

Summary Form for Electronic Document Submittal**Form F**

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Morgan Hill Technology Center Mixed-Use Project

Lead Agency: City of Morgan Hill

Contact Name: Adam Paszkowski

Email: adam.paszowski@morganhill.ca.gov Phone Number: 408-310-4635

Project Location: Morgan Hill, Santa Clara County

City

County

Project Description (Proposed actions, location, and/or consequences).

The approximately 89-acre site is located west of Mission View Drive, south of Cochrane Road, east of US 101, and north of Half Road (APN: 728-30-001 through -004; 728-30-006, -008, -009; 728-31-014 through 016). A single-family house and storage structures are located on the southern portion of the site. A single-story building is located within the tree nursery on the northern portion of the site, at the Cochrane Road frontage. The project proposes 1,044,600 square feet of general light industrial building space, 45,000 square feet of industrial office space, 50,000 square feet of commercial space, and 319 residential units. A more detailed description of the project is attached to this summary form.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

A summary of the project's significant impacts and mitigation measures that reduce these impacts is attached this summary form.

SECTION 1.0 PROJECT INFORMATION AND DESCRIPTION

1.1 PROJECT LOCATION

The approximately 89-acre site is located west of Mission View Drive, south of Cochrane Road, east of US 101, and north of Half Road (APN: 728-30-001 through -004; 728-30-006, -008, -009; 728-31-014 through 016). See Figures 2.1-1, 2.1-2, and 2.1-3 on the following pages.

1.2 PROJECT DESCRIPTION

2.2.1 Overview

The commercial and industrial components of the project are currently configured in six parcels totaling approximately 61 acres, with Commercial and Commercial/Industrial General Plan designations, and located within three zoning districts: PUD Highway Commercial (CH), Administrative Office (CO), and PUD Light Industrial (IL). The applicant proposes to reconfigure the property into eight legal lots (one commercial, six commercial/industrial parcels controlled by the applicant, and one existing commercial/industrial parcel not controlled by the applicant); reduce the Commercial General Plan designation area and increase the Commercial/Industrial General Plan designation area through a General Plan Amendment (File No. GPA2019-0002); and establish a Planned Development (PD) Combining District over the commercial and industrial project area through a Zoning Amendment (File No. ZA2019-0005). Figure 2.2-1 shows the existing and proposed general plan designations at the project site. Figure 2.2-2 shows the proposed build-out of the project with General Plan Amendment and Zoning Amendment areas.

The residential component of the project is approximately 28 acres with an existing General Plan designation of Residential Attached Low (6-16 du/ac). No formal land use entitlement applications are currently on file, and this portion of the project is being evaluated at a programmatic level for a maximum of 319 single-family detached and attached units. The future development of this land is reasonably foreseeable given the existing land use designation and zoning, and the proposed roadway and other infrastructure improvements discussed below would be available to serve this property, and therefore this EIR analyzes and discloses the effects of the whole project (i.e. industrial, commercial, and residential). As further discussed in Section 2.2.2.3, only preliminary plans and no formal development applications were on file with the City at the time the EIR was prepared. The residential component is, therefore, analyzed at a programmatic rather than project level.

2.2.2 Project Description

2.2.2.1 *Commercial*

The property immediately fronting Cochrane Road would be reconfigured to one legal lot of approximately 2.92 acres. The proposed rezoning will reduce the existing Commercial zoned acreage from +/-30 acres to 2.92 acres for uses consistent with the traditional CH - Highway Commercial Zoning District, allowing a range of retail, administrative, professional services and functions supporting freeway access at major intersections. The maximum FAR is 0.6. While no specific development project application is currently pending with the City, the development of this portion

of the site is reasonably foreseeable, and this EIR evaluates a development scenario with 50,000 square feet of commercial uses at a project-level. There is no current site plan, however, this parcel is anticipated to be developed ultimately with several commercial structures, most likely single-story. The proposed uses are anticipated to be retail, administrative and professional services, with parking and landscaping provided on-site. The proposed zoning would allow for buildings up to four stories of 55 feet in height, whichever is less.

The east bound frontage of Cochrane Road would be improved for the benefit of the commercial property. Access off Cochrane Road would be provided via a right-turn in only driveway, with a full access driveway entry/exit at the southwest corner of the property off DePaul Drive.

2.2.2.2 *Industrial*

This portion of the property would be reconfigured into seven legal lots designated for flexible industrial and commercial uses, including advanced manufacturing, warehouse distribution, supporting office, and similar light industrial and commercial uses totaling up to 1.04 million square feet on approximately 58 acres. The Industrial designation allows for a maximum FAR of 0.6. The current proposal shows a FAR below 0.45. The proposed site plan for the industrial and commercial portion of the project is shown on Figure 2.2-3. If additional development is proposed in the future up to the allowed 0.6 FAR, the City would conduct supplemental environmental review, as appropriate.

The industrial component of the project is comprised of six buildings (Buildings A through F on Figure 2.0-6) located on the western half of the project site adjacent to U.S. 101. The proposed buildings would have maximum heights of 50 feet. The industrial building elevations are shown on Figures 2.2-4 through 2.2-9. The proposed industrial buildings will include emergency generators powered by diesel engines to provide backup power for fire pumps located within each building. The engines would be operated for testing and maintenance purposes, with a maximum of 50 hours per year of non-emergency operation under normal conditions. The industrial buildings will include a total of 124 loading dock doors; the dock doors will be distributed between the six buildings, with a minimum of nine dock doors per building (Building C) and a maximum of 25 doors per building (Building B). Under the proposed zoning, the six industrial buildings would be permitted to be built to a maximum of 50 feet in height.

The remainder of the project site would be parking and landscaping/stormwater treatment as common open space for the benefit of employees and visitors. The industrial component of the project would provide 1,435 standard vehicle parking stalls. Access to the Industrial zoned property would be provided exclusively via full-access driveways off the west side of DePaul Drive.

A 2.31-acre parcel, under separate private ownership, that is depicted as 'Not a Part' on Figure 2.2-3 would be evaluated at a programmatic level for future industrial uses, although no specific development application is proposed at this time. This DEIR will evaluate for potential future industrial/warehouse uses based on the proposed PD Combining District, assuming 45,000 square feet of industrial office, which results in a FAR of 0.51.

