City of Morgan Hill
Development Services Department

CITY OF MORGAN HILL

West Hills Community Church Project

Initial Study/Negative Declaration

April 2025

Prepared by

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INITIAL STUDY/NEGATIVE DECLARATION
APRIL 2025

A. PROJECT SUMMARY

1.	Project Title:	West Hills Community Church Project
2.	Lead Agency Name and Address:	City of Morgan Hill Development Services Department Morgan Hill, CA 17575 Peak Avenue Morgan Hill, CA 95037
3.	Contact Person and Phone Number:	Tiffany Brown Senior Planner (408) 310-4655
4.	Project Location:	16695 DeWitt Avenue Morgan Hill, CA 95037 Assessor's Parcel Number (APN) 773-09-011
5.	Project Sponsor's Name and Address:	Yvonne Sheets Twelve 22 Ventures Representing David Frederick, West Hills Community Church 16695 DeWitt Ave. Morgan Hill, CA 95037
6.	Existing General Plan Designation:	Open Space (OS)
7.	Existing Zoning Designation:	Open Space (OS)
8.	Proposed Zoning Designation:	Planned Development (PD)
9.	Required Approvals from Other Public Agencies:	N/A

10. Surrounding Land Uses and Setting:

The approximately 1.8-acre project site is identified by APN 773-09-011 and is located at 16695 DeWitt Avenue in the City of Morgan Hill, California. The site is currently developed with various buildings, including an approximately 4,440-square foot (sf) single-story worship center, three temporary classroom buildings totaling 8,491 sf, and a temporary restroom building, as well as a paved parking lot with 98 parking stalls. Site access is currently provided by a driveway extending from the site southeast to connect to DeWitt Avenue. A concrete pedestrian walkway extends from the project site to the southeast and provides access to a secondary, off-site parking lot (71 stalls). The project site is landscaped with trees and an existing stormwater retention pond is located in the southeast corner of the site. The Morgan Hill 2035 General Plan designates the site as OS and the site is zoned OS.

The site is surrounded by undeveloped hillside open space to the north, south and west. The secondary parking lot located east of the project site includes vacant land further east. Surrounding existing uses include the West Hills Community Church and existing single-family residences along DeWitt Avenue to the east, beyond the vacant land.

11. Project Description Summary:

The West Hills Community Church Project (proposed project) would include demolition of the three existing on-site temporary classroom buildings and the portable restroom building, the remodeling of the existing worship center building to add 2,208 sf of building space, and the development of a Community Life Center (CLC) building. The CLC building would include a fellowship hall, classrooms, a toddler room, a disability room, and storage rooms, as well as lobbies and a kitchen. As a result of the proposed project, the overall on-site building square footage would increase by a total of 6,349 sf, from 12,931 sf to approximately 19,280 sf. Primary site access would continue to be provided by the paved road extending to DeWitt Avenue. The proposed project would not modify the existing roadway, but would reconfigure the existing parking lot near the buildings to include a total of 67 stalls. Of the total of 138 parking stalls, three would be compliant with the Americans with Disabilities Act (ADA). The areas surrounding the existing and proposed buildings would also be repaved. Other project improvements would include landscaping, two bioretention basins, and the dedication of an easement for a public trail located north of the existing driveway. The project would require City approval of a Design Permit and a Rezone from OS to PD.

B. SOURCES

The following documents are referenced information sources used within this analysis:

1. Association of Bay Area Governments. *Dam Inundation Map Viewer.* Available at: https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2. Accessed June 2024.
2. Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. May 2017.
3. Bay Area Air Quality Management District. *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. April 2022.
4. BKF Engineers. *Preliminary Hydrology Report.* March 2024.
5. California Air Resources Board. *2022 Scoping Plan for Achieving Carbon Neutrality*. November 16, 2022.
6. California Department of Conservation. *Earthquake Zones of Required Investigation*. Available at: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed March 2025.
7. California Department of Forestry and Fire Protection. *Fire Hazard Severity Zones*. Available at: https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones. Accessed March 2025.
8. California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: Monterey Peninsula Landfill (27-AA-0010)*. Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2642?siteID=1976. Accessed March 2025.
9. California Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available at: https://dtsc.ca.gov/dtscs-cortese-list. Accessed March 2025.
10. California Environmental Protection Agency. *GeoTracker.* Available at: https://geotracker.waterboards.ca.gov/search. Accessed December 2024.

11. City of Morgan Hill. *2035 General Plan, City of Morgan Hill.* Adopted July 2016.
12. City of Morgan Hill. *City of Morgan Hill Wildland Urban Interface Map.* March 2009.
13. City of Morgan Hill. *Emergency Operations Plan.* January 11, 2018.
14. City of Morgan Hill. *Morgan Hill 2035 Final Environmental Impact Report*. Certified July 2016.
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16. Federal Emergency Management Agency. *National Flood Hazard Layer FIRMette*. Available at: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed March 2025.
17. Governor's Office of Planning and Research. *Technical Advisory on Evaluation Transportation Impacts in CEQA*. December 2018.
18. Live Oak Associates, Inc. *Biological Evaluation Addendum for the West Hills Church Project Site in Morgan Hill. (PN 1624-03).* May 7, 2021.
19. Santa Clara County. *Comprehensive Land Use Plan, Santa Clara County, South County Airport.* Amended November 16, 2016.
20. Santa Clara Valley Habitat Agency. *Santa Clara Valley Habitat Agency Geobrowser.* Available at: https://www.scv-habitatagency.org/228/Key-Maps. Accessed March 2025.
21. Santa Clara Valley Transportation Authority. *2021 Congestion Management Program Document.* December 2021.
22. State Water Resources Control Board. *Active CDO and CAO.* Available at: https://calepa.ca.gov/sitecleanup/corteselist/. Accessed December 2024.
23. U.S. Department of Agriculture, Natural Resources Conservation Service. *Web Soil Survey*. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed March 2025.

C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

On the basis of the following evaluation, all project impacts have been determined to be less than significant, or can be mitigated to a less-than-significant level given required compliance with General Plan policies or mitigation measures included in the General Plan EIR.

☐ **Aesthetics**	☐ **Agriculture and Forest Resources**	☐ **Air Quality**
☐ **Biological Resources**	☐ **Cultural Resources**	☐ **Energy**
☐ **Geology and Soils**	☐ **Greenhouse Gas Emissions**	☐ **Hazards and Hazardous Materials**
☐ **Hydrology and Water Quality**	☐ **Land Use and Planning**	☐ **Mineral Resources**
☐ **Noise**	☐ **Population and Housing**	☐ **Public Services**
☐ **Recreation**	☐ **Transportation**	☐ **Tribal Cultural Resources**
☐ **Utilities and Service Systems**	☐ **Wildfire**	☐ **Mandatory Findings of Significance**

D. DETERMINATION

On the basis of this initial study:

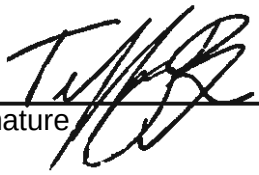
☒ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature — 5/1/2025 (Date)

Tiffany Brown, Senior Planner (Printed Name) — City of Morgan Hill (For)

E. INTRODUCTION

This Initial Study/Negative Declaration (IS/ND) identifies and analyzes the potential environmental impacts of the proposed project. The information and analysis presented in this document is organized in accordance with the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines.

In July 2016, the City of Morgan Hill adopted the 2035 General Plan,[1] and certified an associated Environmental Impact Report (EIR) for the updated General Plan.[2] The General Plan EIR is a program EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations [CCR], Sections 15000 et seq.). The General Plan EIR analyzed full implementation of the General Plan and identified measures to mitigate the significant adverse impacts associated with the General Plan to the maximum extent feasible. Consistent with Section 15150 of the CEQA Guidelines, applicable portions of the General Plan and General Plan EIR are incorporated by reference as part of this IS/ND.

F. PROJECT DESCRIPTION

The following provides a description of the project site's current location and setting, as well as the proposed project components and the discretionary action required for the project.

Project Location, Setting, and Surrounding Land Uses

The project site consists of an approximately 1.8-acre portion of a larger 5.75-acre parcel located at 16695 DeWitt Avenue in the City of Morgan Hill, California (see Figure 1 and Figure 2). The site is identified by APN 773-09-011 and is part of the 10.5-acre West Hills Community Church property. The City's General Plan designates the site as Open Space (OS) and the site is zoned OS.

The project site is currently developed with various buildings, including an approximately 4,440-sf single-story worship center, three temporary classroom buildings totaling 8,491 sf, and a temporary restroom building, as well as a paved parking lot with 98 parking stalls. Site access is currently provided by a paved road extending from the project site southeast to connect to DeWitt Avenue. A concrete pedestrian walkway extends from the project site to the southeast and provides access to a secondary, off-site parking lot. The project site is landscaped with trees and an existing stormwater retention pond is located in the southeast corner of the site.

The site is surrounded by undeveloped hillside open space to the north, south and west. As previously discussed, a secondary parking lot with 71 stalls is located east of the project site, with vacant land further east. Surrounding existing uses include the West Hills Community Church and existing single-family residences along DeWitt Avenue to the east, beyond the vacant land.

Project Components

The proposed project would include the demolition of the three existing on-site temporary classroom buildings and the portable restroom building (see Figure 3). The existing worship center building would be remodeled. The remodel would include the addition of 2,208 sf of building space to the existing building, for a new total of 6,648 sf. The remodeled building would include, but not be limited to, a 3,508-sf open floor assembly area, 518-sf stage, 308-sf vestibule, 166-sf kitchenette, two storage rooms, a green room, an audio/visual control room, and crying room.

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1 City of Morgan Hill. *2035 General Plan, City of Morgan Hill.* Adopted July 2016.

