

## **Appendix A: Draft EIR Comment Letters**

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# County of Santa Clara

Roads and Airports Department

101 Skyport Drive  
San Jose, CA 95110-1302  
(408) 573-2460 FAX 441-0276



**December 22, 2022**

**Gina Paolini,**  
Development Services,  
17575 Peak Avenue,  
Morgan Hill, CA 95037  
[gina.paolini@morganhill.ca.gov](mailto:gina.paolini@morganhill.ca.gov)

**SUBJECT: Public Notice of Availability of an Environmental Impact Report for Half-Dividend (Crosswinds) Residential Development**

The County of Santa Clara Roads and Airports Department (The County) appreciates the opportunity to review the Public Notice of Availability of an Environmental Impact Report for Half-Dividend (Crosswinds) Residential Development. We submit the following comments:

- We recommend that the City take over/annex the full road maintenance and improvement along the site's Half Road frontage up to Mission View Dr.
- We would like to know who will maintain the new signalized intersection of Mission View Dr and Half Rd. if approved. County maintains both approaches of Half Rd but not Mission View Dr.
- Provide pedestrian connection between the cul-de-sac at DePaul Dr and Half Rd.
- *8. Mission View Drive and Half Road*

*The Mission View Drive and Half Road intersection is projected to operate at an unacceptable LOS F during both the AM and PM peak hours under Year 2030 Cumulative without and with project conditions. Additionally, based on the peak hour traffic signal warrant checks, this intersection would have traffic volumes that meet thresholds that warrant signalization during both the AM and PM peak hours under Year 2030 Cumulative without and with project conditions. This constitutes an adverse effect on intersection operations based on the City's level of service standards.*

- The County's Condition of Approval: The project applicant shall pay a fair share contribution toward installing a signal at the Mission View Drive and Half Road intersection.

Thank you again for your continued outreach and coordination with the County. If you have any questions or concerns about these comments, please feel free to contact me at [ben.aghegnehu@rda.sccgov.org](mailto:ben.aghegnehu@rda.sccgov.org)

Thank you,



January 3, 2022

City of Morgan Hill  
Development Services  
17575 Peak Avenue, Morgan Hill, CA 95037  
(Sent via email 01/04/22) gina.paolini@morganhill.ca.gov

Re: Draft Environmental Impact Report (DEIR) Comments for Half-Dividend (Crosswinds) Project

Dear Gina,

Thank you for the opportunity to review this project. VTA has the following comments on the Draft Environmental Impact Report for the Half-Dividend Crosswinds project.

### **Vehicle Miles Traveled Impact and Mitigation Measures**

The DEIR notes that the proposed project would have a Significant and Unavoidable impact in the area of Vehicle Miles Traveled (VMT) during project operations, Impact TRN-2.2. The DEIR and Transportation Impact Analysis (TIA) report indicate that “The project applicant would need to implement VMT reduction measures to achieve a 24 percent reduction (27.41 to 20.94) in its VMT per capita for the proposed residential project to reduce the project’s VMT impact to less than significant (under Options 1 and 2). However, the available feasible mitigation measures are not capable of such reduction” (DEIR p. 193).

In light of the fact that this project will have a Significant and Unavoidable VMT impact, VTA recommends that the City work with the project applicant to provide further measures to incrementally reduce project VMT. In addition to those measures included in Mitigation Measure TRN-2.2, VTA recommends the following:

- The subsidized transit pass program included in Mitigation Measure TRN-2.2 should include a monitoring and verification mechanism to ensure that the passes are being provided over time. For instance, the City can require that the project management entity / Homeowners Association submit a receipt annually showing that the required transit passes have been purchased, and documentation showing that the passes have been distributed to residents.
- The project should provide a mid-block pedestrian crossing to connect between the new sidewalk along the project’s Mission View Drive frontage and the existing sidewalk on the east side of Mission View Drive. Consideration should be given to providing bulb-outs and a pedestrian signal or warning device to improve safety for pedestrians crossing Mission View Drive to access VTA bus services and other destinations north of the side along Cochrane Road.

- While VTA understands that there will be no general vehicle (non-emergency vehicle) access between the DePaul Drive extension and Half Road, the project should provide a connection for pedestrians and cyclists at the end of the proposed DePaul Drive cul-de-sac, to improve connectivity to the points south including Live Oak High School and the Madrone Channel Trail.

