain any known state or locally important mineral resources. Therefore, the proposed project would not impact mineral resources. **(No Impact)**

b) 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?

See checklist response a). **(No Impact)**

4.11.4 Conclusion

Implementation of the proposed project would not result in impacts to mineral resources. **(No Impact)**

4.12 NOISE AND VIBRATION

The following discussion is based upon an environmental noise assessment prepared for the proposed project by *Illingworth & Rodkin* in September 2018. The environmental noise assessment is included as Appendix E of this Initial Study.

4.12.1 Environmental Setting

4.12.1.1 *Noise Background*

Noise

Noise is defined as unwanted sound. Noise can be disturbing or annoying because of its pitch or loudness. Pitch refers to relative frequency of the vibrations by which sound is produced. Higher pitched signals sound louder to people than sounds with a lower pitch. A decibel (dB) is a unit of measurement which indicates the relative amplitude of a sound. A 10 on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10-decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, is a sound measurement scale that gives greater weight to sounds to which the human ear is most sensitive.

Sensitivity to noise increases during the evening and at night because excessive noise interferes with the ability to sleep. Twenty-four hour descriptors have been developed that emphasize quiet-time noise events. The Day/Night Average Sound Level, L_{dn}, is a measure of the cumulative noise exposure in a community. It includes a 10 dB addition to noise levels from 10:00 PM to 7:00 AM to account for human sensitivity to night noise.

Vibration

The abbreviation "VdB" is used for vibration decibels to reduce confusion with sound decibels. Construction activities can cause vibration that varies in intensity depending on several factors. Pile driving and vibratory compaction equipment typically generate the highest construction-related groundborne vibration levels. The two primary concerns with construction-induced vibration are the potential to damage a structure, and the potential to annoy or disturb people and interfere with enjoyment of life.

4.12.1.2 *Regulatory Background*

City of Morgan Hill General Plan

The Safety, Services and Infrastructure Chapter in the Morgan Hill 2035 General Plan sets forth policies with the goal of minimizing the impact of noise on people through noise reduction and suppression techniques, and through appropriate land use policies in the City of Morgan Hill. The following policies are applicable to the proposed project:

Policy	Description
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 an L_{dn} of 60 dBA or lower cannot be achieved after the application of reasonable and feasible mitigation, an L_{dn} of 65 dBA may be permitted. • Indoor noise levels should not exceed an L_{dn} of 45 dBA in new residential housing units. • Noise levels in new residential development exposed to an exterior L_{dn} 60 dBA or greater should be limited to a maximum instantaneous noise level (e.g., trucks on busy streets, train warning whistles) in bedrooms of 50 dBA. Maximum instantaneous noise levels in all other habitable rooms should not exceed 55 dBA. The maximum outdoor noise level for new residences near the railroad shall be 70 dBA L_{dn}, recognizing that train noise is characterized by relatively few loud events.
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 five 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.
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.

City of 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 seven a.m. and eight p.m., Monday through Friday and between the hours of nine a.m. to six p.m. 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 eight p.m. and seven a.m., 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 ten a.m. to six p.m. 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;

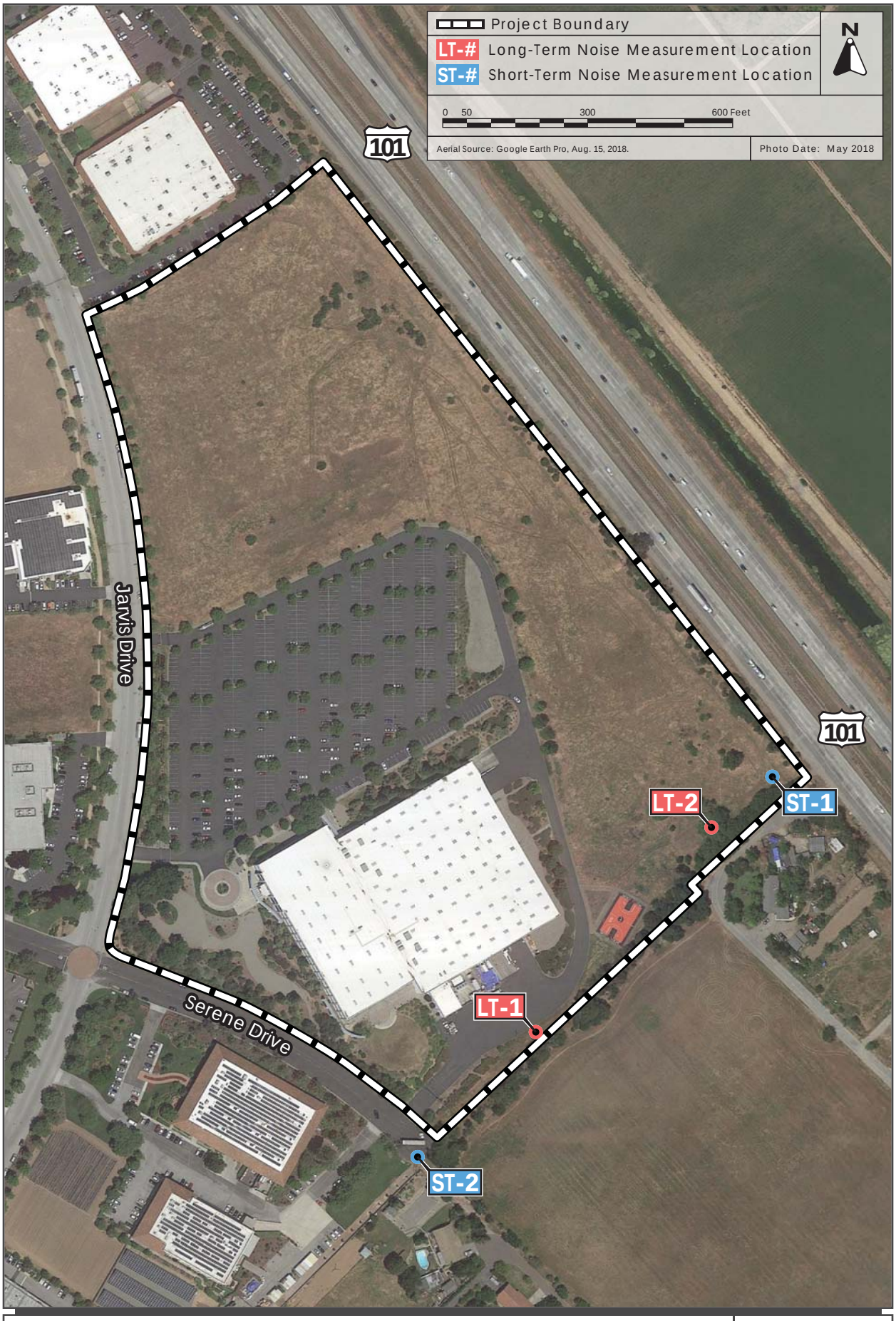
J. Pile Drivers, Hammers and Similar Equipment. The operation, between the hours of eight p.m. and seven a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud or unusual noise.

4.12.1.3 *Existing Noise Environment*

The existing 250,000 square foot warehouse, office, and distribution facility is located in an industrial park, with other commercial and light industrial uses located to the west and to the southwest. US 101 bounds the site to the northeast. There are single-family residences to the south and to the east of the site, however, the roadways accessing the project site do not connect to the residential roadways.

The noise environment at the site and in the surrounding area results primarily from vehicular traffic along US 101. Secondary noise sources include traffic along Jarvis Drive and Serene Drive and industrial noise from the adjacent land uses. Occasional overhead aircraft associated with the San Martin Airport, located 4.85 miles south of the site, are also audible at times at the project site.