2.2.2.3 Residential Component East of DePaul Drive

This DEIR will evaluate a residential scenario of up to 319 units between DePaul Drive and Mission View Drive, north of Half Road, which is approximately 75 percent of the maximum development allowed under the General Plan (i.e., 16 dwelling units/acre).¹ Properties do not typically develop at the maximum allowable density due to site constraints, land dedication, and other factors, and the City does not assume 100 percent of the allowed density when identifying anticipated residential yield for purposes of demonstrating Regional Housing Needs Allocation compliance, for instance. For these reasons, assuming future development at 75 percent of the allowed density is a reasonable assumption. Residential development would occur on a 28-acre area of the site. No formal land use entitlement applications are currently on file, and this portion of the project is being evaluated at a programmatic level. The future development of this land is reasonably foreseeable given the existing land use designation and zoning, and the proposed roadway and other infrastructure improvements discussed below would be available to serve this property, and therefore this EIR discloses the combined effects of the various components of future development on the three distinct areas, i.e. industrial, commercial, and residential.

The residential project’s proposed site improvements could include visitor and on-street parking, small neighborhood park areas, sidewalks or pedestrian paths, landscape areas, drive aisles, screen walls, lighting, BBQ/picnic area, and common park areas.

The site plan for the entirety of the site, showing the proposed General Plan and Zoning Amendments and including the residential portion, is shown on Figure 2.2-2. The site plan for the Morgan Hill Technology Center² is shown on Figure 2.2-3. A summary of the various project components is included below in Table 2.2-1.

Table 2.2-1: Development Summary			
Land Use	Size (square feet)	Site Area (acres)	Construction Interval
Industrial ¹			
General Light Industrial – Proposed Project			
Building A	212,100	12.19	January 2021 to April 2022
Building B	219,600	10.89	
Building C	79,900	4.80	

¹ This EIR is evaluating 319 single-family residential units (239 single-family attached and 80 single-family detached units) based on preliminary plans provided to the City. Subsequent updated preliminary residential plans now show 56 courtyard style single family detached units, 64 duets and 149 townhouse style condominiums for a total of 269 dwelling units. The 319 residential analyzed in EIR is more conservative compared to the 269 dwellings.

² When referred to throughout this DEIR, the “Morgan Hill Technology Center” only includes the six industrial buildings and associated improvements shown in Figure 2.2-3.

Table 2.2-1: Development Summary			
Land Use	Size (square feet)	Site Area (acres)	Construction Interval
Building D	193,000	9.16	
Building E	173,000	8.53	
Building F	167,000	9.16	
“Not a Part” Parcel (Industrial Office)	45,000	2.31	
Commercial			
Commercial	50,000	127,195	March 2021 to August 2021
Residential			
Residential	319 units	28 acres	October 2021 to April 2027
<u>Notes</u>			
¹ The defined portion of the project consists of Building A through F. No development applications have been received for any other project components.			

2.2.2.4 Site Access

Commercial: The east bound frontage of Cochrane Road would be improved for the benefit of the Commercial zoned property. Access off Cochrane Road would be provided via a right-turn in only driveway, with a full access driveway entry/exit at the southwest corner of the property off DePaul Drive. The Cochrane Road access points would not provide access to the industrial buildings and would not be used by trucks that are bound for the industrial buildings.

Industrial: Access to the Industrial zoned property would be provided exclusively via full-access driveways off the west side of DePaul Drive. The three northernmost access points along DePaul Drive would provide shared access to two industrial buildings (Buildings A and B shown on Figure 2.0-5) and the commercial site. The two remaining access points along DePaul Drive would provide access to four industrial buildings (Buildings C through F on Figure 2.2-3).

Residential: Although there is no current site plan for the residential portion of the project, site access is assumed to be provided from Mission View Drive, from Half Road, and from DePaul Drive, which would be widened and extended from Cochrane Road to Half Road (see the discussion below).

Project Improvements: As part of the development of the proposed project, DePaul Drive is proposed to be extended by approximately 2,280 feet south along the project site’s eastern frontage to provide direct access to the industrial uses of the project via full access driveways. The extension will also provide access to the future residential component of the project. As proposed to support the

industrial development on the west side of DePaul Drive, DePaul Drive will terminate as a cul-de-sac just north of Half Road.

A full access intersection from the planned De Paul Drive extension to Half Road would be constructed as a part of the residential component of the project. This extension would be fully designed and evaluated at the time of specific development of the residential component.

Pedestrian and bicycle (and County Parks trail maintenance) access is established on the western boundary of the industrial portion of the project from Cochrane Road on the north to Half Road on the south via the unpaved Madrone Channel Trail. The commercial component of the project would provide a sidewalk along its entire Cochrane Road frontage and result in a continuous connection to the existing sidewalk along the south side of Cochrane Road. The industrial project would provide a sidewalk along its frontage along DePaul Drive.

2.2.2.5 *Parking*

Commercial: The project would provide the required parking for the future commercial development per Table 18.72-2 of the Zoning Code. Retail uses and personal services are generally parked at one space per 250 square feet. Restaurants are generally parked at one space per 100 square feet.

Industrial: The industrial component of the project (Buildings A through F) will provide a total of 1,435 auto spaces. In addition, the 2.31-acre parcel shown as 'Not a Part' on Figure 2.0-6 would be required to provide parking at the rates shown in Table 18.72-2 of the Zoning Code.

Residential: The proposed residential portion of the project has a General Plan designation of Residential Attached Low and is zoned Residential Attached Low Density. This portion of the project would be required to provide two covered parking spaces per residential unit as shown in Table 18.72-2 of the Zoning Code.

2.2.2.6 *Grading and Construction*

Mass Excavation/Soil displacement: The non-residential portions of the mixed-use project would include demolishing the existing residential and storage structures on the Cochrane Road frontage, constructing the six new industrial buildings (Industrial Buildings A through F), and future development on the Commercial property and the 2.31-acre Industrial parcel that is not part of the current application (Dr. Lee parcel, referred to as 'Not a Part' throughout this DEIR). The subject development would include general rough grading and underground utility installation for the planned Commercial and Industrial building sites and associated parking and driveway areas. Site grading would include the over-excavation and re-compaction of the near-surface fill at select locations identified by the soils engineer. Site grading would include relocation and compaction of existing stockpiled soil mixed with serpentine rock to areas beneath the planned industrial building locations in accordance with project Soil Management Plan to provide suitable support for the planned building footings and slab-on-grade floors, as well as to encapsulate the existing serpentine rock to prevent public exposure to material.

Cuts and fills for the planned Industrial portion of project are estimated to be up to 165,000 cubic yards, mass-graded to achieve a balanced site. The average depth of excavation at new footing locations is estimated to be 3.5 feet below the final pad elevation. Maximum depth of cut for mass grading would be approximately four feet below existing grade, with cut up to 13 feet for sanitary sewer utility trenching at existing Cochrane Road tie-in. Excavations for utility trenches are expected to represent less than one half of one percent of the total excavations. After site grading is completed, conventional building footings and concrete floor slabs would be constructed; followed by the construction of conventional asphalt-concrete and Portland cement concrete driveways and parking areas. The final site improvement would include new landscaping and pedestrian sidewalks/pathways; and the construction of new stormwater treatment/detention basins.