## **Bus Stop Improvements**

VTA previously submitted these comments, however the site plan was not updated to reflect any recommendations. These recommendations help support further reducing solo vehicle trips. VTA Route 87 serves the frontage of the project on Mission View Drive. The stop spacing in-between the two nearest stops of the development is 3,400 feet and does not have close enough pedestrian facilities nearby to access the nearest stops. A new southbound bus stop should be installed after the main entrance on Mission View Drive. A bus stop in the northbound direction is also recommended on the condition that there will be a signalized crosswalk for the new development. The preferred location for the new bus stop is past the main entrance on Mission View Drive. VTA would like to determine the location when off-site plans are drafted (see attachment). VTA also recommends to:

- Install street lighting at the bus stop
- Place trees and landscaping outside of the bus stop area C
- Install a new passenger pad 8'x40' minimum per VTA Standards

Thank you for the opportunity to review this project, If you have any questions, please contact me at 408-550-4559.

Sincerely,



Brent Pearce  
Transportation Planner



File: 31916  
Various

January 3, 2023

Gina Paolini  
City of Morgan Hill Development Services  
17575 Peak Avenue  
Morgan Hill, CA 95037  
[gina.paolini@morganhill.ca.gov](mailto:gina.paolini@morganhill.ca.gov)

**Subject: Half-Dividend (Crosswinds) Residential Development Draft EIR Comments**

Dear Gina:

The Santa Clara Valley Water District (Valley Water) has reviewed the draft Environmental Impact Report (EIR), dated November 2022, for the proposed Crosswinds residential development on Half Road (Project). The following comments are based on Valley Water's review of the draft EIR:

1. **Section 4.9.2.1 – Project Impacts, Water Well and Septic System (Page 126):** Valley Water agrees with the DEIR evaluation that the one abandoned well located during the on-site reconnaissance should be properly destroyed in accordance with Valley Water Ordinance 90-1. Based on Valley Water well records, there is one active water supply well (09S03E16J005) with a well log located on APN 728-30-004. However, due to the long agricultural history of the Santa Clara and Llagas subbasins and subsequent land development, there are likely many abandoned or unregistered wells in the subbasins. While some of these wells may have been sealed prior to well permitting requirements, many have open casings and may be discovered during construction of the Project. If other abandoned or unregistered wells or well-like structures are discovered or encountered during Project construction, Valley Water's Wells Hotline should be immediately contacted to assist in the identification of these wells or structures and help determine the appropriate means of addressing them, such as proper destruction by a C-57 licensed driller with related work permit and inspection by Valley Water Wells Unit. Therefore, Valley Water also agrees with MM HAZ-2.7 listed in Table 1.2-1, which states "If the wells are identified, or subsequently encountered during earthwork activities, the wells shall be properly destroyed in accordance with Valley Water Ordinance 90-1."
2. **Section 4.10.1.1 – Hydrology and Water Quality, Existing Conditions, Groundwater (Page 133):** Previously on page 126, the DEIR stated there was only one water well identified during the on-site reconnaissance. However, this section of text on page 133 explains "there are two existing wells on the property associated with agricultural activities that have been occurring on the property for decades. With the cessation of agricultural activities, the wells are no longer in regular use." If there are two wells on the property, please fix the text on 126 for consistency to include the correct number of wells and provide details that both abandoned wells will be destroyed.
3. **Section 4.10.1.1 – Hydrology and Water Quality, Existing Conditions, Groundwater Section and Post-Construction Water Quality Section (Pages 133 and 136):** The DEIR states "The site does not contain aquifer recharge facilities, such as streams or ponds." While this statement is true, the stormwater runoff options 1 and 2 of the post-construction water quality (page 136) both mention Madrone Channel, which is a Valley Water managed aquifer recharge facility. Option 1 states "discharge into the public storm drain system to Madrone Channel" and option 2 states "no discharge to Madrone Channel". Valley Water recommends adding text to either page 133 or 136 explaining that Madrone Channel is used by Valley Water for managed aquifer recharge that supports groundwater sustainability in the Llagas Subbasin. Additional details about the managed recharge in Madrone Channel can be found in Valley Water's 2021



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Groundwater Management Plan, Appendix I (<https://www.valleywater.org/your-water/where-your-water-comes/groundwater/sustainable>). Since Option 1 could discharge stormwater directly into Madrone Channel and Madrone Channel is a managed recharge facility, Valley Water recommends adding text to explain if Option 1 would have any impact on the quality of stormwater flowing into Madrone Channel and thus the quality of recharge to the aquifer.