The noise reported prepared for the proposed project by *Illingworth & Rodkin, Inc.* included a noise monitoring survey. The survey was taken on Tuesday August 21, 2018 and concluded on Thursday, August 23, 2018. The survey included two long-term noise measurements and two short-term noise measurements (refer to Figure 4.12-1 for locations of noise measurements). The first long-term noise measurement (LT-1) was made near the existing loading dock area along the southeastern boundary of the site, approximately 135 feet from the loading dock area and approximately 190 feet from the edge of the existing building. Hourly average noise levels at LT-1 ranged from 53 to 65 dBA L_{eq} during daytime hours (7:00 AM and 10:00 PM) and from 51 to 58 dBA L_{eq} during nighttime hours (10:00 PM and 7:00 AM). The second long-term noise measurement (LT-2) was made near the eastern corner of the site, in the vicinity of the existing residence along US 101, approximately 225 feet from the centerline of the nearest through lane along southbound US 101. Hourly average noise levels at this location typically ranged from 62 to 67 dBA L_{eq} during the day and from 59 to 66 dBA L_{eq} at night.



NOISE MEASUREMENT LOCATIONS | FIGURE 4.12-1

Short-term noise measurements were made on Tuesday, August 21, 2018 between 11:30 AM and 11:40 AM and on Thursday, August 23, 2018 between 11:40 AM and 12:00 PM. The first short-term noise measurement location (ST-1) was made near LT-2 at a setback of approximately 95 feet from the centerline of the nearest through lane along southbound US 101. The second short-term noise measurement location (ST-2) was located at the end of Serene Drive, near the existing residence to the south of the site. The average noise levels for the short-term noise measurements are shown in Table 4.12-1.

Table 4.12-1:
Summary of Short-Term Noise Measurements (dBA)

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: ~95 feet from centerline of the nearest through lane along southbound U.S. Highway 101	8/21/2018, 11:30-11:40	81	76	74	72	70	73
ST-2: End of Serene Drive	8/23/2018, 11:40-11:50	62	61	52	48	46	50
	8/23/2018, 11:50-12:00	67	62	49	47	46	50

4.12.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	1-3, 16
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1-3, 16
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1-3, 16
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1-3, 16

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
e) 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, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1-3
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1-3

4.12.3 Impact Discussion

a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Traffic Noise

Per the City of Morgan Hill General Plan, noise from project-generated traffic would result in a significant impact if: a) the noise level increase is five dBA L_{dn} or greater, with a future noise level of less than 60 dBA L_{dn}, or b) the noise level increase is three dBA L_{dn} or greater, with a future noise level of 60 dBA L_{dn} or greater. The nearest residences surrounding the site would be those along Laurel Road and Condit Road, which both front U.S. Highway 101, and those along Serene Drive to the south of the site. According to the 2035 noise contours included in the Morgan Hill 2035 Draft Environmental Impact Report, these nearby residences would have future noise levels exceeding 60 dBA L_{dn}. Therefore, a significant impact would occur if traffic due to the proposed project would permanently increase ambient levels by 3 dBA L_{dn}.

The peak hour turning movements for 18 intersections in the project vicinity were provided in the traffic study prepared for the proposed project. To determine the permanent traffic noise level increase along each roadway segment included in the traffic study, the existing plus project peak hour traffic volumes were compared to the existing traffic volumes. Along Jarvis Drive north of Serene Drive, the permanent noise level increase would be 3 dBA L_{dn}; however, the receptors along this roadway would include commercial and light industrial, which would not be considered noise-sensitive receptors. Along Serene Drive west of Jarvis Drive and along Jarvis Drive south of Serene Drive, the permanent noise level increase was calculated to be 2 dBA L_{dn}. On all other roadway segments included in the traffic study, the calculated noise level increase would be less than 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)**

Operational Noise

Mechanical Equipment

The proposed project would include mechanical equipment, such as heating, ventilation, air conditioning systems, exhaust fans, chillers, etc. The existing building includes chillers in the loading dock area on the southeastern building façade. The existing equipment generated noise levels ranging from 61 to 62 dBA at a distance of 20 feet. The proposed building would include the new ventilation system on the roof of the two-story office building located at the main entrance along the southwestern building façade. Additionally, five exhaust fans would be located on the rooftop of the proposed building, distributed throughout the roof. The noise study assumed that the new ventilation equipment would generate similar noise levels as the existing equipment. While parapet walls are planned to surround the new rooftop equipment, details regarding the parapet wall design are unknown. Assuming worst-case conditions, the project would not include parapet walls.

The nearest sensitive receptors are the residences located near US 101 in the easternmost corner of the site and along Serene Drive near the southernmost corner of the site. Due to the height of the proposed building (approximately 42 feet) and the existing building (approximately 35 feet), the rooftop equipment would be partially shielded from these residences. These residences would be approximately 825 and 1,050 feet, respectively, from the nearest rooftop equipment. Assuming the same noise levels as the existing equipment and no shielding effects from the building façades, mechanical equipment noise generated by the proposed building would be 30 dBA or less at both nearby residences. Compared to hourly average noise levels at each residence during daytime and nighttime hours, the mechanical equipment noise from the proposed project would be below ambient conditions.

Parking and Circulation

The proposed project would slightly reduce the size of the existing parking lot, while adding new parking areas near the northwestern corner of the site, resulting in more than 1,000 feet separation from both nearby residences. Parking in this area would not impact the residences. Additional parking spots are proposed along the southeastern building façade, approximately 100 to 165 feet from the nearest residence located near the easternmost corner of the project site. This additional parking area would be more than 740 feet from the nearest residence south of the site.

Noise sources associated with the use of the parking lots and vehicular circulation around the site would include slow moving vehicles, engine noise, car alarms, squealing tires, door slams, and human voices. 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.

At the eastern residence, which is located along US 101, noise levels generated by parking and vehicle circulation would range from 44 to 54 dBA L_{eq}, which is below the range in daytime ambient noise levels. Assuming the worst-case scenario, noise levels of 54 dBA L_{eq} occurring each hour from

7:00 AM through 7:00 PM would result in a day-night average noise level of 51 dBA L_{dn}, which is below the ambient day-night average noise level at this residence.

At the southern residence, noise levels generated by parking and vehicle circulation would be below 40 dBA L_{eq} at a distance of 740 feet. This is below the range in daytime ambient noise levels.

Parking lot noise is different from typical traffic noise and may at times be audible at the nearest residences; however, noise levels generated in the parking lot would be below existing ambient noise levels.

Truck Deliveries

Loading areas, which are currently located along the southeastern façade and the northeastern façade of the existing building, would be located on the southwestern façade and northeastern façade of the new building. The proposed loading dock on the southwestern façade would be approximately 220 feet from the southeastern boundary, and both loading docks on the northeastern façade would be located towards the northwestern boundary of the site and would be shielded from the nearby residences by the proposed building. However, the delivery trucks would enter the site from Jarvis Drive near the northern boundary, and the trucks would drive around the perimeter of the site, exiting along Serene Drive in the southernmost corner and passing by the residence to the east under project conditions.

Currently, a total of 10 delivery trucks access the site daily, with deliveries occurring between 8:00 AM and 6:00 PM. Under future project conditions, the total number of truck trips would increase by no more than five trucks daily, with most truck deliveries occurring between 8:00 AM and 6:00 PM Monday through Friday, with occasional weekend deliveries. Incoming deliveries arrive on heavy-duty semi-tractor trucks, while outgoing deliveries depart on smaller medium-duty box trucks. The incoming deliveries currently occur at the loading dock on the northeastern façade of the existing building, and under proposed conditions, would occur at the dock on the southwestern façade of the proposed building. These loading areas are in the same vicinity on the project site. The outgoing deliveries would move from the eastern façade of the existing building to the northeastern façade of the proposed building, which would be mostly shielded from the nearest residences by the proposed building, according to the site plan. For this reason, truck maneuvering at the outgoing docks would not result in an increase in ambient noise levels at the eastern or southern residence and, therefore, would have no impact to the existing noise-sensitive receptors.