The proposed Residential portion of the project is located on relatively level ground. Future residential development on the 28-acre portion of the site would likely require shallow grading for utilities, positive drainage, and roads and building foundations.

2.2.2.7 *Soil Management Plan*

A Soil Management Plan (SMP) would be prepared by an environmental professional - describing procedures to be implemented by the Industrial/Commercial projects' grading contractor when handling and managing soil, both onsite and, if necessary, imported material. The SMP will include procedures for onsite stockpiling, dust control and mitigation, and offsite transportation and disposal/reuse. The SMP will also identify mitigation measures and required notifications should suspect environmental concerns be encountered during the grading activities. The SMP will reference the Storm Water Pollution Prevention Plan (SWPPP) required for this construction project in accordance with the Construction General Permit Order issued by the California State Water Resources Control Board.

The Industrial/Commercial portion of the site contains an approximately 81,000 cubic yard stockpile of soil mixed with serpentine rock, which is a locally mined aggregate material with naturally occurring asbestos (NOA). The stockpile is located in the northwest corner of the site, adjacent to the approximate locations of the proposed commercial building on Cochrane Road and the industrial Buildings A and B. In accordance with Bay Area Air Quality Management District (BAAQMD) regulations, an Asbestos Dust Mitigation Plan (ADMP) will be prepared for BAAQMD review and approved prior to initiating the grading activities. The ADMP will include an air monitoring plan to be implemented when handling the stockpiled serpentine rock material. The Industrial project's construction plans specify the onsite burial of this material for encapsulation beneath permanent site improvements or at depths not to be encountered by future construction activities (i.e. construction of the commercial property fronting Cochrane Road or the industrial office building on the 'Not a Part' parcel). The final disposition of the serpentine rock material will be documented and recorded with BAAQMD. Specially trained and state-certified workers will perform and monitor all construction activities involving this material.

2.2.2.8 *Storm Drainage Improvements*

All runoff from the site would ultimately be directed into the existing Santa Clara Valley Water District's Madrone Channel on the west boundary of the project site. The Industrial portion of the project would convey stormwater to on-site treatment and detention areas on the perimeter of the site and to the Madrone Channel via three existing outfalls. The Commercial development on Cochrane Road would utilize existing storm drain lines in the Cochrane Road right-of-way to convey stormwater to the Madrone Channel and would be required to treat or capture on-site stormwater runoff from building rooftops, hardscapes, and parking areas. The Residential development would likely convey stormwater to the Madrone Channel via public storm drains and lines in Half Road. The proposed storm drainage system for future residential development will be detailed at the time of a specific development proposal for this area of the site and would be required to conform to the City's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements.

2.2.2.9 *Utilities*

Sanitary Sewer: There is an existing eight-inch sanitary sewer stub south of Cochrane Road that is at a depth sufficient to provide service to the proposed industrial/commercial portion of the project. This alignment would provide public sewer easement through the south edge of the Commercial site on Cochrane Road as well as through the drive aisles of the Industrial sites. An alternate design would be to extend sanitary sewer from East Main Ave northerly along Condit Road and Half Road if the needs of the residential development dictate a main extension coming from the south. The alternate design would be subject to supplemental environmental review at the time the residential development receives entitlements.

Water Service: The existing water main will be extended along DePaul Drive, with private domestic water and fire protection services extended into the site to serve the proposed Industrial buildings. Existing 12-inch water mains in Cochrane Road would be available to serve the Commercial building on Cochrane Road. The industrial office building ('Not a Part' parcel) would connect to the water main in DePaul Drive. The Residential portion of the project would connect to 10- and 12-inch diameter pipes in Half Road and/or eight- and 10-inch pipes in Mission View Drive.

Dry Utilities: Gas and electric utilities will be extended along with DePaul Drive in coordination with PG&E. Electrical will loop into existing electrical lines along Half Road. Other utilities such as fiber optic, telephone, and cable will also be extended along Half Road and into the site to service the industrial buildings. Similarly, existing gas, electric, telephone, cable, and fiber optic utilities in the project area will be extended to the Residential portion of the project.

2.2.2.11 *Construction Interval*

The anticipated construction duration for the Industrial site and shell improvements is 15 months. The initial mass grading & site preparation phase for the Industrial will last one month. Rough grading and building pad construction will immediately follow the mass grading phase for a three-month interval. After completion of rough grading, wet utility improvement work and miscellaneous

site preparation work will begin and run 3.5 months. Fine grading and hardscape improvements will begin thereafter and run for four months. The final site improvement phase of landscape and miscellaneous site finish improvements will then run for 3.5 months. It is anticipated that construction of the Industrial portion of the project would begin in January 2021 and be complete by April 2022.

Construction of the Commercial portion of the project is anticipated to begin in March 2021 and be completed by August 2021. Construction of the Residential portion of the project is anticipated to begin in October/November 2021 and be completed by April 2027.

2.3 PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124, an EIR must identify the objectives sought by the proposed project.

Project objectives as proposed by the applicant include:

- To efficiently cluster large-scale development allowing for:
 - Efficient use of existing infrastructure (including roads, utility lines, transit, etc.);
- Add approximately 1,300 needed jobs to Morgan Hill;
- Create buildings sizeable enough to attract large-company tenants to Morgan Hill;
- Attract companies to contribute to the City's tax and job base and provide flexibility to support companies to grow;
- Meet CALGreen standards optimizing efficient use of energy, water, and building materials;
- Locate the project near existing transit corridors, bicycle infrastructure, and traffic arterials;
- Ensure a sustainable demolition and construction operation;
- Establish pedestrian- and bicycle-oriented connections within the area;
- Utilize on-site amenities to minimize impact on community infrastructure and provide flexibility of work environment.

Project objectives as proposed by the City include:

- To develop an industrial business center on the site in conformance with the applicable goals, objectives and policies of the City's General Plan;
- To develop a business center that will accommodate light manufacturing/ warehouse/ distribution tenants with access to freeways and regional transportation corridors, thereby minimizing truck traffic on local streets and reducing vehicles miles traveled in the region;
- Create opportunities for business-to-business interaction between various on-site tenants, promoting economic development;
- To develop a business center on the site in a manner that is economically viable and provides long term fiscal benefits to the property owner and City;
- To attract new businesses and jobs to the City, thereby improving the jobs/housing balance both in the City and the region;

- Attract high-quality businesses by providing a development with a range of facility options, such as varying structure sizes and building configurations;
- To develop a high-quality business center on the site with architectural design, landscaping, signage, and operational characteristics that are compatible with existing and planned development in the immediate vicinity;
- To construct a business center that incorporates energy efficiency and low water use principles in order to promote the City's environmental goals
- Implement a comprehensive and cohesive plan for the physical and economic development of the project site.