2 City of Morgan Hill. *Morgan Hill 2035 Final Environmental Impact Report*. Certified July 2016.

Figure 1
Regional Vicinity Location

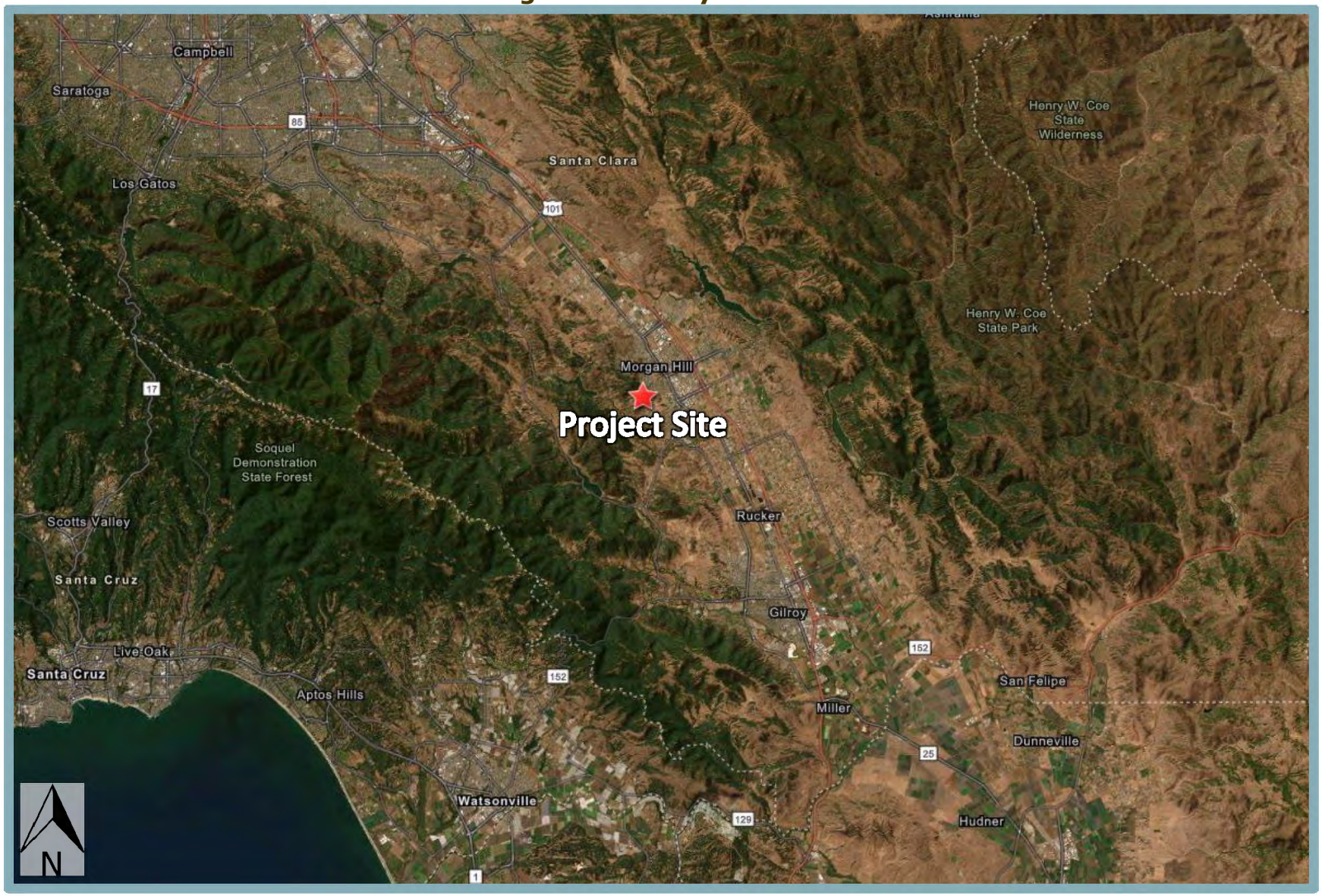
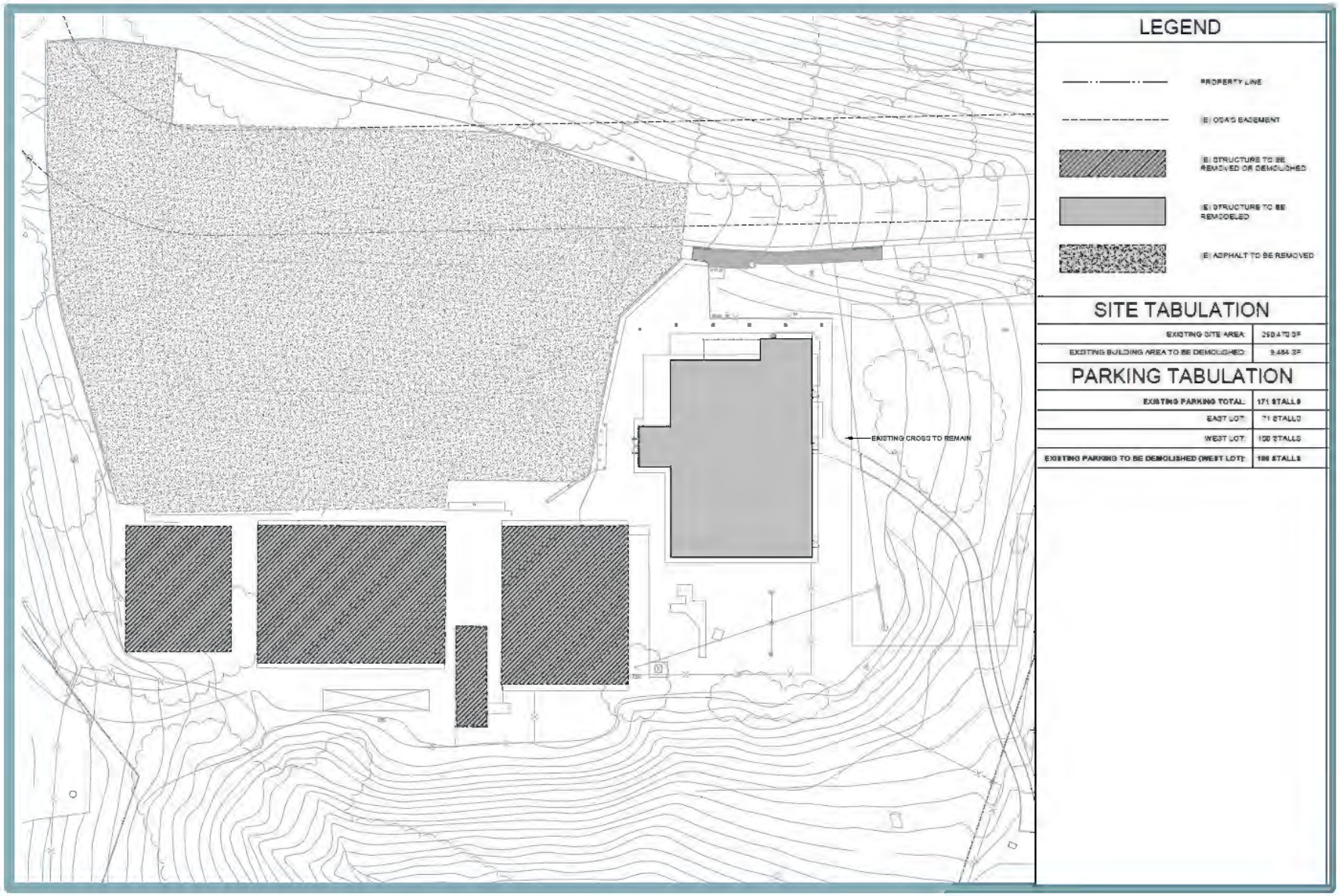


Figure 2
Project Site Boundaries

Figure 3
Demolition Site Plan



The proposed project would also include the development of a 12,000-sf, two-story Community Life Center (CLC) building (see Figure 4). The ground floor of the building would include, but not be limited to, a 2,696-sf fellowship hall, 1,088-sf classroom, a disability room, and storage rooms, as well as a lobby and kitchen (see Figure 5). The second floor would include, but not be limited to, five classrooms ranging from 325 sf to 1,153 sf, a toddler room, a nursery, and a lobby. As a result of the proposed project, the overall on-site building square footage would increase by a total of 6,349 sf from 12,931 sf to 19,280 sf.

The new CLC building would be used on Sunday mornings to host coffee and refreshments between services and occasionally a lunch after the service concludes. The fellowship hall would not be used at the same time as the Sunday morning worship gathering. Rather, the fellowship hall would be used during the week, such as by middle school and high school groups on Wednesday night and for gatherings of 40 to 50 people, including a mother's group and women's bible study. The fellowship hall would also be used to host events, such as breakfasts and teas, approximately six to eight times a year. Overall, the project applicant has stated that the proposed CLC building would provide an improved and consolidated facility to support the same types of activities that already occur within the three portable buildings demolished as part of the project.

Primary access to the project site would be provided by an existing driveway that extends east from the project site to connect to DeWitt Avenue. The proposed project does not include modifications to the existing driveway, which would continue to provide ingress and egress service to the reconfigured parking lot. As part of the proposed project, the existing parking lot would be demolished and repaved to increase the lot from 100 parking stalls to 138 stalls. Of the 138 total parking stalls, three would be compliant with the Americans with Disabilities Act (ADA). The areas surrounding the existing and proposed buildings would also be repaved.

Pursuant to Section 18.64.050 of the City's Municipal Code, landscaping would be provided throughout the site in accordance with the City's Standard Details for Construction. The proposed landscaping features in the project's Landscape Plan would include new shrubs, trees, and groundcover elements throughout the site, including within the parking lot. In addition, new landscaped areas would be provided along the length of the site boundaries, and a new open space/playground and lawn area would be located to the south of the new CLC building.

The proposed project would establish new connections to existing water and sewer service infrastructure within the existing driveway and within the project site (see Figure 6). In addition, a fire pump station and water pump would be installed in the northwest corner of the project site. With respect to stormwater management, the proposed project would install three runoff capture areas, one within each drainage management area (DMA) (see Figure 7). DMAs 1 and 3 would each include new bioretention areas, which would be located in the southeast and southwest corners of the project site. DMA 2 would include a new catch basin located within the reconfigured parking lot. Collected runoff would be routed from the detention basins through a new 48-inch detention pipe to a new dissipator located immediately south of the project site. The dissipator outfall location and the two new bioretention basins located in the southwest and southeast corners would represent the few areas where new site disturbance would occur as part of the proposed project.

Other improvements would include the dedication of an easement for a public trail located north of the existing driveway, which would continue to provide site access. The trail would be constructed by another party in the future.