Trucks maneuvering at loading docks would generate a combination of engine, exhaust, and tire noise, as well as the intermittent sounds of back-up alarms and releases of compressed air associated with truck/trailer air-brakes. Heavy trucks used for incoming deliveries typically generate maximum instantaneous noise levels of 70 to 75 dBA L_{max} at a distance of 50 feet. The noise level of backup alarms can vary depending on the type and directionality of the sound, but maximum noise levels are typically in the range of 65 to 75 dBA L_{max} at a distance of 50 feet. The distance from the incoming delivery zone to the nearest residential property lines to the east and to the south would be 270 and 745 feet, respectively.

Assuming worst case conditions (no shielding from intervening buildings), at 270 feet, the eastern residence would be exposed to heavy truck maneuvering noise levels ranging from 55 to 60 dBA L_{max}, with noise levels from backup alarms ranging from 50 to 60 dBA L_{max}. With ambient noise levels ranging from 67 to 86 dBA L_{max}, heavy truck maneuvering would fall within the range of ambient noise levels at the eastern residence. At 745 feet, the southern residence would be exposed to heavy truck maneuvering noise levels ranging from 47 to 52 dBA L_{max}, with noise levels from backup alarms ranging from 42 to 52 dBA L_{max}. These noise levels would be within the range of ambient noise levels, which are 55 to 89 dBA L_{max}.

During the noise monitoring, a heavy truck pass-by was measured while traveling at a speed of 5 to 10 mph from the existing Shoe Palace facility, which would be expected for all delivery trucks at the site under existing and future conditions. At a distance of 35 feet from the centerline of the roadway, the truck pass-by generated noise levels ranging from 68 to 70 dBA. At the property line of the eastern residence, the centerline of the truck delivery driveway would be approximately 95 feet away. At this distance, a truck pass-by would generate noise levels ranging from 62 to 64 dBA. Assuming each truck pass-by would take up to five minutes in any hour and up to 15 deliveries occur in a day, the day-night average noise level would be less than 55 dBA L_{dn} at the eastern residence. These noise levels would be below ambient conditions.

The residence to the south would be approximately 135 feet from the exit driveway of the project site. While existing truck deliveries are included in the ambient noise levels at this residence, the number of deliveries would increase under future project conditions. At a distance of 135 feet, truck pass-byes would generate noise levels ranging from 59 to 61 dBA at the property line of the southern residence. On a daily basis, this would result in a day-night average noise level less than 50 dBA L_{dn}. This would be below ambient noise levels at this residence.

As described above, project operations, including mechanical equipment, parking and circulation, and truck deliveries would not expose persons to noise levels in excess of standards established by the City. **(Less Than Significant Impact)**

b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?

Construction Noise

Noise impacts resulting 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 result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), when the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time. Construction activities would include site demolition, preparation work, foundation work, and new building framing and finishing. The proposed project is not expected to require pile driving, which can cause excessive vibration. Table 4.12-2 below presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet.

Chapter 8.28 of the City of Morgan Hill's Municipal Code establishes allowable hours of construction between 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. Construction is anticipated to take place during these allowable hours. The City's General Plan and Municipal Code do not provide noise thresholds for temporary construction, however, 45 dBA is considered a general threshold for determining sleep and speech interference. Assuming a 15-dBA exterior-to-interior reduction for standard residential construction and 25 dBA exterior-to-interior reduction for standard commercial, this would correlate to an exterior threshold of 60 dBA L_{eq} at residential land uses and 70 dBA L_{eq} at commercial land uses.

For the residences located to the east of the project site adjacent to the US 101, including the residences located opposite US 101 from the site and the commercial uses to the north of the site, daytime ambient noise levels would be represented by measurements made at LT-2, which range from 62 to 67 dBA L_{eq}. The ambient noise environment for the existing residences to the south of the site and the commercial uses located opposite Serene Drive would be represented by measurements made at LT-1, which range from 53 to 65 dBA L_{eq} during daytime hours.

The typical range of maximum instantaneous noise levels for the proposed project would be 70 to 90 dBA L_{max} at a distance of 50 feet. Construction-generated noise levels drop off at a rate of about 6 dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain often result in lower construction noise levels at distant receptors. Construction of the proposed project is expected to take 46 weeks. Based on the equipment list provided for the proposed project for each phase of construction and the quantity of each piece of equipment expected to be used in each phase, construction noise levels were estimated at the nearby existing residential and commercial land uses.

Projected construction noise levels at the project site would at times exceed 60 dBA L_{eq} at the existing residential land uses. However, ambient levels at the surrounding residences are not expected to be exceeded by five dBA L_{eq} or more for most of project construction. When construction activities occur near the project boundaries that are within 100 feet of the surrounding noise-sensitive land uses, construction noise may at times exceed 60 dBA L_{eq} and may at times exceed ambient noise levels by five dBA L_{eq} or more, however, due to the size of the project site and the high ambient noise levels, disruption to the neighbors is expected to be minimal, considering project construction is expected to last for a total of 46 weeks, which is less than one year.

As described above, it is anticipated that project construction activities would adhere to Chapter 8.28 of the City of Morgan Hill's Municipal Code. Additionally, the project shall incorporate the following best management practices during project construction:

<u>Best Management Practices:</u>

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 should 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.

With adherence to the City's Municipal Code and implementation of best management practices listed above, project construction would not result in excessive noise exposure. **(Less than Significant Impact)**

Construction Vibration

Construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used. Construction activities would include site demolition, preparation work, foundation work, and new building framing and finishing. The proposed project is not expected to require pile driving, which can cause excessive vibration.

For structural damage, 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, which typically consist of buildings constructed since the 1990s. A conservative 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 analysis, groundborne vibration levels exceeding the conservative 0.3 in/sec PPV limit at the existing adjacent residences would have the potential to result in a significant vibration impact. The nearest residence to the site is located along Laurel Road, approximately 75 feet from the property line. Table 4.12-2 below presents typical vibration levels (L_v) that would be expected from construction equipment at a distance of 25 feet. At a distance of 75 feet from the nearest possible construction equipment, vibration levels would be at or below 0.06 in/sec PPV.

An existing commercial building is adjacent to the site to the north, and the nearest building façade would be approximately 60 feet from the shared property line. At this distance, vibration levels would be up to 0.08 in/sec PPV. The existing commercial building opposite Jarvis Drive to the west would be set back approximately 115 feet from the nearest construction activity. At this distance, vibration levels would be up to 0.04 in/sec PPV.

The existing Shoe Palace facility located on-site would also be exposed construction vibration. The existing building would be approximately 65 to 100 feet from the boundary of the construction site, and at this distance, vibration levels would be at or below 0.07 in/sec PPV.

Vibration would be anticipated to be perceptible when located adjacent to structures but would be well below the 0.30 in/sec PPV significance threshold for architectural or structural damage. **(Less than Significant Impact)**

Table 4.12-2: Vibration Source Levels for Construction Equipment

Equipment		PPV at 25 feet (in/sec)	Approximate L_v at 25 feet (VdB)
Pile Driver (Impact)	upper range	1.158	112
	typical	0.644	104
Clam shovel drop		0.202	94
Hydromill (slurry wall)	in soil	0.008	66
	in rock	0.017	75
Vibratory Roller		0.210	94
Hoe Ram		0.089	87
Large bulldozer		0.089	87
Caisson drilling		0.089	87
Loaded trucks		0.076	86
Jackhammer		0.035	79
Small bulldozer		0.003	58

Source: Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration, May 2006.

c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

A significant permanent noise increase would occur if the project would substantially increase noise levels at existing sensitive receptors in the project vicinity. A substantial increase would occur if: a) the noise level increase is five dBA L_{dn} or greater, with a future noise level of less than 60 dBA L_{dn} at residences; or b) the noise level increase is three dBA L_{dn} or greater, with a future noise level of 60 dBA L_{dn} or greater at residences. The nearest residences surrounding the site would be those along Laurel Road and Condit Road, which both front U.S. Highway 101, and those along Serene Drive to the south of the site. According to the 2035 noise contours included in the City's Draft Environmental Impact Report for the *2035 General Plan*, the nearby residences would have future noise levels exceeding 60 dBA L_{dn}. A significant impact would occur if traffic due to the proposed project would permanently increase ambient levels by three dBA L_{dn}, equivalent to a doubling of existing traffic volumes along a roadway.