2.4 USES OF THE EIR

- General Plan Amendments
- Rezoning
- Tentative Maps
- Use Permit(s)
- Architectural Design Review
- Development Agreement
- Tree Removal Permits
- Grading Permits

SIGNIFICANT IMPACTS OF THE PROJECT

As discussed in the Morgan Hill Technology Center Mixed Use Project EIR, the project would result in significant, unavoidable impacts to the following topic areas:

- Agricultural Resources: Loss of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance
- Air Quality: Operational criteria pollutant (i.e., NO_x) emissions
- Transportation:
 - One intersection under existing plus project conditions (Mission View Drive and Half Road) if the County does not agree to implement the proposed improvement
 - Two intersections under Year 2030 cumulative plus project conditions (Mission View Drive and Half Road and Main Avenue and Condit Road) if the County does not agree to implement the proposed improvements
 - One intersection under Year 2035 General Plan plus project conditions (Main Avenue and Condit Road) if the County does not agree to implement the proposed improvement
 - Ten freeway segments under all project scenarios.

Impacts that would be significant, and for which the project includes mitigation to reduce them to less than significant levels include:

- Temporary construction emissions and operational ROG emissions related to Air Quality.
- Biological resources: Nesting birds and trees
- Cultural resources: Archaeological resources.
- Hazards and hazardous materials: Contaminated soil and ACMs and/or lead-based paint.
- Greenhouse gas emissions: Operational
- Impacts of mechanical equipment noise on nearby noise-sensitive uses.
- Temporary construction noise impacts.
- Operational Noise: Truck Deliveries generated by general light industrial use.
- Impacts of project traffic at two local intersections under existing plus project conditions (DePaul Drive and Cochrane Road and Mission View Drive and Cochrane Road), six intersections under Year 2030 cumulative plus project conditions, and five intersections under Year 2035 General Plan plus project conditions).
-

SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION

The following table summarizes the significant impacts of the proposed project and mitigation measures proposed to reduce those impacts to a less than significant level. A significant impact is a substantial, or potentially substantial, adverse change to the environment. Impacts that are less than significant are not included in this summary but can be found in the text of this EIR.

Significant Impact	Mitigation Measures
<i>Agricultural Resources</i>	
<p>Impact AG-1: The project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. (Significant and Unavoidable Impact)</p>	<p>MM AG-1.1: A minimum of one acre of agricultural land shall be preserved for each acre of agricultural land changed to a non-agricultural use. The required acreage of area to be protected through an agricultural conservation easement or agricultural preservation in-lieu fee will depend on the measurement of affected area. The entire project site will be used for calculating the required mitigation.</p> <p>MM AG-1.2: Conversion of agricultural land will require off-setting acquisition and/or dedication of agricultural conservation easements over approved agricultural mitigation land, or payment to the City of the agricultural preservation in-lieu fee, to support agricultural preservation activities. Developer acquisition/dedication of easements will require the project to pay an agricultural lands preservation program stewardship fee to cover administrative costs and ongoing management and monitoring of the easements.</p> <p>MM AG-1.3: Agricultural mitigation fees shall be required prior to the acceptance of a final parcel of subdivision map or prior to issuance of building or grading permits. Easement dedication is required prior to issuance of building permits.</p>
<i>Air Quality</i>	
<p>Impact AIR-2: The project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. (Significant and Unavoidable Impact)</p>	<p>MM AIR-2.1: <u>Dust (PM₁₀) Control Measures:</u></p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. 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.

4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 5. 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.
 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five 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.
 7. 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.
 8. 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.
 9. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
-

10. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries.
 11. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at maximum 50 percent air porosity.
 12. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.
 13. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.
 14. Avoid tracking of visible soil material on to public roadways by employing the following measures if necessary: (1) Site accesses to a distance of 100 feet from public paved roads shall be treated with a six to 12-inch compacted layer of wood chips, mulch, or gravel and (2) washing truck tires and construction equipment of prior to leaving the site.
 15. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.
 16. Minimizing the idling time of diesel-powered construction equipment to two minutes.
-

MM AIR-2.2:

Exhaust Emission (NO_x and PM) Control Measures:

The project shall develop a plan demonstrating that the off-road equipment (more than 25 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) and hauling truck traffic would achieve a 20-percent NO_x reduction and overall 60-percent PM (particulate matter) exhaust reduction. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. The following are feasible methods that shall be used unless an alternative plan that achieves this requirement is submitted and approved by the City:

1. Construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards (Tier 4 interim or Tier 4 final), if feasible, otherwise,
 - a. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 85 percent reduction in particulate matter exhaust; alternatively (or in combination); or
-

- b. Use of electric or alternatively fueled equipment with lower NO_x emissions that meet the NO_x and PM reduction requirements above.
 - c. For exceptions, a waiver to use other equipment for specialized purposes would have to be obtained from the City after review of evidence that use of such equipment meeting the above mitigation requirements is not feasible.
2. Diesel engines, whether for off-road equipment or on-road vehicles, shall not be left idling for more than 2 minutes, except as provided in exceptions to the applicable state regulations (e.g., traffic conditions, safe operating conditions). The construction sites shall have posted legible and visible signs in designated queuing areas and at the construction site to clearly notify operators of idling limit.
3. Provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment, such as generators.

MM AIR-2.3:

- The project applicant shall implement a Transportation Demand Management (TDM) Plan that would reduce project-generated traffic trips by five percent. Examples of TDM measures include, but are not limited to, parking pricing strategies; parking maximums; mandated parking spaces for car-sharing programs; the provision of transit passes in residential, commercial and office developments; charging stations for electric vehicles; bicycle lockers or racks; teleworking policies; bicycling improvements; and more. Implementation of a TDM Plan would reduce ROG mobile
-

emissions by approximately 0.05 to 0.1 tons per year or approximately one pound per day.