Figure 4
Conceptual Site Plan

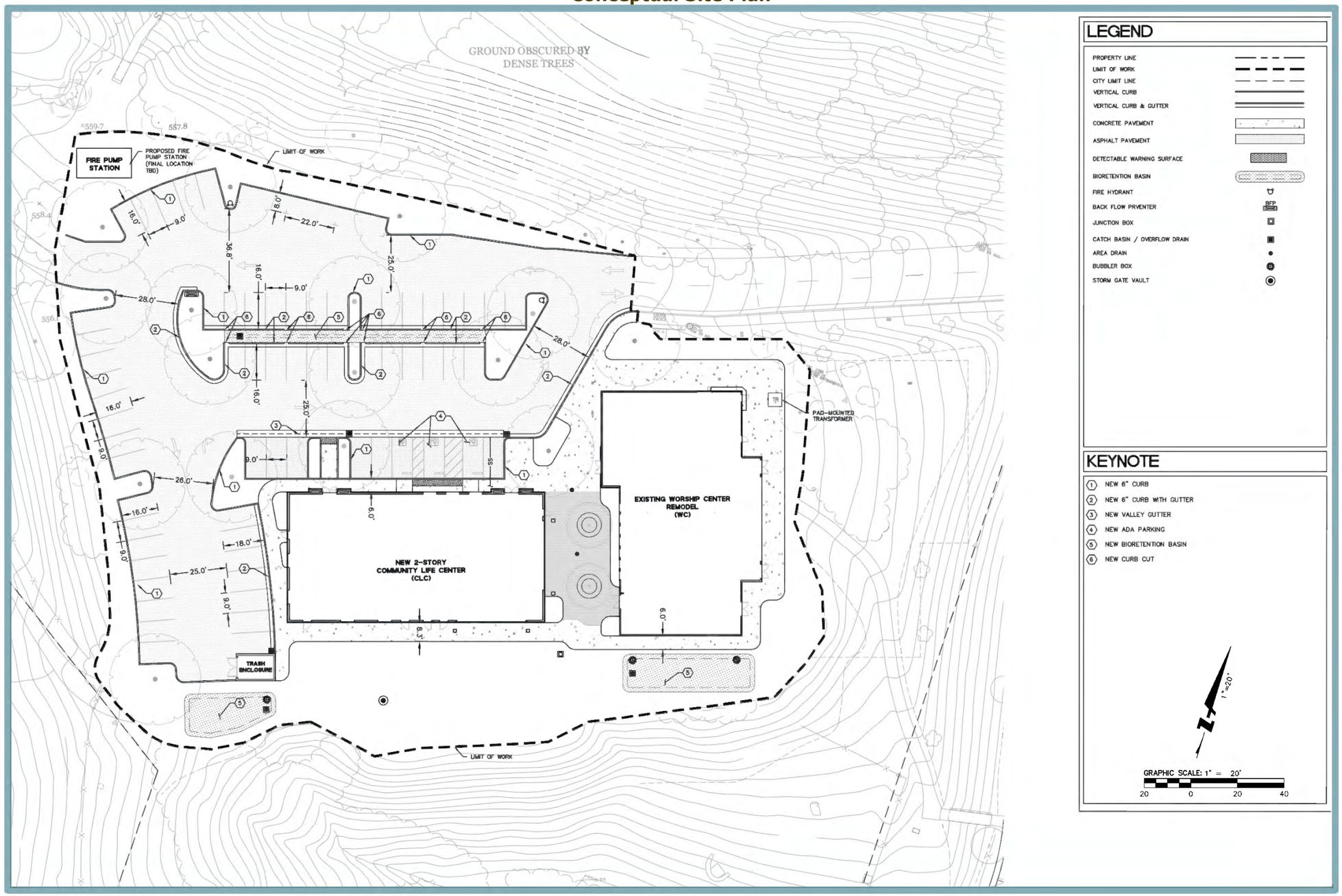


Figure 5
Community Life Center Floor Plan

Figure 6
Conceptual Utility Plan

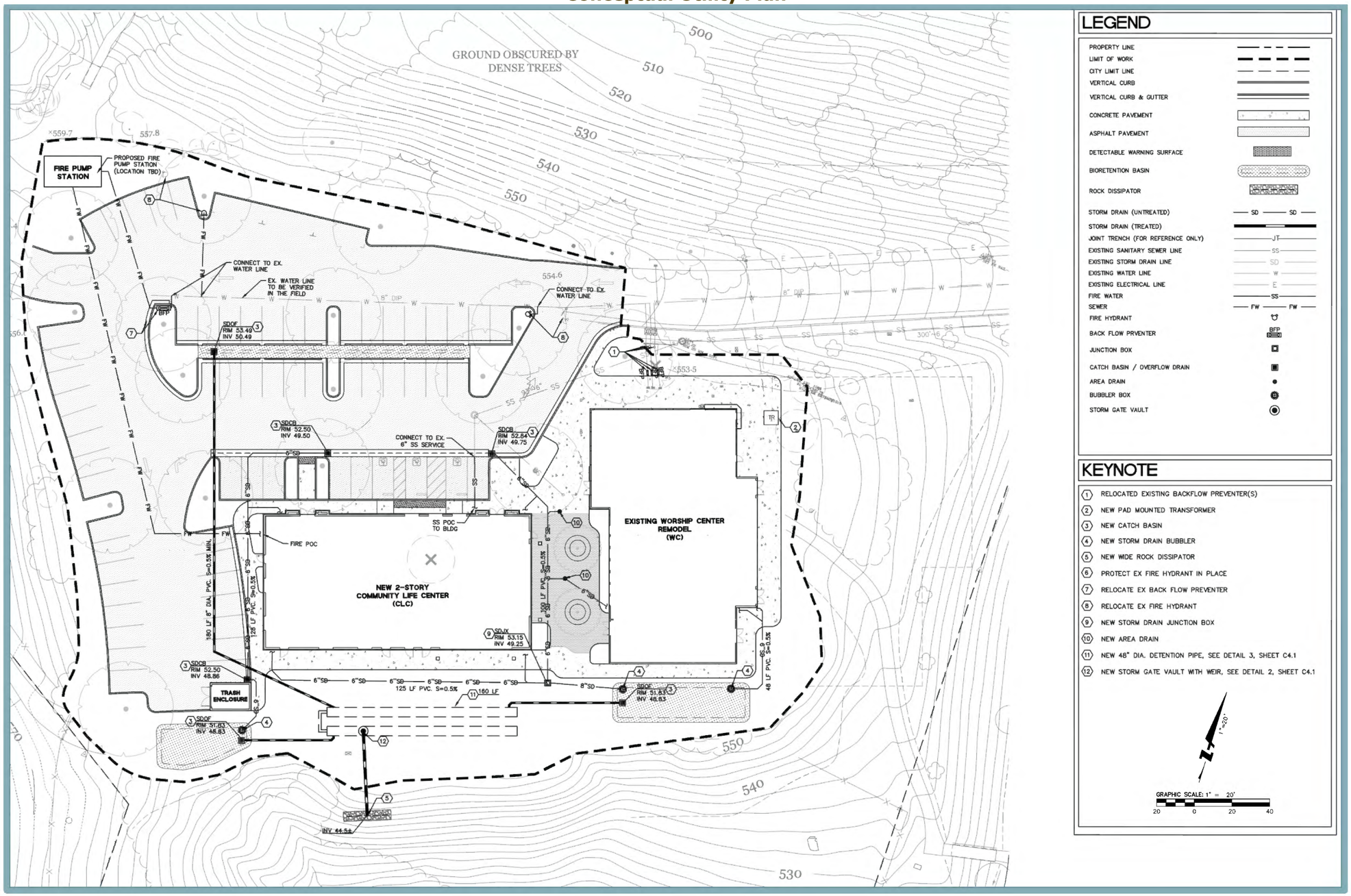
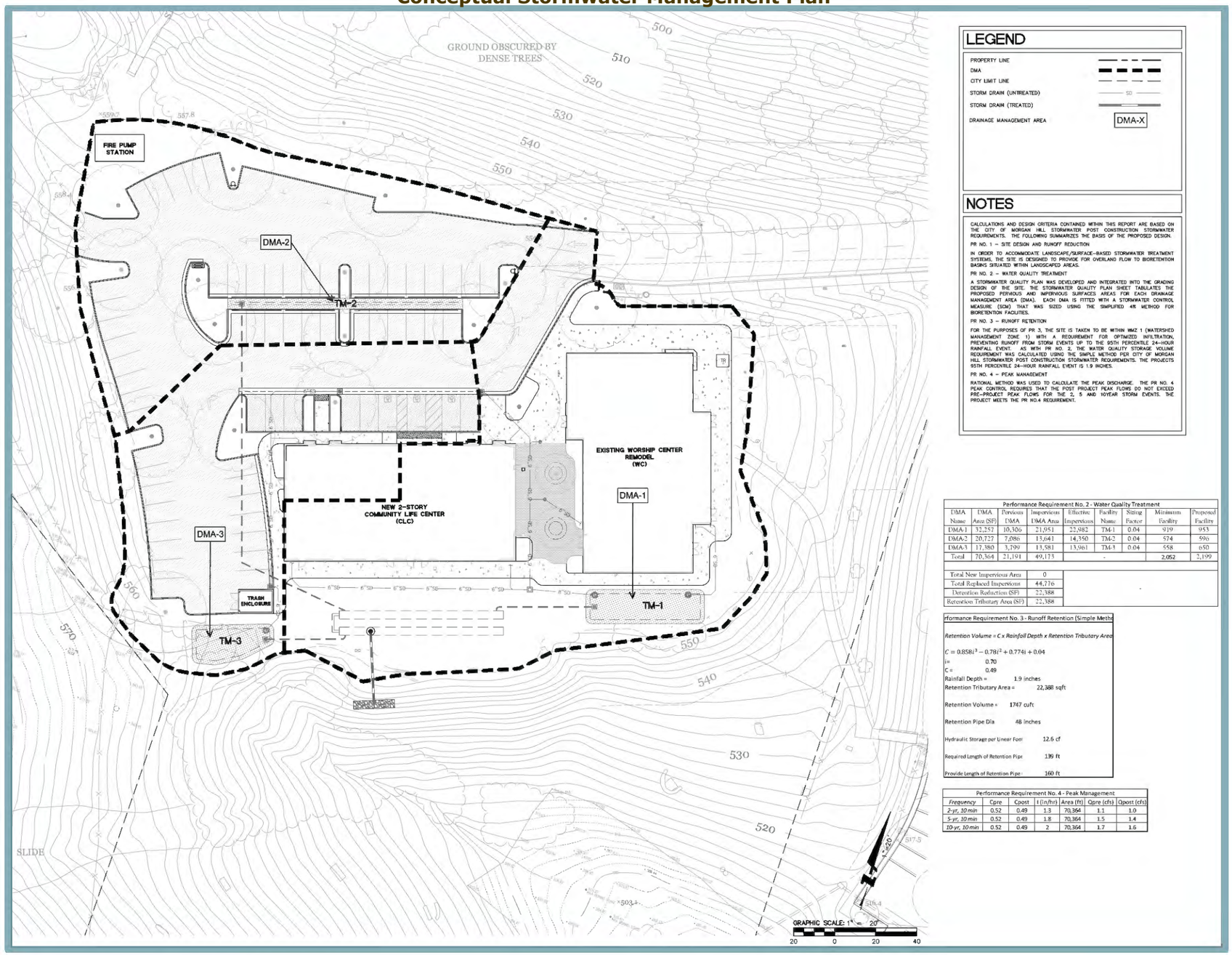


Figure 7
Conceptual Stormwater Management Plan



Performance Requirement No. 2 - Water Quality Treatment

DMA Name	DMA Area (SF)	Pervious DMA	Impervious DMA Area	Effective Impervious	Facility Name	Sizing Factor	Minimum Facility	Proposed Facility
DMA-1	32,257	10,306	21,951	22,982	TM-1	0.04	919	953
DMA-2	20,727	7,086	13,641	14,350	TM-2	0.04	574	596
DMA-3	17,380	3,799	13,581	13,961	TM-3	0.04	558	650
Total	70,364	21,191	49,173		-		2,052	2,199

Total New Impervious Area	0
Total Replaced Impervious	44,776
Deroofon Reduction (SF)	22,388
Retention Tributary Area (SF)	22,388

rformance Requirement No. 3 - Runoff Retention (Simple Metho

Retention Volume = C x Rainfall Depth x Retention Tributary Area

$C = 0.858i^3 - 0.78i^2 + 0.774i + 0.04$

i=	0.70
C =	0.49
Rainfall Depth =	1.9 inches
Retention Tributary Area =	22,388 sqft
Retention Volume =	1747 cuft
Retention Pipe Dia	48 inches
Hydraulic Storage per Linear Foot	12.6 cf
Required Length of Retention Pipe	139 ft
Provide Length of Retention Pipe =	160 ft

Performance Requirement No. 4 - Peak Management

Frequency	Cpre	Cpost	I (in/hr)	Area (ft)	Qpre (cfs)	Qpost (cfs)
2-yr, 10 min	0.52	0.49	1.3	70,364	1.1	1.0
5-yr, 10 min	0.52	0.49	1.8	70,364	1.5	1.4
10-yr, 10 min	0.52	0.49	2	70,364	1.7	1.6

It should be noted that the proposed project would be located primarily within the existing development footprint of the existing worship center, temporary classrooms and restroom building, and parking lot. In addition, the uses of the remodeled building would not change and the new CLC building would provide an improved and consolidated facility to support the church's existing services and groups. Development of the proposed project would not result in changes to the church's existing hours of operation and the proposed project is not anticipated to increase the number of attendants.