As described in the discussion of checklist item a) above, project implementation would result in a permanent noise level increase of three dBA L_{dn} along Jarvis Drive north of Serene Drive. Receptors along this roadway would, however, include commercial and light industrial uses, which are not considered to be noise sensitive. The permanent noise level increase along Serene Drive west of Jarvis Drive and along Jarvis Drive south of Serene Drive was calculated to be two dBA $L_{dn.}$ On all other roadways considered in the Traffic Impact Analysis prepared for the project, the noise level increase would be less than one dBA $L_{dn.}$ Project implementation, therefore, would not result in a permanent increase in ambient noise levels. **(Less Than Significant Impact)**

d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project

As described in checklist response b), project construction activities would temporarily increase noise and vibration levels in the area however, the nearest structures and sensitive receptors would not experience noise or vibration levels in excess of City standards due to the distance of construction activities to the structures and residences. Additionally, the project would implement best management practices listed in checklist response b), to further reduce noise and vibration generated from project construction. **(Less Than Significant Impact)**

e) 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, will the project expose people residing or working in the project area to excessive noise levels?

The project site is located approximately 4.85 miles north of the San Martin Airport. The site is not located within an airport land use plan. The project site is not within the noise contours of the airport, therefore, there would be no noise impacts to future employees of the facility resulting from airport-related noise. **(No Impact)**

f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?

As described in checklist response e), the project site is not located in an airport land use plan and is not located within a private airstrip. **(No Impact)**

4.12.4 Conclusion

Project implementation would result in less than significant impacts related to noise and vibration. **(Less Than Significant Impact)**

4.13 POPULATION AND HOUSING

4.13.1 Environmental Setting

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 3.06.[27,28] The City's total population is projected to grow to approximately 46,100 by 2030.[29]

4.13.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Induce substantial 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)?	☐	☐	☒	☐	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1,2
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1,2

4.13.3 Impact Discussion

a) Induce substantial 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)?

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 existing facility currently employs approximately 200 persons. The proposed construction of a 503,400 square foot warehouse, distribution, and office facility would employ an additional 100

[27] California Department of Finance. *E-1: City/County Population Estimates with Annual Percent Change - January 2017 and 2018*. May 2018.
[28] City of Morgan Hill. *Pop-Facts: Demographic Snapshot 2015 Report*. Available at: <http://www.morgan-hill.ca.gov/717/Demographics-Community-Profile>. Accessed August 30, 2018.
[29] City of Morgan Hill. *Morgan Hill General Plan: City of Morgan Hill Housing Element*. Adopted February 2015.

personnel for a total of 300 employees. The project does not propose residential units. The 100 new employees to the site reflect employment growth envisioned in the General Plan and would not induce a substantial population growth relative to the total population of Morgan Hill. **(Less Than Significant Impact)**

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

There are no residences on-site. The project therefore, would not displace housing. **(No Impact)**

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

As described in checklist response b), the project site is undeveloped and does not contain residences. The project therefore, would not displace people. **(No Impact)**

4.13.4 Conclusion

The proposed project would not induce substantial population growth or displace people or housing. **(Less Than Significant Impact**

4.14 PUBLIC SERVICES

4.14.1 Environmental Setting

4.14.1.1 *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 1.8 mile west of the project site), 2) Dunne Hill Fire Station, located at 2100 East Dunne Avenue (approximately 3.5 miles east of the project site), and 3) 15670 Monterey Road (approximately 3.7 miles south of the project site). In general, the response time meets the current standard of eight minutes 95 percent of the time; although it is expected that most responses would be approximately five minutes 90 of the time.[30]

4.14.1.2 *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 2.8 miles south of the project site. The department employs 39 sworn officers.[31] The Police Department's goal is to respond to Priority One calls within five minutes and Priority Two calls within eight minutes.[32] 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.

4.14.1.3 *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 1.3 miles and 2.1 miles, respectively, from the site.

4.14.1.4 *Parks*

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.

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[30] City of Morgan Hill, City Council Staff Report. *Fire and Emergency Medical Services (EMS) CalFire Proposal Update*. Meeting Date April 4, 2012.
[31] City of Morgan Hill. *Police*. Accessed June 14, 2018. http://www.morgan-hill.ca.gov/index.aspx?nid=129.
[32] City of Morgan Hill. *Operating and CIP Budget, FY 13-14. Police Field Operations, Performance Measures.* 2013.

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 General Plan includes policies that support the City's park land and recreational goal to provide useful, accessible, and high-quality parks, recreation, and trail facilities. To achieve this goal, the City has adopted General Plan Policies and a park land dedication/park land in-lieu fee ordinance (Municipal Code Chapter 17.28) that requires park land dedication or in-lieu fees for residential developments.

In accordance with General Plan Policies HC-3.3 and HC-3.29, park land dedication or in-lieu fees are required by new developments to meet the recreation and open space needs of residents in Morgan Hill.

4.14.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project					
a) 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:					
- Fire Protection?	☐	☐	☒	☐	1,2
- Police Protection?	☐	☐	☒	☐	1,2
- Schools?	☐	☐	☐	☒	1,2
- Parks?	☐	☐	☐	☒	1,2
- Other Public Facilities?	☐	☐	☐	☒	1,2

4.14.3 Impact Discussion

a) 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 public services?

Fire and Police Services

Development of the project would be completed in conformance with current building and fire codes, including features that would reduce potential fire hazards. The development would be reviewed by both CalFIRE and the Morgan Hill Police Department to ensure appropriate safety features to reduce fire hazards and criminal activity are included in the project. Additionally, the Morgan Hill Police Department is conditioning the project provide access to the project's camera feed and camera recordings if and when deemed necessary. Given that the proposed project is located within an industrial area of Morgan Hill, the development of industrial uses on the site would not substantially increase the demand for fire or police protection, or otherwise require construction or expansion of fire or police facilities. **(Less Than Significant Impact)**

Schools

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)**

Parks

The City of Morgan Hill has adopted a parkland dedication/park land in-lieu fee ordinance (Municipal Code Chapter 17.28) that requires parkland dedication or in-lieu fees for residential developments. 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. **(No Impact)**

4.14.4 Conclusion

The proposed development of the proposed warehouse and office on the project site would incrementally increase demand for public services in the project area, however, this increase in demand would not result in a significant impact on the environment. **(Less Than Significant Impact)**

4.15 RECREATION

4.15.1 Environmental Setting

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 General Plan includes policies that support the City's park land and recreational goal to provide useful, accessible, and high-quality parks, recreation, and trail facilities. To achieve this goal, the City has adopted a park land dedication/park land in-lieu fee ordinance (Municipal Code Chapter 17.28) that requires park land dedication or in-lieu fees for residential developments.

4.15.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a) 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?	☐	☐	☒	☐	1,2
b) 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?	☐	☐	☒	☐	1,2

4.15.3 Impact Discussion

a) 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?