4. **Section 4.10.2.1 – Hydrology and Water Quality, Project Impacts, Impact HYD-2 (Page 136):** The EIR correctly states that the Project site is not in a groundwater recharge facility. Although the site is not part a part of, or adjacent to, a formally managed recharge facility, the project is in an area of the county that supports natural groundwater recharge (see the *2021 Groundwater Management Plan for the Santa Clara and Llagas Subbasin*). Natural groundwater recharge is an important element of the county's overall water supply, representing approximately 15% of the supply available. The cumulative effect of development throughout the county over the last 50 years has substantially reduced natural groundwater recharge as naturally pervious surfaces have been developed with impervious surface. Natural groundwater recharge is especially important in the Coyote Valley sub-area of the Santa Clara Subbasin, which relies exclusively on natural recharge and managed in-stream recharge in Coyote Creek to maintain groundwater levels. To avoid the potential cumulative impact to natural groundwater recharge from new impervious surface, the proposed bioretention basins and other elements of the stormwater management plan should be designed to maintain as much natural groundwater recharge that is currently provided by the property.
5. **Section 4.10.2.1 – Hydrology and Water Quality, Project Impacts, Post- Construction Water Quality (Page 136):** The bottom of the page states "The existing well on the 33-acre property would be properly removed under permit from Valley Water, as required per the District Well Ordinance". If there are two wells on the property (as stated on page 133), the text on page 136 should be updated to reflect both wells.
6. **Section 4.10.2.2 – Hydrology and Water Quality, Project Impacts, Impact HYD-3 (Page 137):** While the project site is not a managed aquifer recharge facility, as correctly stated on page 136, the 33 acres of pervious surfaces currently allow for natural recharge. Both natural recharge and managed recharge support sustainable groundwater conditions in the Santa Clara and Llagas Subbasins. Page 137 explains that the 33 acres of "nearly entirely pervious" surfaces will be converted by the proposed development to about 75% impervious and 25% pervious surfaces. Valley Water recommends additional text is provided in the EIR to explain if, and how the reduction in pervious surfaces will affect natural recharge to the aquifer. Given the differences in the stormwater management plans for Option 1 versus Option 2, please also add text explaining if one of the options is preferable in terms of maintaining current natural recharge at the site.
7. **Section 4.10.2.2 – Hydrology and Water Quality, Project Impacts, Impact HYD-3 (Page 137):** The EIR states that the project would not "substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site" and "create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage system..." The basis of this determination should be supported by a detailed analysis which compares pre- versus post-development conditions and provides justification for the design of the proposed retention basins. Furthermore, the EIR proposes two options to manage stormwater runoff. According to Section 3.2.4 of the EIR – 'Storm Drainage Improvements,' Option 1 would be designed to detain runoff from the 25-year, 24-hour storm event, and "Excess runoff from the site would drain to the Santa Clara Valley Water District's (Valley Water's) Madrone Channel (Page 19)." The EIR should include a more detailed discussion of the potential impacts from Project Option 1 and determine the anticipated runoff (both volume and rate) if Option 1 is subjected to the 100-year, 24-hour storm event. The City has been working with Akel Engineering on a hydrology report detailing the Madrone Channel drainage basin and the allowable runoff contributions into Madrone Channel. Moreover, this study concluded that all developments north of Half Road should be restricted to a total of flow rate of 120 CFS; this equates to 0.42 CFS/acre. If Option 1 is the chosen alternative, the EIR should acknowledge this restriction and design the mitigation measures accordingly.

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**8. Section 4.10.2.2 – Hydrology and Water Quality, Cumulative Impacts, Impact HYD-C (Page 138):**

The text state that “the project would not impact groundwater recharge and would not conflict with the SCVWD’s 2016 Groundwater Management Plan.” Valley Water recommends updating this text to reflect

Valley Water’s 2021 Groundwater Management Plan. Valley Water also recommends revising this text as needed in response to Valley Water’s previous comments about natural recharge and stormwater into Madrone Channel (recharge facility).

**9. Section 4.10.2.2 – Hydrology and Water Quality, Cumulative Impacts, Impact HYD-C (Page 138):**

The EIR states that the proposed development, from a cumulative standpoint, would not have a significant impact to the existing hydrology. A hydrologic analysis of the Madrone Channel drainage basin should be included with the EIR to support this finding. The analysis should assess the anticipated runoff (volume and rate) generated under post-development conditions, and account for contributions from other planned developments within the Madrone Channel drainage basin. Moreover, the analysis should demonstrate that Madrone Channel has adequate capacity (including freeboard) to receive and convey the cumulative runoff without inducing flooding downstream of the development. As noted, in Comment #3, the EIR should acknowledge the allotted runoff quantity for all developments north of Half Road, as determined in the study by Akel Engineering, which is roughly 120 CFS, or 0.4 CFS/acre. Moreover, the mitigation measure proposed under Option 1 should consider this restriction when determining the runoff generated cumulatively with other proposed developments in the Madrone Channel drainage basin.