Requested/Required Entitlements

The proposed project would require the following approvals from the City of Morgan Hill:

- Design Permit. Pursuant to Section 18.108.040 of the City's Municipal Code, a Design Permit enables the City to ensure that a proposed development exhibits high-quality design consistent with the General Plan. The Design Permit process is also intended to ensure that new development and uses are compatible with their surroundings and minimize negative impacts on neighboring properties.

- Rezone. In February 2016, the City Council adopted Ordinance 2186, which removed church facilities as conditionally permitted uses under the OS zoning district. Because the existing structures are considered legal non-conforming uses pursuant to the OS zoning designation, the proposed project is requesting approval of a Rezone of the project site to Planned Development (PD). The purpose of a PD district is to allow for high-quality development that deviates from standards and regulations applicable to base zoning districts in the City. The PD zone provides landowners with enhanced flexibility to take advantage of unique site characteristics and develop projects that would provide public benefits for residents, employees, and visitors. The church services and various weekday activities would be considered allowed uses under the PD zoning designation.

G. ENVIRONMENTAL CHECKLIST

The following checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant with Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

I. AESTHETICS. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	✖	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	✖	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	✖	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	✖	☐

Discussion

a-d. The project site is not located within a scenic vista or State scenic highway, and is located in an urbanized area. Although the proposed project includes a Rezone and demolition of the on-site portable buildings, project development would be consistent with all applicable regulations governing scenic quality. In addition, the proposed project would be located within the existing development footprint and the proposed CLC building would support the same types of activities that already occur within the three portable buildings. As such, light and glare associated with the proposed project would be consistent with existing on-site resources. Therefore, impacts related to aesthetics would be ***less than significant***.

II. AGRICULTURE AND FORESTRY RESOURCES. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	✖
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	✖
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	✖
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	✖
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	✖

Discussion

a-e. The project site is not designated as Farmland by the State Department of Conservation, is not zoned for agricultural use, and is not under a Williamson Act Contract. In addition, the project site is not zoned as forest land or timberland, and development of the proposed project would not result in the loss or conversion of forest land. Therefore, ***no impact*** related to agriculture and forestry resources would occur.

III. AIR QUALITY. *Would the project:*	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	✖	☐
b. 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?	☐	☐	✖	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	✖	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	✖	☐

Discussion

a,b. The City of Morgan Hill is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The SFBAAB area is currently designated as a nonattainment area for State and federal ozone, State and federal fine particulate matter 2.5 microns in diameter ($PM_{2.5}$), and State respirable particulate matter 10 microns in diameter (PM_{10}) ambient air quality standards (AAQS). The SFBAAB is designated attainment or unclassified for all other AAQS. It should be noted that on January 9, 2013, the U.S. Environmental Protection Agency (USEPA) issued a final rule to determine that the Bay Area has attained the 24-hour $PM_{2.5}$ federal AAQS. Nonetheless, the Bay Area must continue to be designated as nonattainment for the federal $PM_{2.5}$ AAQS until such time as the BAAQMD submits a redesignation request and a maintenance plan to the USEPA, and the USEPA approves the proposed redesignation. The USEPA has not yet approved a request for redesignation of the SFBAAB; therefore, the SFBAAB remains in nonattainment for 24-hour $PM_{2.5}$.

In compliance with regulations, due to the nonattainment designations of the area, the BAAQMD periodically prepares and updates air quality plans that provide emission reduction strategies to achieve attainment of the AAQS, including control strategies to reduce air pollutant emissions through regulations, incentive programs, public education, and partnerships with other agencies. The current air quality plans are prepared in cooperation with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG).

The most recent federal ozone plan is the 2001 Ozone Attainment Plan, which was adopted on October 24, 2001 and approved by the California Air Resources Board (CARB) on November 1, 2001. The plan was submitted to the USEPA on November 30, 2001 for review and approval. The most recent State ozone plan is the 2017 Clean Air Plan, adopted on April 19, 2017. The 2017 Clean Air Plan was developed as a multi-pollutant plan that provides an integrated control strategy to reduce ozone, PM, toxic air contaminants (TACs), and greenhouse gases (GHGs). Although a plan for achieving the State PM_{10} standard is not required, the BAAQMD has prioritized measures to reduce PM in developing the control strategy for the 2017 Clean Air Plan. The control strategy serves as the backbone of the BAAQMD's current PM control program.

The aforementioned air quality plans contain mobile source controls, stationary source controls, and transportation control measures to be implemented in the region to attain the State and federal AAQS within the SFBAAB. Adopted BAAQMD rules and regulations, as well as thresholds of significance, have been developed with the intent to ensure

continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. The BAAQMD's established significance thresholds associated with development projects for emissions of the ozone precursors reactive organic gases (ROG) and oxides of nitrogen (NO_x), as well as for PM_{10} and $PM_{2.5}$, expressed in pounds per day (lbs/day) and tons per year (tons/yr), are listed in Table 1. By exceeding the BAAQMD's mass emission thresholds for ROG, NO_X, PM_{10}, or $PM_{2.5}$, a project would be considered to conflict with or obstruct implementation of the BAAQMD's air quality planning efforts.

Table 1
BAAQMD Thresholds of Significance

Pollutant	Construction	Operational	
	Average Daily Emissions (lbs/day)	Average Daily Emissions (lbs/day)	Maximum Annual Emissions (tons/yr)
ROG	54	54	10
NO_x	54	54	10
PM_{10} (exhaust)	82	82	15
$PM_{2.5}$ (exhaust)	54	54	10

Source: BAAQMD, CEQA Guidelines, April 2023.

Particulate matter can be split into two categories: fugitive and exhaust. The BAAQMD thresholds of significance for exhaust are presented in Table 1. BAAQMD does not maintain quantitative thresholds for fugitive emissions of PM_{10} or $PM_{2.5}$, rather, BAAQMD requires all projects within the district's jurisdiction to implement Basic Construction Mitigation Measures (BCMMs) related to dust suppression. The BCMMs include the following:

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 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. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
7. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
8. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a six- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
9. Publicly visible signs shall be posted with the telephone number and name of the 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 General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

In addition to the BCMMs, projects are strongly encouraged to implement enhanced best management practices to control fugitive dust emissions. The enhanced measures are especially important when schools, residential areas, or other sensitive land uses are located near the construction site. BAAQMD recommended enhanced best management practices include the following:

1. Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities.
2. Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
3. Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established.
4. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
5. Minimize the amount of excavated material or waste materials stored at the site.
6. Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for at least 10 calendar days.

The proposed project's construction emissions were quantified using the California Emissions Estimator Model (CalEEMod) software version 2022.1.1.29 – a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including GHG emissions, from land use projects. The model applies inherent default values for various land uses, including construction data, trip generation rates, vehicle mix, trip length, average speed, etc. However, where project-specific data is available, such data should be input into the model. Accordingly, the proposed project's modeling assumes the following project- and/or site-specific information:

- Construction would commence in June 2025 and take place over approximately one year;
- Approximately 3,800 cubic yards (CY) of soil would be exported from the site during grading activities; and
- 9,484 sf of building materials would be demolished and hauled from the site.

The proposed project's estimated emissions associated with construction and operation are provided below. All CalEEMod results are included as Appendix A to this IS/ND.

Construction Emissions

According to the CalEEMod results, the proposed project would result in maximum construction criteria air pollutant emissions as shown in Table 2. As shown in the table, the proposed project's construction emissions would be below the applicable thresholds of significance. In addition, as discussed above, all projects within the jurisdiction of the BAAQMD are required to implement all BAAQMD BCMMs, which would be required by the City as conditions of approval. The proposed project's required implementation of the BAAQMD BCMMs listed above for the project's construction activities would help to further minimize construction-related emissions.

Overall, because construction of the proposed project would not exceed any applicable thresholds of significance, project construction would result in a less-than-significant impact.

Table 2
Maximum Construction Emissions (lbs/day)

Pollutant	Proposed Project Emissions	Threshold of Significance	Exceeds Threshold?
ROG	3.37	54	**NO**
NO_X	31.70	54	**NO**
PM_{10}*	1.37	82	**NO**
$PM_{2.5}$*	1.26	54	**NO**

Note:
* Denotes emissions from exhaust only. BAAQMD does not have adopted thresholds for fugitive PM emissions.

Source: CalEEMod, January 2025 (see Appendix A).

Operational Emissions

With respect to the proposed project's operational criteria pollutant emissions, the proposed project would not include a change in operational hours or an increase in attendance or other on-campus activities. Thus, emissions associated with project operation would not be significantly different from the existing conditions. In addition, the proposed CLC building would not use natural gas, as natural gas is prohibited in all new construction pursuant to Chapter 15.63 of the City's Municipal Code. Overall, the proposed project would not result in any additional impacts related to such beyond current conditions.

Cumulative Emissions

Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By nature, air pollution is largely a cumulative impact. A single project is not sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. The thresholds of significance presented in Table 1 represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. If a project exceeds the significance thresholds presented in Table 1, the proposed project's emissions would be cumulatively considerable, resulting in a significant adverse cumulative air quality impact to the region's existing air quality conditions. Because the proposed project would not generate criteria pollutant emissions above the applicable thresholds of significance, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State AAQS.

Conclusion

As stated previously, the applicable regional air quality plans include the 2001 Ozone Attainment Plan and the 2017 Clean Air Plan. Because construction and operation of the

proposed project would not result in emissions of criteria air pollutants in excess of BAAQMD's thresholds of significance, conflicts with or obstruction of the implementation of the applicable regional air quality plans would not occur. As a result, the project would not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or State AAQS. Thus, a ***less-than-significant*** impact would occur.

c. Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Sensitive receptors are typically defined as facilities where sensitive receptor population groups (i.e., children, the elderly, the acutely ill, and the chronically ill) are likely to be located. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics. The nearest existing sensitive receptors to the project site would be the single-family residences fronting DeWitt Avenue, with the closest located approximately 560 feet east of the project site.

The major pollutant concentrations of concern are localized carbon monoxide (CO) emissions and TACs, which are addressed in further detail below.

Localized CO Emissions

Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. High levels of localized CO concentrations are only expected where background levels are high, and traffic volumes and congestion levels are high. Emissions of CO are of potential concern, as the pollutant is a toxic gas that results from the incomplete combustion of carbon-containing fuels such as gasoline or wood.

In order to provide a conservative indication of whether a project would result in impacts related to localized CO emissions, the BAAQMD has established screening criteria for localized CO emissions. According to BAAQMD, a proposed project would result in a less-than-significant impact related to localized CO emission concentrations if all of the following conditions are true for the project:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans;
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, underpass, etc.).