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. While some employees may use nearby

recreational facilities, the nominal increase in use would not result in a need to expand existing facilities. **(Less Than Significant Impact)**

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As described in checklist response a), 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. **(Less Than Significant Impact)**

4.15.4 Conclusion

The proposed project would not result in significant recreational impacts. **(Less Than Significant Impact)**

4.16 TRANSPORTATION/TRAFFIC

The following discussion is based upon a trip generation and operations analysis completed for the proposed project by *Hexagon Transportation Consultants* in August 2018. The report is attached as Appendix F of this Initial Study.

4.16.1 Environmental Setting

4.16.1.1 *Existing Roadway Network*

Regional Access

US 101 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.

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. Cochrane Road has a posted speed limit of 45 mph. It runs along the northern project frontage and would provide direct access to the project site via various driveways.

Monterey Road is a four-lane divided major arterial that runs directly through Morgan Hill. Monterey Road extends from Market Street in downtown San Jose to US 101 south of Gilroy. Monterey Road runs west of the project site with a posted speed limit of 45 mph.

Butterfield Boulevard is a four-lane roadway that runs southward from Cochrane Road to Monterey Road with a posted speed limit of 35 mph. At the intersection with Monterey Road, Butterfield Boulevard changes designation to Watsonville Road. Indirect access to the project site would be provided by Butterfield Boulevard via Jarvis Drive.

Jarvis Drive is a two-lane undivided roadway that runs in a concentric form within the area bounded by Monterey Road, Cochrane Road, US 101, and Main Avenue. It begins at Monterey Road and extends eastward past Sutter Boulevard at which point it loops around and extends southwest to Butterfield Boulevard. Jarvis Drive would provide direct access to the project site via two driveways.

Sutter Boulevard is a four-lane roadway that runs from Butterfield Boulevard to Woodview Avenue just north of Cochrane Road, with a posted speed limit of 35 mph. Indirect access would be provided to the project site from Sutter Boulevard via Jarvis Drive.

Study Intersections

The trip generation and operations analysis completed for the proposed project evaluated the operations of 18 signalized intersections, three unsignalized intersections, and four freeway segments. The study intersections and freeway segments listed below were evaluated following the standards and methodologies set forth by the City of Morgan Hill and Santa Clara Valley Transportation Authority (VTA). A detailed discussion of the methodologies used is included in the traffic impact analysis attached as Appendix F of this Initial Study.

Intersections

1. Monterey Road and Cochrane Road
2. Butterfield Boulevard and Cochrane Road
3. Sutter Boulevard and Cochrane Road
4. Madrone Parkway and Cochrane Road
5. US 101 Southbound Ramps and Cochrane Road
6. US 101 Northbound Ramps and Cochrane Road
7. Sutter Boulevard and Cochrane Road (unsignalized)
8. Butterfield Boulevard and Jarvis Drive (N) (unsignalized)
9. Sutter Boulevard and Jarvis Drive (unsignalized)
10. Sutter Boulevard and Serene Drive
11. Jarvis Drive and Serene Drive
12. Butterfield Boulevard and Sutter Boulevard
13. Butterfield Boulevard and Jarvis Drive (S)/Digital Drive
14. Butterfield Boulevard and Central Avenue
15. Butterfield Boulevard and Main Avenue
16. Butterfield Boulevard and Diana Avenue
17. Monterey Road and Dunne Avenue
18. Butterfield Boulevard and Dunne Avenue

Freeway Segments

1. US 101 between Burnett Avenue and Cochrane Road
2. US 101 between East Dunne Avenue and Cochrane Road
3. US 101 between Burnett Avenue (Lane Drop) to Cochrane Road
4. US 101 between Cochrane Road to East Dunne Avenue

4.16.1.2 *Existing Bicycle and Pedestrian Facilities*

Monterey Road has bike lanes along its entire length within the City of Morgan Hill, with the exception of the segment that runs through downtown between Dunne Avenue and Main Avenue. Bike lanes are also provided along the entire lengths of Cochrane Road, Butterfield Boulevard, and Sutter Boulevard.

Sidewalks are provided along the south side of Cochrane Road between Monterey Road and US 101. Sidewalks are provided along the north side of Jarvis Drive, however the sidewalk does not interface

with the project's frontage. Sidewalks are provided along Sutter Boulevard between Cochrane Road and Jarvis Drive. There are no sidewalks are provided south of Jarvis Road.

4.16.1.3 *Existing Transit Facilities*

The project site is not directly served by any transit services. There are however, three VTA bus routes that run along Cochrane Road with bus stops near the intersection of Sutter Boulevard and Cochrane Road, approximately 0.5-mile from the project site.

4.16.2 Environmental Checklist

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,2,17
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	1,2,17
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1,2,17
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐	1,2,17
e) Result in inadequate emergency access?	☐	☐	☐	☒	1,2,17
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒	1,2,17

4.16.2.1 *Thresholds of Significance*

All intersections within the City of Morgan Hill are required to meet the City's LOS standard of LOS D, with the exception of Downtown intersections permitted to operate at LOS F, and nine intersections and three freeway zones permitted to operate at LOS E. According to the City's LOS guidelines, a development is said to create a significant adverse impact on traffic conditions at a signalized intersection if for either peak hour:

1. The level of service at the intersection degrades from an acceptable LOS D or LOS E as identified above under existing conditions to an unacceptable LOS E or LOS F under project conditions, or
2. The level of service at the intersection is an unacceptable level of LOS E or LOS F as identified above under existing conditions and the addition of project trips causes the average critical delay to increase by four 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.

Unsignalized intersections within the City have a minimum operating level of LOS D. According to the City's LOS guidelines, a development is said to have a significant adverse impact on traffic conditions at an unsignalized intersection if for either peak hour the addition of project traffic causes the worst approach delay to degrade to LOS E or F and the traffic volumes at the intersections are sufficiently high to satisfy the peak hour volume warrant.

A project is said to create a significant adverse impact on traffic conditions on a County Congestion Management Program (CMP) freeway segment if for either peak hour:

1. The level of service on a freeway segment is an unacceptable LOS F under no project conditions, and the number of project trips on that segment constitutes at least one percent of capacity on that segment.
2. The level of service on the freeway segment degrades from an acceptable LOS E or better under existing conditions to an unacceptable LOS F under project conditions.

A significant impact by CMP standards is said to be satisfactorily mitigated when measures are implemented that would restore freeway conditions to LOS E or better.

4.16.3 Impact Discussion

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Existing Plus Project

Based on the Institute of Transportation Engineer's (ITE) trip generation rates and reductions for pass-by-trips, it is estimated that the proposed project would generate 1,950 daily trips; 205 daily trips would occur during the AM peak hour (164 inbound and 41 outbound), and 195 trips (18 inbound and 177 outbound) would occur during the PM peak hour Since truck trips estimated to be generated by the project are minimal and comprise of only seven trips or four percent of the total traffic during each of the peak, the traffic operations analysis assumed that truck trips would have the same characteristics as passenger vehicle trips.