- The project shall use low volatile organic compound or VOC (i.e., ROG) coatings, that are below current BAAQMD requirements (i.e., Regulation 8, Rule 3: Architectural Coatings), for at least 50 percent of all nonresidential interior and exterior paints. This includes all architectural coatings applied during both construction and reapplications throughout the project's operational lifetime. At least 50 percent of coatings applied must meet a "super-compliant" VOC standard of less than 10 grams of VOC per liter of paint. For reapplication of coatings during the project's operational lifetime, the Declaration of Covenants, Conditions, and Restrictions shall contain a stipulation for low VOC coatings to be used. This mitigation would reduce ROG emissions by 0.2 to 0.4 tons per year or one to two pounds per day.

MM AIR-2.4:

- **Electrify Loading Docks.** Require the electrification of all loading docks to facilitate plug-in capability and encourage or require trucks to utilize grid power in order to deliver goods.
 - **Limit Idling Times** Prohibit trucks from idling for more than two minutes or prohibit idling altogether. Prohibit off-site queuing and idling of trucks.
 - **Truck Routes.** Establish appropriate truck routes that avoid trucks transiting through residential areas in accordance with General Plan Policy *NRE-11.4*.
 - **Transportation Demand Management (TDM).** Develop TDM Programs to address
-

General Plan Policy *NRE-15.10*. Examples include, but are not limited to, parking pricing strategies; parking maximums; mandated parking spaces for car-sharing programs; the provision of transit passes in residential, commercial and office developments; charging stations for electric vehicles; bicycle lockers or racks; teleworking policies; bicycling improvements; and more.

Biological Resources

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

MM BIO-1.1: Construction shall be scheduled to avoid the nesting season. 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. Performance of the required surveys for construction occurring between February 1st and August 31st will ensure that impacts to nesting raptors are reduced to less than significant. 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 issuance of a grading permit.

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

MM BIO-5.1: The trees which would be removed by the industrial portion of the project shall be removed and replaced in accordance with the requirements below.

- Compensation for tree removal required in order to complete the project will include:
 - Preservation and protection of Trees #124, 125 and Tree Group #128
 - Implementation of Special Treatments to be defined by the Project Arborist once grade stakes are placed
 - Trees shall be planted as a component of the planned landscape during the issuance of tree removal permits for the project. All replacement trees shall meet the requirements described below.
- Replacement tree nursery stock selected for dominant species shall be standard (single trunk).
- Trees planted should be well formed without co-dominant, poorly attached stems. Trees shall be disease free and absent of swirling or girdling roots.
- Qualified professionals adhering to the following guidelines shall plant the replacement trees:
 - Prepare the planting site by excavating three times the width and two inches less than the exact depth of the nursery container.
 - Prune any visible matted or circling roots to remove or straighten them. Cut the root ball vertically on opposite sides at least half the distance to the trunk.
 - Free roots from the root ball breaking away some of the soil to provide better contact between the root ball and the backfill soil.
 - Backfill with native soil.
 - After backfilling, a two- to four-inch layer of tree chip mulch should be applied to the soil

layer. Chips should not be applied within 12 inches of the trunk.

- Stakes for support should be driven on opposite sides of the root ball and driven into the soil. The tree can be secured to the stakes using “Arbortape” or by using the “ReadyStake” system.
- Supplemental irrigation will be provided to the new trees by means of a temporary “drip” emitter system for a period of two years. This system shall be designed, installed, and maintained by a qualified professional to maintain appropriate moisture levels.
- To ensure the survivability and proper growth of the replacement trees, success criteria will be defined to meet a 100 percent survival rate and implemented as follows.
 - A qualified professional will monitor the newly planted trees at one-month intervals for the first year of growth and every three months thereafter for an additional four-year period.
 - Tree health and growth rates will be assessed.
 - Trees suffering poor growth rates or declining health will be identified.
 - Invigoration treatments will be provided.
 - Dead trees or trees in an irreversible state of decline will be replaced
 - At the end of the five-year period the status of the new plantings will be assessed to make certain that success criteria have been met and all replacement trees planted are performing well.

MM BIO-5.2: The proposed future residential and industrial office (‘Not a Part’ parcel) developments shall implement the following measures at the time of a specific development proposal for these areas of the site:

- The approximately 2.31-acre ‘Not a Part’ parcel and the approximately 28-acre portion of the site proposed for future residential development
-

shall be surveyed for trees by a licensed arborist. Tree surveys shall identify the number of trees which meet the City's definition of Ordinance-sized trees and the number of trees required to be removed from the site due to construction or operation of the project. All removed trees shall be replaced in accordance with the City's Municipal Code 12.32 and the recommendations of the tree survey.

MM BIO-5.3: The following measures shall apply to trees designated for preservation within the proposed commercial/industrial area of the project.

- Tree Preservation Structures shall be constructed of the following materials as field specified by the Project Arborist.
 - Chain link, 72 inches in height secured to metal stakes driven at least 18 inches into the soil.
 - Temporary orange snow fencing attached to "T" posts driven into the ground
 - Silt fencing
 - Rice straw bales

Tree Preservation Structure locations are documented in the tree resource evaluation in Appendix B.

- Monitoring of the project will be the responsibility of the Project Arborist. The City's Community Development Director shall verify that the Project Arborist has been retained for perform monitoring of project construction activities prior to issuance of grading and building permits for the project. The Project Arborist will conduct site inspections at the following intervals:
 - Following on-site placement of grade stakes.
 - During tree removal operations.
 - During preconstruction root severance.
 - After Tree Preservation fencing locations have been staked.
 - Following Tree Protection fencing installation and prior to the commencement of grading.
-

-
- During all grading activities within Critical Root Zones.
 - As necessary during the grading activities to ensure compliance with all conditions of project approval.

MM BIO-5.4: The proposed future residential and industrial office ('Not a Part' parcel) developments shall implement the following measures at the time of a specific development proposal for these areas of the project site:

- If the tree survey performed in accordance with MM BIO-5.2 indicates it is appropriate to designate trees for protection based on the extent of site development and/or the trees identified on the site, the project shall adhere to the tree protection measures (if any) set forth in the tree survey.

Cultural Resources

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

MM CUL-2.1:

(a) The project applicant shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources including prehistoric Native American burials. Any archaeological site information supplied to the Contractor Foreman or authorized representative shall be considered confidential.

(b) The project applicant shall retain a Professional Archaeologist to develop an ALERT sheet outlining the potential for the discovery of unexpected archaeological resources and protocols to deal with a discovery. The Professional Archaeologist shall provide the Contractor's construction crew "toolbox" sensitivity training to present the ALERT sheet and protocols to supervisors, foreman, project managers, and non-supervisory contractor personnel. The Contractor is responsible for ensuring that all workers requiring training are in attendance.