Considering that the project would be consistent with the existing uses for the site, the project would not conflict with the Santa Clara Valley Transportation Authority (VTA)

Congestion Management Program (CMP).[3] As described in further detail in Section XVII, Transportation, of this IS/ND, because the proposed project would not result in an increase in vehicle trips beyond existing levels, traffic associated with the proposed development would not increase traffic volumes at an affected intersection to more than 44,000 vehicles per hour. Furthermore, intersections where vertical and/or horizontal mixing is limited due to tunnels, underpasses, or similar features do not exist in the project area. Therefore, based on the BAAQMD's screening criteria for localized CO emissions, the proposed project would not be expected to result in substantial levels of localized CO at intersections or generate localized concentrations of CO that would exceed standards or cause health hazards.

TAC Emissions

Another category of environmental concern is TACs. The CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommended setback distances for sensitive land uses from major sources of TACs, including, but not limited to, freeways and high traffic roads, distribution centers, rail yards, and gas dispensing facilities (GDFs). The CARB has identified diesel particulate matter (DPM) from engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks associated with TACs are a function of both the concentration of emissions and the duration of exposure, where the higher the concentration and/or the longer the period of time that a sensitive receptor is exposed to pollutant concentrations would correlate to a higher health risk. As noted above, the existing sensitive receptors near the project site include the single-family residences along DeWitt Avenue, approximately 560 feet east of the project site.

The proposed project does not include any operations that would be considered a substantial source of TACs. Accordingly, operations of the proposed project would not expose sensitive receptors to excess concentrations of TACs.

Short-term, construction-related activities would result in the generation of TACs, specifically DPM, from on-road haul trucks and off-road equipment exhaust emissions. Construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. Health risks are typically associated with exposure to high concentrations of TACs over extended periods of time (e.g., 30 years or greater), whereas the construction period associated with the proposed project is estimated to be approximately two years and 10 months.

All construction equipment and operation thereof would be regulated by the In-Use Off-Road Diesel Vehicle Regulation, which is intended to help reduce emissions associated with off-road diesel vehicles and equipment, including DPM. Project construction would also be required to comply with all applicable BAAQMD rules and regulations, particularly associated with permitting of air pollutant sources. In addition, only portions of the site would be disturbed at a time throughout the construction period, with operation of construction equipment occurring intermittently throughout the course of a day rather than continuously at any one location on the project site. Operation of construction equipment within portions of the development area would allow for the dispersal of emissions, and would ensure that construction activity is not continuously occurring in the portions of the project site closest to existing receptors. Because construction equipment on-site would

[3] Santa Clara Valley Transportation Authority. *2021 Congestion Management Program Document.* December 2021.

not operate for long periods of time and would be used at varying locations within the site, associated emissions of DPM would not occur at the same location (or be evenly spread throughout the entire project site) for long periods of time. Due to the temporary nature of construction and the relatively short duration of potential exposure to associated emissions, the potential for any one sensitive receptor in the area to be exposed to concentrations of pollutants for a substantially extended period of time would be low.

Furthermore, the project applicant would be required to prepare, and include on all site development and grading plans, a management plan detailing strategies for control of noise, dust and vibration, and storage of hazardous materials during construction of the project. Pursuant to Section 18.76.040 (Air Contaminants) of the City's Municipal Code, the management plan must include all applicable BAAQMD rules and regulations, as well as the City's standard conditions for construction activity. The City of Morgan Hill Development Services Department would ensure that the BAAQMD's BCMMs, listed under questions 'a,b' above, would be noted on project construction drawings prior to issuance of a building permit or approval of improvement plans.

Conclusion

Based on the above, the proposed project would not expose any sensitive receptors to substantial concentrations of localized CO or TACs associated with construction or operation. Therefore, the proposed project would not result in the exposure of sensitive receptors to substantial pollutant concentrations, and a ***less-than-significant*** impact would occur.

d. Emissions of concern include those leading to odors, emission of dust, or emissions considered to constitute air pollutants. Air pollutants have been discussed in questions 'a' through 'c' above. Therefore, the following discussion focuses on emissions of odors and dust.

According to the BAAQMD CEQA Guidelines, odors are generally regarded as an annoyance rather than a health hazard.[4] Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The presence of an odor impact is dependent on a number of variables including: the nature of the odor source; the frequency of odor generation; the intensity of odor; the distance of odor source to sensitive receptors; wind direction; and sensitivity of the receptor. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative analysis to determine the presence of a significant odor impact is difficult. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, landfills, and composting facilities. The proposed project would not introduce any such land uses and is not located in the vicinity of any such existing or planned land uses.

Construction activities often include diesel-fueled equipment and heavy-duty trucks, which could create odors associated with diesel fumes that may be considered objectionable. However, construction activities would be temporary, and hours of operation for construction equipment would be prohibited between 8:00 PM and 7:00 AM, Monday through Friday, and between 6:00 PM and 9:00 AM on Saturdays, as required by Morgan Hill Municipal Code Chapter 8.28. Project construction would also be required to comply

[4] Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. May 2017.

with all applicable BAAQMD rules and regulations, particularly associated with permitting of air pollutant sources. The aforementioned regulations would help to minimize emissions, including emissions leading to odors. Accordingly, substantial objectionable odors would not be expected to occur during construction activities.

With respect to dust, as noted previously, the proposed project would be required to implement BAAQMD's BCMMs during project construction. The BCMMs would act to reduce construction-related dust by requiring that haul trucks with loose material are covered, reducing vehicle dirt track-out, and limiting vehicle speeds within the project site, among other methods, which would ensure that construction of the proposed project does not result in substantial emissions of dust. Following project construction, vehicles operating within the project site would be limited to paved areas of the site, and non-paved areas would be landscaped. Thus, project operations would not include sources of dust that could adversely affect a substantial number of people.

For the aforementioned reasons, construction and operation of the proposed project would not result in emissions (such as those leading to odors) adversely affecting a substantial number of people, and a ***less-than-significant*** impact would result.

IV. BIOLOGICAL RESOURCES. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	✖	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	✖	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	✖	☐
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	✖	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	✖	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	✖

Discussion

a. A development project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS), if the project's components result in the "take" of such species. Pursuant to the Federal Endangered Species Act, "take" is defined to include harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such conduct. In addition, raptors (birds of prey), migratory birds, and other avian species are protected under the Migratory Bird Treaty Act (MBTA) of 1918 and California Fish and Game Code (CFGC) Section 3503.5. Furthermore, plant species considered to be rare, threatened, or endangered in California by the California Native Plant Society (CNPS) and CDFW (California Rare Plant Rank [CRPR] 1 and 2) are provided special status under CEQA.

The project site, which is currently developed with a single-story worship center, three temporary classroom buildings, a temporary restroom building, and a paved parking lot, is located within the boundaries of the Santa Clara Valley Habitat Plan (SCVHP). The SCVHP provides take authorization for 18 listed and non-listed species (i.e., covered species). In addition, the SCVHP includes conservation measures to protect the species covered by the SCVHP, as well as a conservation strategy designed to mitigate impacts on covered species and contribute to the recovery of the species in the study area. Compliance with the SCVHP is discussed under question 'f' below.

The project site contains several trees and more are located along the site's perimeters. Pursuant to the Santa Clara Valley Habitat Agency Geobrowser (SCVHA Geobrowser), the project site is designated by the SCVHP as Rural Residential land cover.[5] The existing on-site conditions are generally consistent with the Rural Residential land cover type, which is described in the SCVHP as areas with low-density residential development. It should be noted that the Rural Residential area extends to the single-family residences fronting DeWitt Avenue. Typically, species covered by the SCVHP are unlikely to occur within Rural Residential areas.

Additionally, according to the SCVHA Geobrowser, the project site is not located within a designated Wildlife Survey Area and is also located outside of the SCVHP Burrowing Owl Fee Area. The project site is located in a designated Plant Survey Area; however, the project site is currently developed, and the proposed project would largely occur within the existing development footprint. Because the project site is currently developed, suitable habitat for special-status plant species does not occur on-site. Therefore, impacts to special-status plant species are not anticipated to occur. Considering the disturbed nature of the project site and existing development in the project vicinity, the site does not provide habitat value for endangered, rare, or threatened plant or wildlife species.

The dissipator outfall location and the two new bioretention basins located in the southwest and southeast corners of the site would represent areas of new disturbance to on-site annual grassland and coyote brush scrub habitat. Various migratory birds could potentially nest in the existing on-site trees and other vegetation, such as coyote brush scrub; however, as part of the City's standard conditions of approval, a preconstruction survey for migratory birds would be required.

Based on the above, the proposed project would not result in 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, and a ***less-than-significant*** impact would occur.

b,c. Riparian habitats are lands that occur along watercourses and water bodies, with typical examples including streambanks and floodplains, and are distinctly different from surrounding lands due to unique soil and vegetation characteristics strongly influenced by the presence of water. With respect to State or federally protected wetlands, wetlands are generally considered to be areas that are periodically or permanently inundated by surface or groundwater, and support vegetation adapted to life in saturated soil. Geographically and hydrologically isolated wetlands are outside federal jurisdiction, but are regulated by Regional Water Quality Control Board (RWQCB).

Considering the developed nature of the project site, riparian land cover and/or State or federally protected wetlands are not present on-site. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or the USFWS or have a substantial adverse effect on State or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Thus, a ***less-than-significant*** impact would occur.

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[5] Santa Clara Valley Habitat Agency. *Santa Clara Valley Habitat Agency Geobrowser.* Available at: https://www.scv-habitatagency.org/228/Key-Maps. Accessed March 2025.

d. Movement corridors or landscape linkages are usually linear habitats that connect two or more habitat patches, providing assumed benefits to wildlife species by reducing inbreeding and increasing the potential for recolonization of habitat patches. The project site is surrounded by undeveloped hillside open space to the north, south and west. A secondary parking lot with 71 stalls is located east of the project site, with vacant land further east and the West Hills Community Church and single-family residences along DeWitt Avenue further beyond that. Due to the developed nature of the area east of the project site, as well as the lack of physical barriers to wildlife movement west of the site, allowing wildlife to maneuver around the site, the proposed project would not interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. Thus, a ***less-than-significant*** impact would occur.

e. Morgan Hill Municipal Code Section 12.32.030 requires the approval of a Tree Removal Permit prior to the removal of any Ordinance Sized Tree, defined as a non-indigenous tree with a circumference greater than 40 inches (approximately 12.7-inch diameter) or any indigenous tree with circumference greater than 18 inches (approximately 5.7 inches diameter). An indigenous tree is defined as any tree native to the Morgan Hill region, such as oaks (all types), Sycamore, California Bay, Madrone, or Alder. According to the Morgan Hill Municipal Code, non-indigenous tree species in residential zones and orchards (including individual fruit trees) are not considered Ordinance Sized Trees. In addition, a Tree Removal Permit is required prior to the removal of a Street Tree, defined as a tree of any size within the public street right-of-way (ROW) or publicly accessible private street or within five feet of a publicly accessible sidewalk adjacent to a public or private street in the case of a street without a landscape park strip.

   A Biological Evaluation Addendum was prepared by Live Oak Associates, Inc. (Live Oak) for a previous design of the proposed project (see Appendix B).[6] Although the project site boundaries have changed since preparation of the Biological Evaluation Addendum, at least one tree identified as subject to the City's tree ordinance is located within the current project site boundaries (e.g., Tree #31 within Figure 8). Compliance with the City's tree removal permit process would ensure that impacts related to trees would be less than significant. In addition, the project would include new landscaping, including within the repaved parking lot. Plant selection would be in accordance with Morgan Hill Municipal Code Section 18.64.060, which requires that all landscaping plants and trees shall be categorized as low or very low water use.