The results of the intersection level of service analysis under existing plus project conditions are summarized in Table 4.16-1. The results show that, measured against the City's LOS standards, all study intersections are projected to operate at acceptable levels of service under existing plus project conditions during each of the peak hours analyzed. Therefore, no study intersections would be significantly impacted by the project according to the City's impact criteria. **(Less Than Significant Impact)**

Table 4.16-1: Existing Plus Project Intersection Levels of Service

Intersection		Peak Hour	Existing		Existing + Project			
			Delay[1]	LOS[2]	Delay[1]	LOS[2]	Δ in Crit. Delay	Δ in Crit. V/C
1.	Monterey Road/Cochrane Road	AM	28.1	C	28.3	C	0.2	0.005
		PM	24.0	C	24.2	C	0.2	0.003
2.	Butterfield Boulevard/Cochrane Road	AM	12.8	B	12.8	B	0.0	0.002
		PM	14.7	B	14.8	B	0.2	0.008
3.	Sutter Boulevard/Cochrane Road	AM	17.6	B	17.9	B	0.7	0.026
		PM	18.3	B	19.9	B	0.1	0.003
4.	Madrone Parkway/Cochrane Plaza/Cochrane Road	AM	19.1	B	18.9	B	-3.3	0.013
		PM	31.4	C	31.1	C	-0.4	0.014
5.	US 101 Southbound Ramps/ Cochrane Road	AM	12.8	B	13.0	B	0.1	0.013
		PM	16.5	B	16.5	B	0.2	0.014
6.	US 101 Northbound Ramps/ Cochrane Road	AM	8.6	A	8.8	A	0.2	0.009
		PM	11.3	B	11.2	B	0.0	0.004

Table 4.16-1: Existing Plus Project Intersection Levels of Service								
Intersection		Peak Hour	Existing		Existing + Project			
			Delay[1]	LOS[2]	Delay[1]	LOS[2]	Δ in Crit. Delay	Δ in Crit. V/C
7.	Sutter Boulevard/Cochrane Plaza	AM	13.7	B	14.4	B	N/A	N/A
		PM	23.0	C	27.5	D	N/A	N/A
8.	Sutter Boulevard/Jarvis Drive	AM	16.1	C	18.5	C	N/A	N/A
		PM	19.7	C	21.8	C	N/A	N/A
9.	Sutter Boulevard and Serene Drive	AM	9.2	A	9.4	A	N/A	N/A
		PM	12.7	B	13.1	B	N/A	N/A
10.	Jarvis Drive and Serene Drive	AM	10.0	B	10.9	B	N/A	N/A
		PM	9.7	A	10.6	B	N/A	N/A
11.	Butterfield Boulevard and Jarvis Drive (N)	AM	11.9	B	11.9	B	N/A	N/A
		PM	12.1	B	12.1	B	N/A	N/A
12.	Butterfield Boulevard and Sutter Boulevard	AM	6.7	A	6.7	A	0.1	0.004
		PM	15.6	B	15.7	B	0.0	0.001
13.	Butterfield Boulevard and Jarvis Drive (S)/Digital Drive	AM	4.5	A	4.8	A	0.4	0.035
		PM	7.0	A	8.8	A	2.2	0.053
14.	Butterfield Boulevard/Central Avenue	AM	10.4	B	10.5	B	0.1	0.024
		PM	4.0	A	4.0	A	0.0	0.021
15.	Butterfield Boulevard/Main Avenue	AM	27.6	C	27.8	C	0.0	0.017
		PM	29.8	C	29.9	C	-0.1	0.016
16.	Butterfield Boulevard/Diana Avenue	AM	32.3	C	37.8	D	7.4	0.016
		PM	27.7	C	32.0	C	6.3	0.018
17.	Butterfield Boulevard and Dunne Avenue	AM	38.3	D	39.2	D	1.6	0.025
		PM	35.3	D	35.3	D	0.2	0.007
18.	Monterey Road and Dunne Avenue	AM	28.9	C	29.0	C	0.0	0.001
		PM	31.4	C	31.6	C	0.3	0.006

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- and two-way stop-controlled intersections are based on the stop-controlled approach with the highest delay.
[2] LOS = Level of service. LOS calculations conducted using the TRAFFIX level of service analysis software package.

Cumulative Plus Project

Cumulative conditions are comprised of forecasted traffic volumes and reflect estimated traffic growth in the City of Morgan Hill for the Year 2025. The land uses of the proposed development plan are consistent with the intensity assumed for the site in the General Plan. Table 4.16-2 below describes the cumulative conditions of the project with implementation of other planned projects in the vicinity.

Table 4.16-2: Cumulative Plus Project Intersection Levels of Service

Intersection		Peak Hour	Cumulative		Cumulative + Project			
			Delay[1]	LOS[2]	Delay[1]	LOS[2]	Δ in Crit. Delay	Δ in Crit. V/C
1.	Monterey Road/Cochrane Road	AM	26.8	C	26.8	C	0.1	0.002
		PM	27.1	C	27.2	C	0.2	0.002
2.	Butterfield Boulevard/Cochrane Road	AM	21.1	C	21.1	C	0.0	0.005
		PM	27.6	C	27.8	C	0.6	0.001
3.	Sutter Boulevard/Cochrane Road	AM	17.1	B	17.4	B	0.0	0.000
		PM	19.8	B	21.8	C	0.1	0.002
4.	Madrone Parkway/Cochrane Plaza/Cochrane Road	AM	18.5	B	18.5	B	0.0	0.015
		PM	29.3	C	29.1	C	-0.2	0.011
5.	US 101 Southbound Ramps/ Cochrane Road	AM	14.0	B	14.2	B	0.2	0.010
		PM	19.7	B	19.9	B	0.5	0.010
6.	US 101 Northbound Ramps/ Cochrane Road	AM	10.3	B	10.4	B	0.1	0.006
		PM	12.1	B	12.1	B	0.0	0.003
7.	Sutter Boulevard/Cochrane Plaza	AM	15.5	C	16.2	C	N/A	N/A
		PM	30.5	D	36.1	**E**	N/A	N/A
8.	Sutter Boulevard/Jarvis Drive	AM	18.1	C	20.6	C	N/A	N/A
		PM	29.7	D	33.6	D	N/A	N/A
9.	Sutter Boulevard and Serene Drive	AM	11.3	B	11.7	B	N/A	N/A
		PM	15.1	C	15.5	C	N/A	N/A
10.	Jarvis Drive and Serene Drive	AM	11.8	B	13.0	B	N/A	N/A
		PM	12.4	B	13.9	B	N/A	N/A
11.	Butterfield Boulevard and Jarvis Drive (N)	AM	13.4	B	13.5	B	N/A	N/A
		PM	13.4	B	13.4	B	N/A	N/A
12.	Butterfield Boulevard and Sutter Boulevard	AM	16.5	B	16.5	B	0.1	0.003
		PM	27.4	C	27.4	C	0.0	0.000
13.	Butterfield Boulevard and Jarvis Drive (S)/Digital Drive	AM	4.6	A	4.8	A	0.3	0.027
		PM	6.7	A	8.2	A	1.8	0.041

Table 4.16-2: Cumulative Plus Project Intersection Levels of Service								
Intersection		Peak Hour	Cumulative		Cumulative + Project			
			Delay[1]	LOS[2]	Delay[1]	LOS[2]	Δ in Crit. Delay	Δ in Crit. V/C
14.	Butterfield Boulevard/Central Avenue	AM	10.5	B	10.5	B	0.1	0.018
		PM	4.1	A	4.2	A	0.1	0.017
15.	Butterfield Boulevard/Main Avenue	AM	30.3	C	30.6	C	0.4	0.016
		PM	33.0	C	33.2	C	0.2	0.012
16.	Butterfield Boulevard/Diana Avenue	AM	42.2	D	47.2	D	7.3	0.012
		PM	46.2	D	52.4	D	9.2	0.014
17.	Butterfield Boulevard and Dunne Avenue	AM	41.7	D	42.6	D	1.8	0.021
		PM	37.7	D	37.8	D	0.2	0.006
18.	Monterey Road and Dunne Avenue	AM	30.4	C	30.5	C	0.1	0.001
		PM	34.7	C	34.9	C	0.3	0.005
	[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- and two-way stop-controlled intersections are based on the stop-controlled approach with the highest delay. [2] LOS = Level of service. LOS calculations conducted using the TRAFFIX level of service analysis software package.							

The results show that, measured against the City of Morgan Hill level of service standards, 17 of the 18 study intersections are projected to operate at acceptable levels of service under Year 2025 cumulative and cumulative plus project conditions during each of the peak hours analyzed (see Table 4.16-2).