(c) The project applicant shall retain a Professional Archaeologist on an “on-call” basis during ground-disturbing construction to review, identify and evaluate cultural resources that may be inadvertently exposed during construction. The Professional Archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under CEQA.

(d) If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, he/she shall notify the project proponent and other appropriate parties of the evaluation and recommend mitigation measures to mitigate to a less than significant impact in accordance with California Public Resources Code Section 15064.5. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery among other options. The completion of a formal *Archaeological Monitoring Plan (AMP)* and/or *Archaeological Treatment Plan (ATP)* that may include data recovery may be recommended by the Professional Archaeologist if significant archaeological deposits are exposed during ground disturbing construction. Development and implementation of the AMP and ATP and treatment of significant cultural resources will be determined by the project proponent in consultation with any regulatory agencies.

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

MM CUL-3: In the event of the unintentional discovery of undocumented human remains or significant historic or archaeological materials during construction, the following policies and procedures for treatment and disposition measures shall be implemented:

- If human remains are encountered, they shall be treated with dignity and respect as due to them. Information about such a discovery shall be held in confidence by all project personnel on a need
-

to know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.

- Remains shall not be held by human hands. Surgical gloves shall be worn if remains need to be handled.
 - Surgical mask shall also be worn to prevent exposure to pathogens that may be associated with the remains.
- In the event that known or suspected Native American remains are encountered, or significant historic or archaeological materials are discovered, ground-disturbing activities shall be immediately stopped. Ground-disturbing project activities may continue in other areas that are outside the discovery location.
 - An “exclusion zone” where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the Contractor Foreman or authorized representative, or party who made the discovery, or if on-site at the time of discovery, by the Monitoring Archaeologist (typically 25 to 50 foot buffer for a single burial or archaeological find).
 - The discovery location shall be secured as directed by the City if considered prudent to avoid further disturbances.
 - The Contractor Foreman or authorized representative, or party who made the discovery shall be responsible for immediately contacting by telephone the parties listed below to report the find and initiate the consultation process for treatment and disposition:
 - The City of Morgan Hill Development Services Director
 - The Contractor's Point(s) of Contact
 - The Coroner of the County of Santa Clara (if human remains found)
-

-
- The Native American Heritage Commission (NAHC) in Sacramento
 - The Amah Mutsun Tribal Band
- The Coroner will have two working days to examine the human remains after being notified of the discovery. If the remains are Native American, the Coroner has 24 hours to notify the NAHC. The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) from the Amah Mutsun Tribal Band. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
 - Within 24 hours of their notification by the NAHC, the MLD will be granted permission to inspect the discovery site if they so choose.
 - Within 24 hours of their notification by the NAHC, the MLD may recommend to the City's Community Development Director the recommended means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses or DNA analyses recommended by the Amah Mutsun Tribal Band may be considered and carried out.
 - If the MLD recommendation is rejected by the City of Morgan Hill, the parties will attempt to mediate the disagreement with the NAHC. If mediation fails, then the remains and all associated grave offerings shall be reburied with appropriate dignity on the property in a location not subject to further subsurface disturbance.
-

Greenhouse Gas Emissions

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

MM GHG-1: Develop a GHG reduction plan to reduce GHG emissions in the build-out year by 4,499 MT CO_{2e}/year. The following GHG reduction measures should be considered to further reduce GHG emissions from operation of the project and the service population efficiency metric such that the metric would be below the significance threshold. Elements of this reduction plan may include, but would not be limited to, the following:

1. Implementation of mitigation measure MM AIR-2.3 which includes the development and implementation of a transportation demand management (TDM) program to reduce mobile GHG emissions.
2. 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.
3. Provide infrastructure for electric vehicle charging in for industrial and commercial parking areas and in residential units (i.e., provide 220 VAC power).
4. Increase water conservation above State average conditions for residential uses by installing low flow water utilities and irrigation.
5. Purchase verifiable carbon emission offsets.

Hazards and Hazardous Materials

Impact HAZ-2: The project, with incorporated of identified mitigation, would not create a significant hazard to the public or the environment through reasonably foreseeable upset and

MM HAZ-2.1: Prior to the issuance of grading permits, the analytical results of prior soil samples shall be compared against the most recent (2019) RWQCB screening levels by a certified environmental professional to determine if

accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact with Mitigation Incorporated)**

contaminants from previous agricultural operations occur at concentrations above established construction worker safety and environmental screening levels. The result of the analysis shall be provided to the Principal Planner of the City of Morgan Hill Development Services Department for review.

MM HAZ-2.2: If contaminated soils are determined to be present in concentrations above established regulatory environmental screening levels, the project applicant(s) responsible for the area of the site found to be contaminated shall enter into the Santa Clara County Department of Environmental Health's (SCCDEH) Voluntary Cleanup Program (VCP), or equivalent, to formalize regulatory oversight of the mitigation of contaminated soil to ensure the site is safe for construction workers and the public after development. The project applicant responsible for the contaminated area of the site must remove contaminated soil to levels acceptable to the SCCDEH (or equivalent oversight agency). The SCCDEH (or equivalent oversight agency) may also approve leaving in-place some of the contaminated soil if the contaminated soil will be buried under hardscape and/or several feet of clean soil and not at risk of being encountered by future site users.

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

MM HAZ-2.3: The project applicant shall prepare a Site Management Plan (SMP) prior to issuance of any grading permits to reduce or eliminate exposure risk to human health and the environment,

specifically, potential risks associated with the presence of organochlorine pesticides and pesticide-based metals. The SMP shall include, but is not limited to, the following elements to mitigate potential risks associated with environmental conditions:

- Procedures for transporting and disposing the waste material generated during removal activities, if such transport and disposal is necessary
- Procedures for stockpiling soil on-site if such stockpiling is necessary
- Provisions for collecting soil samples to prior to grading activities
- Provisions for confirmation soil sampling as appropriate to obtain a “No Further Action” letter (or equivalent) from the state and/or local agency assuming oversight for the site
- Procedures to ensure that fill and cap materials are verified as clean truck routes
- Staging and loading procedures and record keeping requirements

The SMP shall reference the Storm Water Pollution Prevention Plan (SWPPP) required for the project in accordance with the Construction General Permit Order issued by the California State Water Resources Control Board. The SMP shall be submitted to the Santa Clara County Department of Environmental Health (SCCDEH), or equivalent regulatory agency, for review and approval. Copies of the approved SMP shall be provided to the City’s Development Services Department prior to issuance of any grading permits.