   Based on the above, the proposed project would not conflict with a local policy or ordinance protecting biological resources, such as a tree preservation policy or ordinance, and a ***less-than-significant*** impact would occur.

f. The SCVHP was developed through a partnership between Santa Clara County, the cities of San José, Morgan Hill, and Gilroy, the Santa Clara Valley Water District (SCVWD), the Santa Clara VTA, the USFWS, and the CDFW. The SCVHP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in approximately 500,000 acres of southern Santa Clara County. The SCVHP provides take authorization for 18 listed and non-listed species (i.e., covered species).

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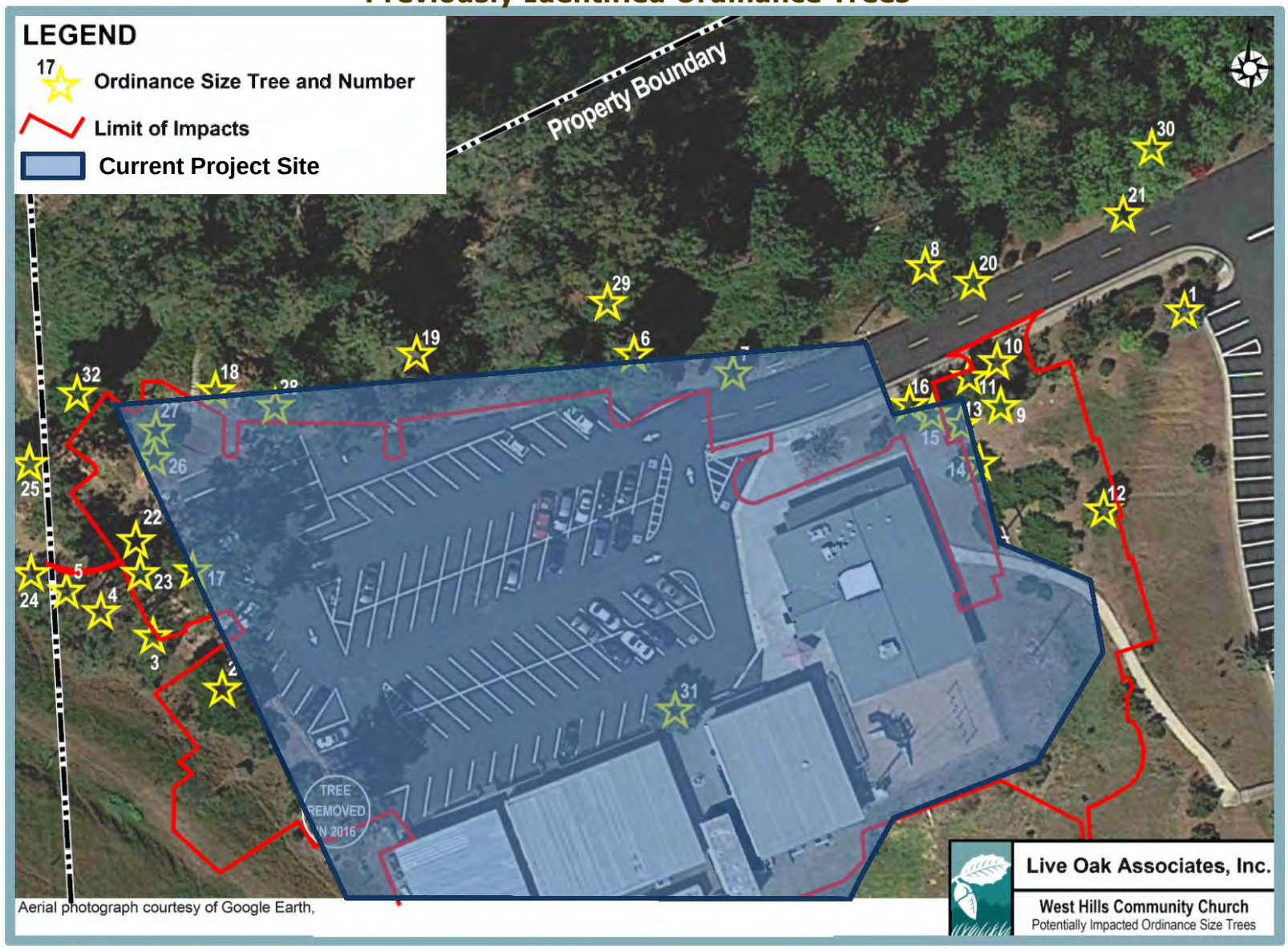
[6] Live Oak Associates, Inc. *Biological Evaluation Addendum for the West Hills Church Project Site in Morgan Hill. (PN 1624-03).* May 7, 2021.

Figure 8
Previously Identified Ordinance Trees



In addition, the SCVHP includes conservation measures to protect the covered species covered by the SCVHP, as well as a conservation strategy designed to mitigate impacts on covered species and contribute to the recovery of the species in the study area.

As noted previously, the SCVHP designates the project site as a Rural Residential developed land cover type. Typically, species covered by the SCVHP are unlikely to occur within such developed areas. In addition, as set forth by Morgan Hill Municipal Code Section 18.132.050, compliance with the SCVHP requires payment of fees according to the Fee Zone designation of the property. The project site is located within Fee Zone B (Agricultural and Valley Floor Lands). Payment of the required fees would further reduce any potential impacts to biological resources and ensure project consistency with the SCVHP.

Based on the above, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan, and ***no impact*** would occur.

V. CULTURAL RESOURCES. *Would the project:*		Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a.	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	✖	☐
b.	Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	☐	☐	✖	☐
c.	Disturb any human remains, including those interred outside of dedicated cemeteries.	☐	☐	✖	☐

Discussion

a-c. Historical resources are features that are associated with the lives of historically important persons and/or historically significant events, that embody the distinctive characteristics of a type, period, region, or method of construction, or that have yielded, or may be likely to yield, information important to the pre-history or history of the local area, California, or the nation. Examples of typical historical resources include, but are not limited to, buildings, farmsteads, rail lines, bridges, and trash scatters containing objects such as colored glass and ceramics.

To identify any known cultural resources, a records search of the California Historic Resources Information System (CHRIS) was performed by the Northwest Information Center (NWIC) on October 5, 2021. The CHRIS search included a review of cultural resource site records and reports, historic-period maps, and literature for Santa Clara County, as well as other inventories, including the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California State Historical Landmarks, California State Points of Historical Interest, and the Office of Historic Preservation (OHP) Built Environment Resources Directory (BERD). The NWIC concluded that the project site has not been included in previous cultural resources studies and does not contain recorded archaeological resources.

The proposed project would include demolition of the existing on-site temporary classroom buildings and the portable restroom building. Generally, properties eligible for listing in the NRHP are at least 50 years old. Cultural resources determined eligible for the NRHP by a federal agency are automatically eligible for the CRHR. The existing modular buildings at the project site were constructed in the 1960s and, therefore, could meet the aforementioned 50-year age requirement. However, the on-site buildings are not associated with any important events or people, nor do the buildings embody any distinctive characteristics of a type, period, or method of construction. Thus, implementation of the proposed project would not result in an adverse change in the significance of a historical resource.

The project site is currently developed and, as such, is unlikely to contain any previously unrecorded cultural resources. However, the proposed project would include minor new ground disturbance related to the proposed utility infrastructure. As noted in the General Plan EIR, archaeological surveys conducted in Morgan Hill have identified numerous prehistoric sites with shell midden components, including human burials. In addition, the CHRIS search concluded that the site has a low to moderate potential for unrecorded archaeological resources to be located on-site. Based on such findings, the potential exists for subsurface historical resources and previously unknown archaeological resources to be found on-site during grading and excavation associated with development

of the proposed project; however, the potential for discovering unknown resources is limited due to the developed nature of the project site. Nonetheless, in the event that such resources are unearthed, the City's standard Conditions of Approval related to the protection of historical and archaeological resources would be implemented, consistent with Morgan Hill Municipal Code Section 18.60.090:

A. Status Determination.

1. The city shall consult with the Northwest Information Center to determine if the project is located within or adjacent to a known archaeological site.
2. If the city determines that the project is located within or adjacent to a known archaeological site, the following requirements apply:
    a. The project shall obtain a Historical Alteration Permit.
    b. The project's CEQA review shall consider potentially significant impacts on archaeological resources and identify appropriate mitigation measures to be imposed as conditions of approval in addition to the standard conditions in Subsection B below.
    c. The project shall comply with the standard conditions of approval in Subsection B below.
3. If the city determines that the project is not located within or adjacent to a known archaeological site, the applicant may either:
    a. Prepare an archaeological survey for the site to identify necessary mitigation measures; or
    b. Comply with the standard conditions of approval in Subsection B below. If the project complies with these standard conditions of approval, the city shall find that potentially significant impacts on archaeological resources are reduced to a less than significant level and that the preparation of an archaeological resources report is not required.

B. Standard Conditions of Approval.

1. Applicability. The conditions of approval in paragraphs 2 and 3 below apply to:
    a. All projects located within or adjacent to a known archaeological site; and
    b. Projects not located within or adjacent to a known archaeological site which elected to comply with these conditions pursuant to A.3 above.
2. On-Site Archaeologist. An archaeologist shall be present on-site to monitor all ground-disturbing activities. If historical or archaeological artifacts are found during construction, the following protocol shall be followed:
    a. Work within thirty feet of the artifacts shall halt immediately. And the archaeologist shall determine if the artifacts qualify as a unique archaeological resource as defined by this chapter.
    b. If the archaeologist determines that the artifacts are not a unique archaeological resource, the archaeologist shall submit to the community development director a brief memorandum or letter that describes the artifacts, assesses their significance, and describes of the methods used to determine their significance. Construction may continue upon the Director's approval of the archaeologist's determination.
    c. If the archaeologist determines that the artifacts qualify as a unique archaeological resource, the archaeologist shall submit to the community development director an action plan that recommends

measures to avoid or minimize impacts to the resource. The action plan shall be prepared in conformance with California Public Resources Code 21083.2. Construction may continue only after the director's approval of the action plan.

3. Discovery of Human Remains. If human remains are discovered during construction, the project shall comply with all applicable state and federal laws, including California Health and Safety Code Section 7050.5 and CEQA Guidelines Section 15064.5(e).

Compliance with the City's standard Conditions of Approval would ensure that construction of the proposed project would have a ***less-than-significant*** impact related to historical resources and unique archeological resources, as well as the disturbance of human remains.

VI. ENERGY. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	✖	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	✖	☐

Discussion

a,b. Discussions regarding the proposed project's potential effects related to energy demand during construction and operations are provided below.