The unsignalized intersection of Sutter Boulevard and Cochrane Plaza would degrade from a letter grade "D" to an "E" under the PM peak hour under cumulative plus project conditions. However, peak-hour traffic signal warrant checks indicate that the Sutter Boulevard and Cochrane Plaza intersection would not have traffic volumes under Year 2025 Cumulative without and with project conditions that meet thresholds that warrant signalization. Therefore, based on the City's impact criteria, the proposed project would not result in a cumulatively significant impact at the Sutter Boulevard and Cochrane Plaza intersection. **(Less Than Significant Cumulative Impact)**

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

As described in checklist response a), results of the intersection level of service analysis show that all intersections currently operate at an acceptable LOS D or better during the AM and PM peak hours. The addition of project traffic would not result in the degradation of the study intersection's level of

service during the AM and PM peak hours. The project would, therefore, not have a significant impact at any study intersections.

Freeway Impacts

The results of the freeway segment level of service analysis under existing plus project conditions are summarized in Table 4.16-3**Error! Reference source not found.**. Traffic volumes on the study f reeway segments under existing plus project conditions were estimated by adding project trips to the existing volumes. 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 level of service. Based on CMP impact criteria, the proposed project would not have a significant impact on freeways. **(Less Than Significant Impact)**

Table 4.16-3: Existing Plus Project Freeway Segment Levels of Service

Freeway	Direction	From	To	Peak Hour	Project Trips (Mixed-Flow Lane)	Cap (vph)	Percent of Capacity
US 101	NB NB	East Dunne Avenue	Cochrane Road	AM PM	24 3	6,900	0.35 0.04
	NB NB	Cochrane Road	Burnett Avenue (Lane Drop)	AM PM	6 29	6,900	0.09 0.42
	SB SB	Burnett Avenue (Lane Drop)	Cochrane Road	AM PM	31 3	6,900	0.45 0.04
	SB SB	Cochrane Road	East Dunne Avenue	AM PM	6 26	6,900	0.09 0.38

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project would not result in a change in air traffic patterns given the nearest airport is six miles away. **(No Impact)**

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?

The project site would be designed following City of Morgan Hill design standards and provide adequate width and turn-radii at and along all drive/parking aisles to allow for two-way circulation and adequate circulation of larger vehicles (such as emergency trucks, garbage truck, and delivery trucks) throughout the project site.

Adhering to City of Morgan Hill standards and requirements, the proposed site access points and layout of the surface parking area and loading docks for truck deliveries would be adequate to accommodate circulation of truck deliveries, passenger, and emergency vehicles. **(Less Than Significant Impact)**

e) Result in inadequate emergency access?

As described in checklist response d), the project would adhere to City of Morgan Hill standards and requirements and would, therefore, not result in inadequate emergency access. **(No Impact)**

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

The City's adopted Bikeways, Trails, Parks & Recreation Master Plan includes a recommended "Bicycle Boulevard" at Serene Drive from Sutter Boulevard, past the project frontage, to East Dunne Avenue.[33] The project would be required to install the proposed Bicycle Boulevard at this location.

As there are currently no bicycle or pedestrian facilities within the project area, project implementation would not conflict or otherwise decrease the performance of such facilities. While the project does not propose to construct sidewalks as part of the project, California vehicle codes allow pedestrians to walk on-street on the left-hand side of the roadway along the edge of traveled way facing on-coming traffic when there is not sidewalk available. Jarvis Drive and Serene Drive would provide a connection for pedestrians between the project site and other surrounding land uses in the area. **(No Impact)**

4.16.4 Conclusion

As discussed above, the proposed project would not result in significant transportation impacts. **(Less Than Significant Impact)**

[33] City of Morgan Hill. *Bikeways, Trails, Parks & Recreation Master Plan.* July 2017. Pg. 4-32.

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Environmental Setting

4.17.1.1 *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 14 groundwater wells, ten potable water storage tanks, 10 booster stations, and over 160 miles of pressured pipes ranging from two to 14 inches in diameter. The City's water distribution system meets the needs of existing customers. The City has planned and constructed water projects in conjunction with new street construction in anticipation of future growth and water needs.

From May 2017 to May 2018, the existing Shoe Palace Warehouse facility used approximately 9,332.4 gallons of water per day (gpd) (4,337 gpd from 4-inch pipes and 4,995.4 gpd from 2-inch water pipes).[34]

4.17.1.2 *Sewer System and Wastewater Treatment*

The South County Regional Wastewater Authority (SCRWA) Wastewater 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 California Regional Water Quality Control Board, Central Coast Region to treat up to 8.5 mgd.[35] Both the cities of Gilroy and Morgan Hill have growth control systems in place which limit unexpected increases in sewage generation. The ADWF for combined flows from Morgan Hill and Gilroy was approximately 6.8 mgd in 2010 (with 2.9 mgd generated by Morgan Hill). Based on combined population projections for both cities, the current capacity of 8.5 mgd would be reached in approximately 2021. The City of Morgan Hill has an allocation of 3.56 mgd (of the total 8.5 mgd). The allocation is projected to be reached by about 2023. The City of Gilroy's allocation (4.94 mgd) is projected to be reached in 2019. Flow projections are ongoing and have changed over the past years, depending on changing per capita flow rates and other variables in the projection calculations.

The 8.5 mgd total plant capacity is projected to be exceeded in 2022. In recognition of this projected exceedance of capacity, the SCRWA is currently planning to fund, design, and construct an expansion of the facility by 2022. It is further anticipated that the plant will need to be expanded again in the mid-2030s, in conjunction with buildout of the current Morgan Hill and Gilroy General Plans.

4.17.1.3 *Solid Waste*

Recology South Valley provides solid waste and recycling services to the businesses and residents of the cities of Morgan Hill and Gilroy. Recology South Valley has contracted through 2017 with the

[34] Chris Conway, Project Manager, Alston Construction. Personal Communication. August 15, 2018.
[35] California Regional Water Quality Control Board. *Waste Discharge Requirements, South County Regional Wastewater Authority Wastewater Treatment and Reclamation Facility, Santa Clara County (NPDES Permit No. CA0049964) – Order No. R3-2010-0009*. April 2010.

Salinas Valley Solid Waste Authority to dispose of municipal solid waste at Johnson Canyon Sanitary Landfill. Johnson Canyon Sanitary Landfill is anticipated to reach capacity in 2040.[36]

4.17.1.4 *Storm Drainage*

The City of Morgan Hill's storm drainage system consists of a combination of curb and gutter facilities, curb inlets, underground pipelines, and bubblers that drain into detention basins or to the nearest creek. The City's storm drainage system in the project vicinity meets existing drainage needs.