MM HAZ-2.4: All contractors and subcontractors at the project site shall develop a health and safety plan (HSP) specific to their scope of work and based upon the known environmental conditions for the site. Each Health and Safety plan shall be implemented under the direction of a Site Safety and Health

Officer. The Health and Safety Plan shall include, but not limited to, the following elements, as applicable:

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

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

MM HAZ-2.5: In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site building(s) to determine the presence of ACMs and/or lead-based paint.

During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Title 8, California Code of Regulations (CCR), Section 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the type of lead being disposed.

All potentially friable asbestos containing materials (ACMs) shall be removed in accordance with National Emission Standards for Air Pollution

(NESHAP) guidelines prior to demolition or renovation activities that may disturb ACMs. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8, CCR, Section 1529, to protect workers from asbestos exposure.

A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.

Materials containing more than one-percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one-percent asbestos shall be completed in accordance with BAAQMD requirements and notifications.

Based on Cal/OSHA rules and regulations, the following conditions are required to limit impacts to construction workers.

Prior to commencement of demolition activities, a building survey, including sampling and testing, shall be completed to identify and quantify building materials containing lead-based paint.

During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR, Section 1532.1, including employee training, employee air monitoring and dust control.

Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the type of waste being disposed.

MM HAZ-2.6: In accordance with BAAQMD regulations, an Asbestos Dust Mitigation Plan (ADMP) will be prepared for BAAQMD review and approved prior to initiating the grading activities. The ADMP will include an air monitoring plan to be implemented when handling the stockpiled serpentine rock material. The project's construction plans specify the onsite burial of this material for encapsulation beneath permanent site improvements or at depths not to be encountered by future construction activities. The final deposition of the serpentine rock material will be documented and recorded with BAAQMD. Specially trained and state-certified workers will perform and monitor all construction activities involving this material.

Noise

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

MM NOI-1.1: The individual buildings included in the proposed project shall be reviewed once design details are available to ensure that ambient noise environment at noise-sensitive receptors on- and off-site would not be exceeded by mechanical equipment noise. Design planning should take into account the ambient noise environment when selecting equipment for the proposed buildings and utilize site planning to locate equipment in less noise-sensitive areas. Other noise controls could include, but shall not be limited to, fan silencers, enclosures, screen walls, and interior wall treatments. A qualified acoustical consultant shall be retained to review mechanical equipment systems during final design of the proposed project. The consultant shall review selected equipment and determine specific noise reduction measures necessary to reduce noise to comply with the City's noise level requirements.

MM NOI-1.2: Truck entrance driveways along DePaul Drive would potentially result in a future noise level exceedance over the City's 60 dBA L_{dn} threshold by seven dBA at future on-site residences. Trucks shall be rerouted along the western side of the industrial buildings, adjacent to US 101, to avoid increased heavy truck pass-by noise along the future

DePaul Drive extension. Implementing this western access roadway for truck deliveries would reduce the impact to future on-site residences to a less than significant level.

MM NOI-1.3: If a western access driveway is not feasible, pursuant to MM NOI-1.2, an alternative to reduce exterior noise levels at future on-site residences is to construct a sound wall or a specially-designed barrier (along the eastern side of DePaul Drive) capable of reducing noise levels by up to seven dBA. The sound wall or specially-designed barrier would need to break the line-of-sight from the outdoor use areas to the heavy truck noise sources. An eight-foot sound wall or specially-designed fence would be required. The sound wall shall be solid and continuous from grade to top, with no cracks or gaps. This barrier shall consist of a minimum surface density of three pounds per square feet (e.g., one-inch thick marine-grade plywood, one half-inch laminated glass, or concrete masonry units (CMU)).

MM NOI-1.4: Another alternative to the western access roadway would be to increase the setback of the residential property lines, a combination of increased setbacks and sound walls, etc. The final recommendations shall be confirmed when detailed site plans for the residential and industrial/warehouse developments are available.

Transportation

Impact TRN-1: The project would conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities.
(Significant and Unavoidable Impact)

MM TRN-1.1: The project applicant shall add an exclusive northbound left-turn lane and a separate eastbound right-turn lane at the intersection of Cochrane Road and DePaul Drive. The addition of the northbound left-turn lane will require a signal modification (with split-phasing on the north and south approaches) and widening of the south approach (DePaul Drive) of the intersection by removing and reconstructing the curb and gutter along the project's frontage. The eastbound right-turn lane will require striping of the lane to the right of

the existing bicycle lane along Cochrane Road. Implementation of this improvement would improve the intersection's level of service to LOS C during the PM peak hour under existing plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM TRN-1.2: The project applicant shall add a second northbound left-turn lane on Mission View Drive and a cycle length adjustment at the Cochrane Road and Mission View Drive intersection. The addition of the second northbound left-turn lane will require lane striping and signal modification but will fit within the existing curb-to-curb pavement width on Mission View Drive. Implementation of this improvement would improve the intersection's level of service to LOS B during the AM peak hour under existing plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM TRN-1.3: The project applicant shall install a traffic signal at the Mission View Drive and Half Road intersection. Implementation of a traffic signal at this intersection would improve the level of service to LOS B during both peak hours under existing plus project conditions.

The eastern portion of Mission View Drive and Half Road intersection is located in the unincorporated area of Santa Clara County and is outside of the City's jurisdiction. Therefore, implementation of the above improvements will require County approval. Given this intersection is not within the City's jurisdiction and there is no current agreement with the County to implement the above mitigation, the timing of implementation of these improvements is outside of the City's control. Therefore, it is not guaranteed that these improvements would be implemented. As a result, the impact to this intersection would be significant and unavoidable under existing plus project conditions. **(Significant and Unavoidable Impact)**

**Impacts to Freeway Segments
(Significant and Unavoidable)**

The addition of project traffic would result in a significant and unavoidable impact to 10 freeway segments under existing plus project conditions. The project would require freeway widening to construct additional through lanes, thereby increasing freeway capacity. Since it is not feasible for an individual development to bear responsibility for implementing such extensive transportation system improvements due to constraints in acquisition and cost of right-of-way, and no comprehensive project to add through lanes has been developed by Caltrans or VTA for individual projects to contribute to, the project would result in a significant and unavoidable deficiencies at these freeway segments.