Construction Energy Use

Even during the most intense period of construction, due to the different types of construction activities (e.g., site preparation, grading, building construction), only portions of the project site would be disturbed at a time, with operation of construction equipment occurring at different locations on the project site, rather than a single location. In addition, all construction equipment and operation thereof would be regulated by the CARB In-Use Off-Road Diesel Vehicle Regulation, which imposes limits on idling, requires all vehicles to be reported to CARB, restricts the addition of older vehicles into fleets, and requires fleets to reduce emissions. In addition, as a means of reducing emissions, construction vehicles are required to become cleaner through the use of renewable energy resources. The In-Use Off-Road Diesel Vehicle Regulation and idling restriction regulations, with which the proposed project must comply, would be consistent with the intention of the 2022 Climate Change Scoping Plan Update (2022 Scoping Plan) prepared by CARB, and the recommended actions included in Appendix D of the 2022 Scoping Plan. Therefore, compliance with the In-Use Off-Road Diesel Vehicle Regulation would help improve fuel efficiency for equipment used in construction of the proposed project.

Based on the above, the temporary increase in energy use occurring during construction of the proposed project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. In addition, the proposed project would be required to comply with all applicable regulations related to energy conservation and fuel efficiency, which would help to reduce the temporary increase in demand.

Operational Energy Use

In response to the growing climate crisis, the City has determined that natural gas use in local buildings, which accounts for approximately one-third of the community's carbon footprint, represents the City's greatest opportunity to reduce future GHG emissions. Requiring all new buildings to be constructed without natural gas will dramatically reduce future emissions growth as electricity procured by Silicon Valley Clean Energy is 100 percent carbon free. The City Council adopted Ordinance No. 2306 on November 6, 2019, which prohibits natural gas infrastructure in new buildings.

Energy use associated with operation of the proposed project would be similar to the existing uses, requiring electricity for interior and exterior building lighting, heating, venting, and air conditioning (HVAC), electronic equipment, machinery, appliances, security systems, and more. The proposed project would be subject to all relevant

provisions of the most recent update of the California Building Standards Code (CBSC), including the Building Energy Efficiency Standards. Adherence to the most recent California Green Building Standards Code (CALGreen Code) and the Building Energy Efficiency Standards would ensure that the proposed structures would consume energy efficiently through the incorporation of such features as door and window interlocks, direct digital controls for HVAC systems, and high efficiency outdoor lighting.

With regard to transportation energy use, the proposed project would comply with all applicable regulations associated with vehicle efficiency and fuel economy. As discussed later in Section XVII, Transportation, of this IS/ND, the proposed project is not anticipated to increase trips beyond the existing number of trips associated with the site.

Conclusion

Based on the above, construction and operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Thus, a ***less-than-significant*** impact would occur.

VII. GEOLOGY AND SOILS. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	✖	☐
ii. Strong seismic ground shaking?	☐	☐	✖	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	✖	☐
iv. Landslides?	☐	☐	✖	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	✖	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	✖	☐
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	✖	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	✖
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	✖	☐

Discussion

ai-aii. Pursuant to Figure SSI-1 in the Safety, Services, and Infrastructure Element of the City's General Plan, known faults do not cross the project site. In addition, while the City of Morgan Hill lies within a seismically active region and several faults in the area are considered active, the project site is not within a currently established California Earthquake Hazard Zone for surface fault rupture hazards, including Alquist-Priolo Earthquake Fault Zones.[7] Therefore, the potential for surface rupture due to faulting occurring beneath the site during project operation is considered low.

According to the City's General Plan EIR, major faults near the City include the Calaveras Fault adjacent to the eastern boundary of the General Plan planning area, the San Andreas Fault approximately five miles southwest of the planning area, and the Sargent Fault approximately three miles west of the planning area. Strong ground shaking could occur at the site during an earthquake along any of the aforementioned faults. However, the proposed project would be subject to applicable regulations within the CBSC and City Municipal Code Chapter 15.08, which regulate the design and construction of foundations, building frames, and other building elements. Proper engineering of the proposed buildings in accordance with the aforementioned standards would ensure that seismic-related effects do not cause adverse impacts.

[7] California Department of Conservation. *Earthquake Zones of Required Investigation*. Available at: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed March 2025.

Based on the above, the proposed project would not directly or indirectly cause substantial adverse effects involving rupture of a known earthquake fault or strong seismic ground shaking, and a ***less-than-significant*** impact would occur.

aiii,aiv, c. The proposed project's potential effects related to liquefaction, subsidence, landslides, and lateral spreading, and are discussed in detail below.

Liquefaction and Subsidence/Settlement

Liquefaction is the temporary transformation of loose, saturated granular sediments from a solid state to a liquefied state as a result of seismic ground shaking, which commonly causes ground displacement or ground failure to occur. Because saturated soils are a necessary condition for liquefaction, soil layers in areas where the groundwater table is near the surface have higher liquefaction potential than those in which the water table is located at greater depths. Additionally, loose unsaturated sandy soils have the potential to settle during strong seismic shaking. Liquefaction can often result in subsidence, which refers to the gradual settling or sudden sinking of land surface, or settlement, which refers to the vertical movement of soil when a load is applied to the surface.

Cut and fill non-engineered slopes occur throughout the property, including the slopes to the north and south, which are predominantly artificial fill slopes constructed through multiple generations of uncontrolled grading. Artificial fill at the project site contains a mix of materials including loose rubble and may be significantly less dense than the underlying colluviums, residuum, and bedrock. Structural foundations relying on support from the combination of earth materials at the site may experience differential consolidation of the underlying earth materials, potentially leading to settlement beneath foundations, structural deformations, and instability.

However, the City of Morgan Hill would impose a condition of approval requiring the project design team to develop a foundation and grading leading to uniform bearing conditions that would reduce elevated risks from differential settlement beneath the multi-purpose building and auditorium to a less-than-significant level. The proposed project would also be subject to applicable regulations within the CBSC and Morgan Hill Municipal Code Chapter 15.08, which would reduce the potential for seismic-related ground failure, including liquefaction. In addition, the City's General Plan EIR concluded that, with compliance with applicable General Plan policies, a less-than-significant impact would occur. The proposed project would be required to comply with applicable policies set forth by the General Plan, as well as with regulations and standards established at the State and local levels, and would not change the existing uses associated with the project site. As such, development of the proposed project would not result in impacts beyond those that were identified in the General Plan EIR, and potential impacts related to liquefaction and subsidence/settlement would be less than significant.

Landslides and Lateral Spreading

Seismically induced landslides are triggered by earthquake ground shaking. The risk of landslide hazard is greatest in areas with steep, unstable slopes. Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water; typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope.

Three shallow (less than five feet thick) but distinct landslides have issued from the steep ascending slope to the west of the project site (see Figure 9). However, the potential landslide areas do not encroach upon the project site boundaries and, thus, would not pose a substantial risk to the proposed buildings.

Based on the above, potential impacts related to landslides and lateral spreading would be less than significant.

Conclusion

Based on the above, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving liquefaction or landslides, and would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Thus, a ***less-than-significant*** impact would occur.

b. Development of the project site would cause ground disturbance related to construction activity, including grading and excavation, utility installation, and paving. After grading and excavation and prior to overlaying the disturbed ground surfaces with impervious surfaces and structures, the potential exists for wind and water erosion to occur, which could adversely affect downstream storm drainage facilities.

New development within the City that disturbs one or more acres of land is required to comply with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP) incorporating Best Management Practices (BMPs) to control sedimentation, erosion, and hazardous materials contamination of runoff during construction. The project site is approximately 1.8 acres and, thus, would be subject to such requirements. In addition, pursuant to Morgan Hill Municipal Code Chapter 13.30, the project applicant would be required to submit a sediment and erosion control plan to the City. The sediment and erosion control plan would demonstrate the project's conformance with City standards related to preventing significant sediment and soil erosion during construction and include the standards and guidelines found in the California Stormwater Quality Association, Stormwater Best Management Practice Handbook. Additionally, pursuant to Morgan Hill Municipal Code Section 13.30.270, erosion control plans must provide details for BMPs, such as preservation of existing vegetation, hydraulic mulch, and hydroseeding. Incorporation of such BMPs would further ensure substantial adverse effects to downstream storm drainage facilities do not occur as a result of substantial soil erosion or the loss of topsoil. The sediment and erosion control plan would be subject to review and approval by the City Engineer prior to approval of project improvement plans and the issuance of building permits to ensure that the plan complies with City standards.

Based on the above, the proposed project would not result in substantial soil erosion or the loss of topsoil. Thus, a ***less-than-significant*** impact would occur.

Figure 9
Landslide Deposit Areas

d. Expansive soils increase in volume when they absorb water and have the potential to crack or otherwise compromise the integrity of building foundations. Pursuant to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey, the project site is underlain with Gilroy clay loam, 30 to 75 percent slopes, Major Land Resource Area (MLRA) 15, which has a rating of "Very limited" for dwellings without basements.[8]

However, the project site is currently developed and the proposed project would not change the existing uses of the site. In addition, Morgan Hill Municipal Code Section 15.08.090 includes requirements for minimum thickness of concrete floor slabs, as well as required reinforcement with wire mesh or an approved alternative. Finally, as previously discussed, the proposed project would be subject to applicable regulations set forth by the CBSC, which provide standards to protect property and public safety by regulating the design and construction of foundations, building frames, and other building elements. Given required compliance with the CBSC and the slab and foundation construction standards provided in the Municipal Code, the proposed project would not be subject to substantial risks related to expansive soils.

Based on the above, the proposed project would not create substantial direct or indirect risks to life or property related to being located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. Thus, a ***less-than-significant*** impact would occur.

e. The proposed development would connect to existing City-maintained sewer infrastructure and would not include the use of septic tanks. Accordingly, ***no impact*** would occur related to soils incapable of adequately supporting the use of septic tanks.

f. Paleontological resources or fossils are the remains of prehistoric plant and animal life. As noted in the General Plan EIR, based on a review of the University of California's Museum of Paleontology's (UCMP) fossil locality database conducted for all of Santa Clara County, paleontological resources have not been explicitly identified as being found within Morgan Hill.[9]

As noted in the City's General Plan, occurrences of fossil resources are closely tied to the geologic units. The soil types at the project site are not considered unique geologic features and are common within the geographic area of the City. As such, development of the proposed project would not destroy a unique geologic feature. Furthermore, the proposed project would be subject to the City's standard conditions as discussed in Section V, Cultural Resources, of this IS/ND, which, as noted in the General Plan EIR, would ensure that impacts to paleontological resources are less than significant.

Therefore, the proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and a ***less-than-significant*** impact would occur.

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[8] U.S. Department of Agriculture, Natural Resources Conservation Service. *Web Soil Survey*. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed March 2025.

[9] City of Morgan Hill. *2035 General Plan, City of Morgan Hill* [pg. 4.5-17]. Adopted July 2016.

VIII. GREENHOUSE GAS EMISSIONS. *Would the project:*	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	✖	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	✖	☐

Discussion

a,b. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts. Because the proposed project would not represent a change in the existing on-site uses, development of the proposed project is not anticipated to cumulatively contribute to increases of GHG emissions during operations.

The common unit of measurement for GHG is expressed in terms of annual metric tons of carbon dioxide (CO_2) equivalents ($MTCO_2e$/yr). Based on the modeling conducted for the proposed project, as discussed in Section III, Air Quality, of this IS/ND, the proposed project would result in maximum construction GHG emissions of 208 $MTCO_2e$/yr. However, construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. Neither the City nor BAAQMD has an adopted threshold of significance for construction-related GHG emissions. Accordingly, construction GHG emissions are presented for disclosure and informational purposes only.