**10. Section 4.19.1.2 – Utilities and Service Systems, Project Impacts, Existing Conditions, Water Service (Page 214):**

The DEIR states on page 214 “One or two private wells supply water to the residence and tree nursery.” Please ensure this sentence and all the previously mentioned sentences about the number of existing wells on this property are consistent. Some statements say one well and others say two wells.

**11. Section 4.19.1.2 – Utilities and Service Systems, Project Impacts, Existing Conditions, Water Service (Page 214):**

The DEIR states that current groundwater use on-site is 18.54 acre-feet per year (AFY). However, based on Valley Water well production records, there is only one well (09S03E16J005) on the Project APNs with a reported production history that is typically <1 AFY. Given that information, the estimated groundwater use of 18.54 AFY greatly over-estimates actual reported groundwater use. In turn, this greatly over-estimates the statement on page 219 about increased groundwater demands “...the project would result in a net increase in groundwater demands of about 23.77 AFY.” If actual groundwater use was closer to 1 AFY, then the net increase in groundwater demands due to the Project would be closer to the gross water demands of about 42 AFY. Valley Water recommends reevaluating the water supply assessment regarding actual, historical groundwater use on-site.

**12. Section 4.19.1.2 – Utilities and Service Systems, Project Impacts, Existing Conditions, Storm Drainage (Page 215):**

The DEIR correctly states “The Madrone Channel (managed by Valley Water) is located approximately 1,000 feet west of the site. The Madrone Channel carries stormwater runoff from the area and also functions as a groundwater recharge basin.” Please use this or similar text to address our comment on page 133 about Madrone Channel.

**13. Section 4.19.2.1 – Utilities and Service Systems, Project Impacts, Text Related to Table 4.19-2 (Page 219):**

The DEIR states “As shown in Table 4.19-2, the proposed project would result in a gross water demand of 42.31 acre-feet per year (AFY)...”. However, the table 4.19-2 states that 42.31 AFY is an average between Water Demand based on WSMP net area and the Water Demand based on units of building area. Therefore, Valley Water recommends adding the word “average” to the sentence to more accurately reflect the information presented in the table: “As shown in Table 4.19-2, the proposed project would result in an average gross water demand of 42.31 acre-feet per year (AFY)...”

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**14. Section 4.19.2.1 – Utilities and Service Systems, Project Impacts, UTL-2, Water Supply Reliability (Page 220):** The analysis of water supply concludes that the project is consistent with the City's 2016 (and presumably 2020) Urban Water Management Plan (UWMP). The UWMPs for Morgan Hill and for Valley Water both assume substantial increases in water conservation to manage future water demands. To meet water conservation targets assumed in the UWMPs, Valley Water suggest that all available water conservation measures be required of the project, including requiring all multi-family residential units to install a submeter to encourage efficient water use. Studies have shown that adding submeters can reduce water use 15 to 30 percent.

**15. Section 4.19.2.1 – Utilities and Service Systems, Project Impacts, UTL-2 (Page 220):** The DEIR correctly states, "The City's sole source of water supply, groundwater from the Llagas and Santa Clara subbasins, is a shared resource managed by Valley Water through the Sustainable Groundwater Management Act (SGMA) process" and references the 2018 SGMA Water Year regarding a balanced long-term groundwater budget.

Since the 2018 water year report is about five years old, Valley Water recommends adding the following text to this paragraph to provide the most current information on Valley Water's groundwater management under SGMA:

"Valley Water's 2016 Groundwater Management Plan (GWMP) for the Santa Clara and Llagas Subbasins describes groundwater sustainability goals, and the strategies, programs, and activities that support such goals. In 2019, the Department of Water Resources (DWR) approved the 2016 GWMP for both basins, determining it satisfies the objectives of SGMA. In 2021, Valley Water submitted to DWR the first required periodic update of the GWMP that describes updated groundwater management outcome measures, programs, and activities."