Impact TRN-C: The project, with identified improvements, would not result in a cumulatively considerable contribution to a significant transportation impact. **(Significant and Unavoidable Impact)**

MM TRN-C-1.1: *Cochrane Road and DePaul Drive.* The project applicant shall implement MM TRN-1.1 (an exclusive northbound left-turn lane and a separate eastbound right-turn lane at the intersection of DePaul Drive and Cochrane Road) which would improve this intersection's level of service to LOS D during the PM peak hour under Year 2030 cumulative plus industrial/commercial project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM TRN-C-1.2: *Cochrane Road and Mission View Drive.* The project applicant shall implement mitigation measure MM TRN-1.2 (a second northbound left-turn lane on Mission View Drive and a cycle length adjustment at the Mission View Drive and Cochrane Road intersection). This would improve the intersection's level of service to LOS D during both peak hours under Year 2030 cumulative plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM TRN-C-1.3: *Mission View Drive and Avenida De Los Padres.* Implementation of a traffic signal at this intersection would improve the level of service to LOS B during the AM peak hour under Year 2030 cumulative plus project conditions. The project applicant shall make a fair share contribution toward this improvement. **(Less Than Significant Impact with Mitigation Incorporated)**

MM TRN-C-1.4: *Mission View Drive and Half Road.* The project applicant shall install a signal at this intersection as required by mitigation measure MM TRN-1.3 under existing plus project conditions. Implementation of a traffic signal at this location would improve the level of service to LOS D during both peak hours under Year 2030 cumulative with the industrial/commercial components of the project.

The eastern portion of Mission View Drive and Half Road intersection is located in the unincorporated area of Santa Clara County and is outside of the City's jurisdiction. Therefore, implementation of the above improvements will require County approval. Given this intersection is not within the City's jurisdiction and there is no current agreement with the County to implement the above mitigation, the timing of implementation of these improvements is outside of the City's control. Therefore, it is not guaranteed that these improvements would be implemented by 2030. As a result, the cumulative impact to this intersection would be significant and unavoidable under Year 2030 cumulative plus project conditions. **(Significant and Unavoidable Impact)**

MM TRN-C-1.5: *Main Avenue and Condit Road.* The project applicant shall make a fair share contribution toward the addition of an exclusive southbound right-turn lane on Condit Road and an exclusive eastbound right-turn lane on Main Avenue. The addition of the right-turn lanes will require signal modifications and lane striping on the southbound and eastbound approaches. Implementation of this improvement would improve the intersection's level of service to LOS D during both peak hours under Year 2030 cumulative plus project conditions.

The Main Avenue and Condit Road intersection is under the jurisdiction of Santa Clara County. Therefore, implementation of the recommended improvements will require County approval. Given this intersection is not within the City's jurisdiction

and there is no current agreement with the County to implement the above improvements, the timing of implementation of these improvements is outside of the City's control. Therefore, it is not guaranteed that these improvements would be implemented by 2030. As a result, the cumulative impact to this intersection would be significant and unavoidable under Year 2030 cumulative plus project conditions.
(Significant and Unavoidable Impact)

MM TRN-C-1.6: *Condit Road and Diana Avenue.* The project applicant shall make a fair share contribution toward the implementation of a traffic signal at the Condit Road and Diana Avenue intersection. This would improve the intersection's level of service to LOS B during the AM peak hour under Year 2030 cumulative plus project conditions.
(Less Than Significant Impact with Mitigation Incorporated)

MM TRN-C-1.7: *Tennant Avenue and Condit Road.* The project applicant shall make a fair share contribution toward the implementation of a traffic signal at this intersection. The traffic signal would improve the intersection's level of service to LOS C during the PM peak hour under Year 2030 cumulative plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM TRN-C-1.8: *Tennant Avenue and Murphy Avenue.* The project applicant shall make a fair share contribution toward the implementation of a traffic signal at this intersection. The traffic signal would improve the intersection's level of service to LOS C during both peak hours under Year 2030 cumulative plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM C-TRN-2.1: *Cochrane Road and DePaul Drive.* The project applicant shall implement mitigation measure MM TRN-1.1 (an exclusive northbound left-turn lane and a separate eastbound right-turn lane at the intersection of DePaul Drive

and Cochrane Road). This would improve this intersection's level of service to LOS C during the PM peak hour under Year 2035 General Plan plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM C-TRN-2.2: *Half Road and DePaul Drive.* A full access intersection will be provided at the Half Road and De Paul Drive intersection under Year 2035 General Plan with project conditions (as a General Plan roadway improvement). Turn movements at the De Paul Drive and Half Road intersection shall be restricted to right-turns only. The turn restriction will restrict the use of De Paul Drive and Condit Road as cut-through routes. Implementation of the turn restrictions at the De Paul Drive and Half Road intersection along with a traffic signal at Mission View Drive and Half Road (planned improvement) would result in LOS B conditions during the PM peak hour at the Half Road and DePaul Drive intersection under Year 2035 General Plan with the project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM C-TRN-2.3: *Main Avenue and Condit Road.* The project applicant shall make a fair share contribution toward the addition of an exclusive southbound right-turn lane on Condit Road. Implementation of this improvement would improve the intersection's level of service to LOS D during the PM peak hour under Year 2035 General Plan plus project conditions. This intersection is under the jurisdiction of Santa Clara County. Therefore, implementation of the recommended improvements will require County approval.

The Main Avenue and Condit Road intersection is under the jurisdiction of Santa Clara County. Therefore, implementation of the recommended improvements will require County approval. Given this intersection is not within the City's jurisdiction and there is no current agreement with the County to implement the above improvements, the timing of

implementation of these improvements is outside of the City's control. Therefore, it is not guaranteed that these improvements would be implemented by 2035. As a result, the cumulative impact to this intersection would be significant and unavoidable under Year 2035 General Plan plus project conditions.

(Significant and Unavoidable Impact)

MM C-TRN-2.4: *Main Avenue and Murphy Avenue.* The signalization of this intersection will be completed concurrently with the planned extension of Murphy Avenue from Diana Avenue to Half Road . The project applicant shall make a fair share toward the installation of a traffic signal at the Main Avenue and Murphy Avenue intersection. With implementation of a traffic signal at this Main Avenue and Murphy Avenue intersection, the level of service would improve to LOS D and C during the AM and PM peak hours, respectively, under Year 2035 General Plan with the project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM C-TRN-2.5: *Tennant Avenue and Condit Road.* The project applicant shall make a fair share contribution toward the implementation of a traffic signal at this intersection. With implementation of this improvement, this intersection would operate at LOS B conditions during the PM peak hour under Year 2035 General Plan plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

MM C-TRN-2.6: *Tennant Avenue and Murphy Avenue.* The project applicant shall make a fair share contribution toward the implementation of a traffic signal at this intersection. With implementation of this improvement, the level of service would improve to LOS D during both peak hours under Year 2035 General Plan plus project conditions. **(Less Than Significant Impact with Mitigation Incorporated)**

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

There are public concerns regarding the size of the proposed project and the amount of daily traffic it would generate.

Provide a list of the responsible or trustee agencies for the project.

N/A