The project site is within the Butterfield Channel storm water drainage basin. Butterfield Channel, previously named Sutter Channel, is an improved channel that drains the area west of US 101 and east of Railroad Avenue to East Little Llagas Creek. The channel is presently complete from Jarvis Drive to Tennant Avenue, and serves as an interim detention basin pending completion of the remainder of the channel and the 27-acre detention basin. Upon completion, the Butterfield Channel storm water drainage basin will consist of an open drainage channel along the eastern side of Butterfield Boulevard extension and a 27.6-acre detention pond on the south side of Maple Avenue. The drainage channel will begin south of Jarvis Drive on the north, and extend to Maple Avenue on the south. There is a 30-inch public storm drain main located adjacent to the site within Jarvis Drive. There are also existing 10- and 24-inch storm drain mains on the project site. The existing onsite storm drain line connects to the existing storm lines Jarvis Drive.[37]

4.17.2 <u>Environmental Checklist</u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	1,2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2,18
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2,18

[36] Phil Couchee, General Manager, Recology South Valley. Personal communication. February 3, 2010.
[37] City of Morgan Hill, *Storm Drainage System Master Plan*, January 2002.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,2,18
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	1,2,18
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	1,2
g) Comply with federal, state, and local statutes and regulations related to solid waste.	☐	☐	☒	☐	1,2

4.17.3 Impact Discussion

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The existing Shoe Palace warehouse generates approximately 2.975 million gallons of wastewater annually.[38] The proposed expansion would generate approximately 5.85 million gallons of wastewater annually, based on the generation rate of the existing facility. The City's General Plan determined that build-out of the General Plan would not result in significant impacts to the South County Regional Wastewater Authority facility. Given that the project is consistent with the site's land use designation and zoning, the project was accounted for in the General Plan and would not adversely affect the functionality or the capacity of the existing sanitary sewer system.[39] **(Less Than Significant Impact)**

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

As described in checklist response a), the existing Shoe Palace warehouse uses approximately 2.975 million gallons of wastewater annually.[40] The proposed expansion would generate approximately 5.85 million gallons of wastewater annually. Based on the site plans, sanitary sewer lines in Jarvis Drive and Serene Drive are adequately sized to serve the project. Currently, there is sufficient capacity in the City's sanitary sewer system to support the project. The project would, therefore, not

[38] Based on 85 percent of the total water usage (approximately 3,500,000 gallons/year).
[39] Ha, Charlie, *Will Serve Letter*, City of Morgan Hill, May 16, 2014.
[40] Based on 85 percent of the total water usage (approximately 3,500,000 gallons/year).

adversely affect the functionality or the capacity of the existing sanitary sewer system.[41] **(Less Than Significant)**

c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Development of the project would result in a net increase of 795,871 square feet of impervious surfaces, in turn increasing the amount of stormwater runoff. Per the implementation of the SWPPP and other drainage standards implemented by the City, the project should not significantly increase storm water flows into the existing system. The project would be required to minimally retain all water from the 85th percentile of rainfall events (approximately two to five-year storm events) on site; therefore, during 85 percent of the rainfall events, the existing storm drain system would not be impacted by the project. Furthermore, the on-site systems (retention basins) would be required to be designed to detain a volume of water up to a 25-year storm event while releasing water at a rate reflective of the 10-year predevelopment flow. This design limits storm water flows off-site to less than 10-year predevelopment flows. The existing public storm water system is already designed to convey a 10-year storm event; therefore, the project should not significantly contribute to any additional flooding during the most frequent events. The final drainage system design for the proposed warehouse and distribution facility 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 with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. **(Less Than Significant Impact)**

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The existing Shoe Palace warehouse generates an annual water demand of approximately 3.5 million gallons.[42] The proposed project would generate approximately 5.85 million gallons of wastewater annually.

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 land use designation and zoning, the development proposed by the project would not increase water demand above that forecasted in the most recent Urban Water Management Plan. Additionally, the proposed project is not a water-serving project, as outlined in CEQA Guidelines Section 1511(e) and therefore, would not require a Water Supply Assessment to be prepared. There is sufficient capacity in the water mains adjacent to the site in Jarvis Drive to serve the proposed project. **(Less Than Significant Impact)**

[41] Ha, Charlie, *Will Serve Letter*, City of Morgan Hill, May 16, 2014.
[42] City of Morgan Hill. Personal Communication. August 15, 2018. Rates are based off of the existing Shoe Palace warehouse water consumption from May 2017 to May 2018.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As described in checklist response a), there is sufficient capacity in the sanitary sewer system to support the project and the project would not adversely affect the functionality or the capacity of the existing sanitary sewer system.[43] **(Less Than Significant Impact)**

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs

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 City at Johnson Canyon Sanitary Landfill which has a projected permitted capacity of approximately 13,800,000 cubic yards and is expected to remain open through 2040.[44] The proposed project would generate approximately 71,482.8 pounds of solid waste per year; however, future development would be served by a landfill with adequate capacity to serve the project site.[45] **(Less Than Significant Impact)**

g) Complies with federal, state, and local statutes and regulations related to solid waste?

Project implementation would result in the generation of solid waste from project operations. As described in response f), solid waste generated would be collected by Recology South County services. Recology South County is required to comply with local, state, and federal statutes regulations related to solid waste. Thus, the project would comply with the applicable local, state, and federal statutes and regulations. **(Less Than Significant Impact)**

4.17.4 Conclusion

Project implementation would have a less than significant impact to utilities and service systems. **(Less Than Significant Impact)**

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[43] Ha, Charlie, *Will Serve Letter*, City of Morgan Hill, May 16, 2014.

[44] California Integrated Waste Management Board. *Facility/Site Summary Details: Johnson Canyon Sanitary Landfill*. 2008. Accessed June 15, 2018. http://www.calrecycle.ca.gov/SWFacilities/Directory/27-AA-0005/Detail/.

[45] California Integrated Waste Management Board. Estimated Solid Waste Generation Rates for Industrial Establishments. 5 January 2004. CIWMB. 15 July 2004. http://www.ciwmb.ca.gov/wastechar/WasteGenRates/WGIndust.htm

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

4.18.1 Environmental Checklist

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
a)	Does the project have the potential to 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, 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?	☐	☒	☐	☐	1-18
b)	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)?	☐	☒	☐	☐	1-18
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	1-18

4.18.2 Impact Discussion

a) Does the project have the potential to 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, 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?

This Initial Study evaluates the environmental impacts that could result from the project's implementation. With implementation of the mitigation measures included in the project and described in Sections 4.4 Biological Resources, 4.7 Greenhouse Gas Emissions, and 4.9 Hydrology and Water Quality, and compliance with City General Plan policies, Standard Measures and Standard Conditions of Approval, the proposed project would not result in significant adverse environmental impacts to fish or wildlife species, rare plants, or cultural resources. **(Less Than Significant Impact with Mitigation Incorporated)**

b) Does the project have impacts that are individually limited, but cumulatively considerable?

Pursuant to 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."

As discussed in Section 4.3 Air Quality, the proposed project would implement BAAQMD approved best management practices to reduce short-term TAC emissions during project construction. Additionally, the project would be conditioned to use, at minimum, Tier 2 construction equipment to further reduce exposure of sensitive receptors to pollutants.

As discussed in Section 4.4 Biological Resources, the project would implement mitigation measures such as nesting bird surveys prior to beginning construction to reduce potential impacts to nesting raptors and migratory birds to a less than significant level. The project would also replace the proposed 115 trees to be removed at a ratio consistent with the City's Tree Removal Controls and implement a Tree Protection Plan to reduce impacts to trees on-site during project construction and operation.

The project would implement standard measures during project construction activities to reduce potential impacts to prehistoric or significant historic era resources or human remains, as discussed in Section 4.5 Cultural Resources.

As discussed in Section 4.6 Geology and Soils, the project would implement standard measures to avoid or minimize potential damage as a result of seismic activity.

To reduce a significant greenhouse gas impact, the proposed project would develop and implement a GHG reduction plan to reduce the project's substantial contribution to a cumulative GHG emissions impact.

As discussed in Section 4.9 Hydrology and Water Quality, the proposed project would implement standard measures during project construction to reduce potential water quality impacts to a less than significant level.

The project would develop and implement a noise control plan during construction activities to reduce noise and vibration impacts to sensitive receptors in the area.

With implementation of mitigation measures, best management practices, standard permit conditions, and conditions of approval to address environmental impacts to air quality, biological resources, cultural resources, geology and soils, greenhouse gases, hydrology and water quality, and noise, the proposed project would not result in cumulative impacts on these resources. **(Less than Significant Impact with Mitigation Incorporated)**

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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, 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

6.1 LEAD AGENCY

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6.2 CONSULTANTS

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