The 2021 GWMP is publicly available here on this webpage: <https://www.valleywater.org/your-water/where-your-water-comes/groundwater/sustainable> The 2021 GWMP should also be referenced in the discussion on Impact HYD-5 on page 138.

**16. General:** The proposed sanitary sewer modifications along Half Road will require an encroachment permit for any modifications that will cross, or take place over the pipeline, and/or impact any appurtenances for the pipeline. It should be noted that Valley Water is a Responsible Agency under CEQA due its discretionary approval authority over Half Road pipeline and its appurtenances.

If you have any further questions regarding Valley Water's comments, you may contact me at (408) 630-3066 or email me at [bhwang@valleywater.org](mailto:bhwang@valleywater.org).

Thank you,

DocuSigned by:



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**Benjamin Hwang, P.E.**

Associate Engineer - Civil

Community Projects Review Unit

Cc: Y. Arroyo, B. Hwang, R. Saleh, U. Chatwani, T. Ripp, M. Richert, M. Martin, V. De La Piedra, G. Cook, J. Gurdak, V. Garcia, L. Xu, J. Xu, File



## **Half-Dividend (Crosswinds) Residential Development Draft EIR Comments**

From: Joe Baranowski,

Date: January 3, 2022

The DEIR correctly emphasizes that project impacts must be considered on a cumulative basis.

(pg. 25) The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence (CEQA Guidelines Section 15130(b)). To accomplish these two objectives, the analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document (CEQA Guidelines Section 15130(b)(1)). This EIR uses the list of projects approach.

The analysis must determine whether the project's contribution to any cumulatively significant impact is cumulatively considerable, as defined by CEQA Guideline Section 15065(a)(3). The cumulative impacts discussion for each environmental issue accordingly addresses the following issues: 1) would the effects of all of past, present, and probable future (pending) development result in a significant cumulative impact on the resource in question; and, if that cumulative impact is likely to be significant, 2) would the contribution from the proposed project to that significant cumulative impact be cumulatively considerable?

### **Comment 1: Cumulative Toxic Air Contaminants are underestimated because 'cumulative' pending projects are not accounted for at all or are incorrectly modeled.**

Page 65 of the DEIR, Table 4.3-10 shows that effects of TAC Sources (e.g., cancer risk) to Project Site Receptors is based on Average Daily Trips on Mission View Drive of 14,020.

Appendix B of the DEIR states that: *The average daily traffic (ADT) for Mission View Drive were based on AM and PM peak-hour cumulative plus project traffic volumes for the nearby roadways provided by the project's traffic consultant. The calculated ADT on Mission View Drive was 14,020 vehicles.*

The only reference to the assumed Mission View Drive ADT value was "Correspondence with Maria Kisyova, Assistant Project Manager, David J. Powers & Associates, Inc., November 10, 2020, *Hexagon - The Crosswinds Trip Gen and Volumes 11-10-20.*"

However, the DEIR states that:

*The only other known TAC source within 1,000 feet that would affect residents of the proposed project are operational truck trips that would be associated with the approved Redwood Tech project immediately west of the site. At this time, the number of operational truck trips, truck routes, or associated emissions with the pending Redwood Tech project are unknown. However, based on modeling completed for a former industrial project proposed on that site in 2019*

*approximately two times larger than the current Redwood Tech project, the combined effect of emissions of truck operations from the pending Redwood Tech project and vehicle emissions from Mission View Drive would not likely result in a substantial cumulative effect from TAC sources (i.e., would not likely exceed cumulative BAAQMD thresholds) on sensitive receptors at the site. If the Redwood Tech project undergoes construction after the proposed project (under Options 1 and 2) starts operations (and residents are on-site), the cumulative effect of construction and operations of the Redwood Tech project may result in substantial cancer risks without the implementation of conditions of approval for construction emissions.*

The assumption regarding TAC sources in the above paragraph are wrong for a number of reasons.

**A) The modeling done for the “former industrial project approximately two times larger than the current Redwood Tech project” is not consistent with ITE standards or known information.**

An expert with qualifications that include registration as a Civil and Traffic Engineer in California, over 50 years professional consulting practice in these fields and both preparation and review of the traffic and transportation components of numerous environmental documents prepared under CEQA, reviewed the Redwood@101 Project and wrote a report dated May 20, 2021 which the City received and is aware of.

In that report, the author noted that the Redwood@101 project is “best described as a Business Park”. That Land Use best matches the developer’s documentation and statements to the Morgan Hill Planning Commission and City Council where the exact designation of “Business Park” was indeed spoken. The expert stated that the Redwood@101 land use, as stated BY THE DEVELOPER, corresponds to the description for Land Use Category 770, Business Park in the Institute of Transportation Engineers (ITE) Trip Generation, 10<sup>th</sup> Edition.

Based on the Redwood@101 building area the ITE Trip Generation manual indicates that approximately 6040 Average Daily Trips (ADTs) would be generated by the Redwood@101 project. This is higher than the number of ADT that were assumed for the “twice as large” project.

Regarding the number of Truck Trips, the “twice as large” study assumed that “each truck service door would turn over once per day on average”. That assumption is not consistent with modern operations or with ITE studies on buildings with a high number of dock doors.

**B) The Average Daily Trips that the approved Cochrane Commons Phase 2 project will generate on Mission View Drive are not accounted for at all.**

The DEIR incorrectly states that *Table 3.4-1 identifies the approved (but not yet constructed or occupied) and pending projects within one mile of the project site that are evaluated in the cumulative analysis. Other pending projects in the City are located at least two miles away from*

*the project site.*

The “*Cochrane Commons Mixed-Use Development Transportation Operations Analysis, December 10, 2021*” shows that the approved project that is less than two miles away for the Crosswinds project site is estimated to generate 9,857 Average Daily Trips, many of which will result in travel along Mission View Drive.

As the DEIR states: *The substantial exposure to TACs for new project receptors is evaluated via the following criteria: (1) increased cancer risk, and (2) annual PM<sub>2.5</sub> concentration. Exposure to annual PM<sub>2.5</sub> concentrations from Mission View Drive traffic is above the BAAQMD single-source threshold of 0.3 µg/m<sup>3</sup>. Cancer risk mostly results from exposure to diesel particulate matter, although gasoline vehicle exhaust contributes to this effect. Annual PM<sub>2.5</sub> concentrations are based on the exposure to PM<sub>2.5</sub> resulting from emissions attributable to truck and automobile exhaust, the wearing of brakes and tires, and roadway dust from vehicles traveling over pavement. Reducing particulate matter exposure would reduce both annual PM<sub>2.5</sub> exposures and cancer risk.*

The exposure to TACs for the Crosswinds project has used a false assumption for the number of CUMULATIVE Average Daily Trips that will be occurring on Mission View Drive and thus the results do not reflect the cumulative exposure or associated risk.

**Comment 2: The traffic operations analysis done for the Crosswinds project is *completely meaningless* because ‘cumulative’ pending projects are not accounted for at all. This IS a matter of CEQA and thus of the DEIR review because CEQA guidelines require that consistency to a General Plan must be considered.**

Appendix G of the DEIR states: *The traffic operations analysis provides supplemental analysis for use by the City of Morgan Hill in identifying potential improvement of the transportation system that may be included as part of the project’s Conditions of Approval. However, the identified roadway operations and improvements are not required or considered project impacts per CEQA guidelines.*

First of all we should be clear that California Public Resources Code, Section 21099 (b)(4) states that the updated VMT subdivision *does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements pursuant to the police power or any other authority.*

CEQA guidelines require that a lead agency conducting environmental review of a project must consider whether the project would conflict with any applicable land use plan, policy or regulation including the General Plan.

The Morgan Hill General Plan requires a traffic impact study be done when a project generates 100 or more net new peak hour trips. The Crosswinds project exceeds the Trip Generation Threshold by a wide margin.

The Morgan Hill Transportation Impact Study Policy states that **at a minimum** the following **shall be** included in a transportation study.

- 1) The study shall acknowledge and identify the use of other traffic reports completed for other projects within the same area.
- 2) Existing Project Conditions: Background traffic volumes, existing volumes plus the volumes from approved but not yet constructed or occupied development in the area plus traffic from the proposed project.
- 3) Cumulative No Project Conditions and Cumulative Plus Project Conditions – from approved projects plus traffic from pending projects

Instead the City and their consultants have willfully and knowingly chosen to simply ignore the projected impacts from VERY large projects already approved in the immediate vicinity of Crosswinds. NONE of the results in the Crosswinds traffic operations analysis are relevant. The number of new Average Daily Trips in the immediate area from projects that have been recently approved (plus Crosswinds) but not yet developed is approximately **18,500** and yet not a single analysis of any type has considered the cumulative traffic impact. This is absurd, irresponsible and a gross failure to follow the City's General Plan and a failure to give any consideration whatsoever to the health, safety, and welfare of Morgan Hill residents living in the area.