In addition, as discussed above, the proposed project would not include a change in operational hours or an increase in attendance or other on-campus activities. Thus, GHG emissions associated with project operation would not be significantly different from the existing conditions, and the proposed project would not result in any additional impacts related to such beyond current conditions.

BAAQMD's adopted thresholds of significance for GHG emissions are qualitative, and the foregoing information is provided for disclosure purposes only. Potential impacts related to GHG emissions resulting from implementation of the proposed project are considered in comparison with BAAQMD's adopted thresholds of significance below.

BAAQMD Thresholds of Significance

On April 20, 2022, the BAAQMD Board of Directors held a public meeting and adopted proposed CEQA Thresholds for Evaluating the Significance of Climate Change Impacts from Land Use Projects and Plans. According to the new thresholds of significance, a project must either include specific project design elements (e.g., exclude use of natural gas, achieve a specific reduction in project-generated vehicle miles traveled [VMT] below the regional average) or be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).[10]

[10] Bay Area Air Quality Management District. *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. April 2022.

In December of 2021, the City of Morgan Hill adopted a Climate Action Plan (CAP); however, the City's CAP does not qualify as a local GHG reduction strategy under CEQA Guidelines Section 15183.5(b). Therefore, the City has determined that the BAAQMD thresholds of significance are appropriate for the proposed project, and the following analysis focuses on the new BAAQMD GHG thresholds related to specific project design elements.

According to the BAAQMD's thresholds of significance, in order to find a less-than-significant GHG impact, projects must include, at a minimum, the following project design elements:

- The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development);
- The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines;
- The project will achieve a reduction in project-generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted SB 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA; and
- The project will achieve compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2.

In order to be consistent with the first criterion, the proposed project is required to include all electric appliances and plumbing. As discussed previously, natural gas is prohibited in all new construction within the City, effective March 1, 2020, pursuant to City Ordinance No. 2306. Therefore, the proposed project would comply with the first criterion.

Regarding the second criterion, as discussed in Section VI, Energy, of this IS/ND, the proposed project would comply with all applicable federal, State, and local regulations regarding energy use during both project construction and project operations. Required compliance with applicable standards and regulations would ensure that the building energy use associated with the proposed project would not be wasteful, inefficient, or unnecessary, and, as a result, the project would comply with the second criterion.

With respect to the third criterion, as discussed in Section XVII, Transportation, of this IS/ND, the proposed project is not anticipated to result in a net increase in daily vehicle trips relative to existing conditions. Therefore, based on the recommendations provided in the Governor's Office of Land Use and Climate Innovation (LCI) Technical Advisory on Evaluating Transportation Impacts in CEQA, VMT associated with the proposed project would be less than significant, and the project would comply with the third criterion.

With respect to the fourth criterion, the proposed project would be subject to the non-residential requirements set forth in the CALGreen standards. The proposed project would repave the existing parking lot to add 38 parking spaces. Based on the non-residential Tier 2 CALGreen standards, the proposed project would be required to provide on-site EV capable spaces, which have the electric infrastructure necessary to support future installation of EV charging units. Consistency with the CALGreen standards would be

required as a condition of approval by the City. Therefore, the proposed project would comply with the fourth criterion.

Conclusion

Based on the above, the project would comply with BAAQMD criteria and would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, nor conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, a ***less-than-significant*** impact would occur.

IX. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	✖	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	☐	☐	✖	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	✖
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	✖	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	✖
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	✖	☐
g. Expose people or structures, either directly or indirectly, to the risk of loss, injury or death involving wildland fires?	☐	☐	✖	☐

Discussion

a. A significant hazard to the public or the environment could result from the routine transport, use, or disposal of hazardous materials. Operations of the proposed project could involve the use of common household cleaning products, fertilizers, and herbicides on-site, any of which could contain potentially hazardous chemicals. However, such products would be expected to be used in accordance with label instructions. Due to the regulations governing use of such products and the amount that could reasonably be used on the site, routine use of such products would not represent a substantial risk to public health or the environment. Therefore, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and a ***less-than-significant*** impact would occur.

b,d. The project site is not located on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, including the Department of Toxic Substances Control's (DTSC's) Hazardous Waste and Substances Site List, which is a component of the Cortese List,[11] the State Water Resources Control Board's (SWRCB) GeoTracker data management system and hazardous materials sites, such as leaking underground storage tank (LUST) sites,[12] and DTSC cleanup sites.[13] In addition, the project site is not located

[11] California Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available at: https://dtsc.ca.gov/dtscs-cortese-list. Accessed March 2025.

[12] California Environmental Protection Agency. *GeoTracker.* Available at: https://geotracker.waterboards.ca.gov/search. Accessed December 2024.

[13] Department of Toxic Substances Control. *EnviroStor.* Available at: https://www.envirostor.dtsc.ca.gov/public/search.asp. Accessed December 2024.

on or near any hazardous waste sites identified on the list of active Cease and Desist Orders (CDO) and Cleanup and Abatement Orders (CAO) from the SWRCB.[14] Therefore, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and a ***less-than-significant*** impact would occur.

c. The nearest school to the project site is Mariposas Preschool, located at 16900 Dewitt Avenue, approximately 0.33-mile northeast of the site. As such, the proposed project would not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, and ***no impact*** would occur.

e. The nearest airport to the project site is the San Martin Airport, which is located approximately 4.08 miles to the southeast of the project site. In addition, the project site is not located within the vicinity of a private airstrip. Therefore, the project site is not located within two miles of a public airport or public use airport and, thus, would not result in an airport-related safety hazard for people residing or working in the project area. Overall, ***no impact*** would occur.

f. The proposed project would not result in any substantial modifications to the City's existing roadway system. Access to the project site would be provided by the existing driveway extending east from the project site to DeWitt Avenue. Furthermore, the proposed project is consistent with the site's existing uses; thus, development of the site and associated effects on emergency evacuation routes has been anticipated by the General Plan and analyzed in the General Plan EIR and the City's Emergency Operations Plan.[15]

Based on the above, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and a ***less-than-significant*** impact would occur.

g. Issues related to wildfire hazards are discussed in Section XX, Wildfire, of this IS/ND. As noted therein, the project site is located within a High Fire Hazard Severity Zone (FHSZ).[16] However, the proposed project would not represent a change in the existing on-site uses. Therefore, the proposed project would not result in an increased exposure of people or structures to the risk of loss, injury or death involving wildland fires, and a ***less-than-significant*** impact would occur.

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[14] State Water Resources Control Board. *Active CDO and CAO.* Available at: https://calepa.ca.gov/sitecleanup/corteselist/. Accessed December 2024.

[15] City of Morgan Hill. *Emergency Operations Plan.* January 11, 2018.

[16] California Department of Forestry and Fire Protection. *Fire Hazard Severity Zones*. Available at: https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones. Accessed March 2025.

X. HYDROLOGY AND WATER QUALITY. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	✖	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	✖	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	✖	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	✖	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	✖	☐
iv. Impede or redirect flood flows?	☐	☐	✖	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	✖	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	✖	☐

Discussion

a. The proposed project's potential to result in water quality impacts during construction and operations is discussed in further detail separately below.

Construction

Project construction activities such as grading and trenching for site improvements would result in the disturbance of on-site soils. The exposed soils have the potential to affect water quality. In addition, spills or leaks from heavy equipment and machinery, staging areas, or building sites also have the potential to enter runoff. Typical pollutants include, but are not limited to, petroleum and heavy metals from equipment and products such as paints, solvents, and cleaning agents, which could contain hazardous constituents. Sediment from erosion of graded or excavated surface materials, leaks or spills from equipment, or inadvertent releases of building products could result in water quality degradation if runoff containing the sediment or contaminants should enter receiving waters in sufficient quantities. Impacts from construction-related activities would generally be short-term and of limited duration.

Water quality degradation is regulated by the federal NPDES Program, established by the Clean Water Act, which controls and reduces pollutants to water bodies from point and non-point discharges. In California, the NPDES permitting program is administered by the SWRCB through nine RWQCBs. As discussed in Section VII, Geology and Soils, of this IS/ND, the proposed project would be required to comply with the NPDES Construction

General Permit and prepare a SWPPP incorporating BMPs to control sedimentation, erosion, and hazardous materials contamination of runoff during construction.

The proposed project would also be subject to all regional and local water quality regulations. In order to meet water quality objectives for the region, the City of Morgan Hill implements the Revised Regional Storm Water Management Plan (SWMP) through an extensive program. The SWMP incorporates the efforts of the City of Morgan Hill, the City of Gilroy, and the unincorporated portion of Santa Clara County, within the watershed of the Pajaro River and Monterey Bay, to meet the Phase II Storm Water Permit requirements for small municipal separate storm sewer systems (MS4s). The City requires construction site storm water runoff control and pollution prevention as part of the SWMP, including BMPs for the control of storm water runoff quality during construction.

Based on the above, implementation of the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during construction.

Operation

After project construction, impervious surfaces on the project site could contribute incrementally to the degradation of downstream water quality during storm events. During the dry season, vehicles and other urban activities may release contaminants onto the impervious surfaces, where they would accumulate until the first storm event. During the initial storm event, or first flush, the concentrated pollutants would be transported via stormwater runoff from the site to the stormwater drainage system and eventually a downstream waterway. Typical urban pollutants that would likely be associated with the proposed project include sediment, pesticides, oil and grease, nutrients, metals, bacteria, and trash. In addition, stormwater runoff could cause soil erosion if not properly addressed, which would provide a more lucrative means of transport for pollutants to enter the waterways.

The proposed project would not change the site's existing uses. Therefore, water quality in the project vicinity due to runoff from the redeveloped project site would not substantially change relative to existing conditions, given the similarities between the existing and proposed uses. In addition, the proposed project would be managed in accordance with Resolution R3-2013-0032 issued by Central Coast RWQCB, which formally adopts post-construction stormwater management requirements for development projects in the Central Coast Region. On-site stormwater management facilities would include new bioretention areas in the southeast and southwest corners of the project site and a new catch basin within the reconfigured parking lot. Collected runoff would be routed from the detention basins through a new 48-inch detention pipe to a new dissipator located immediately south of the project site.

The proposed project would be required to comply with the design standards set forth in Section 18.140.040 of the City's Municipal Code. Selection and implementation of BMPs would be required to be to the satisfaction of the City and in accordance with the requirements contained in the most recent versions of the following documents:

1. City of Morgan Hill Stormwater Post Construction Best Management Practices Development Standards for new development and redevelopment;
2. California Storm Water Quality Association Best Management Practice Handbooks;

3. City of Gilroy, City of Morgan Hill and County of Santa Clara Regional Stormwater Management Plan (SWMP), as approved by the Central Coast Regional Water Quality Control Board; and
4. City of Morgan Hill Hydro-modification Management Plan, as approved by the Central Coast Regional Water Quality Control Board.

The final design of the proposed drainage system would be reviewed and approved by the City of Morgan Hill Engineering Land Development Division, which would ensure that the proposed drainage system complies with the City's Post Construction Stormwater Pollution Prevention Ordinance with respect to incorporating sufficient permanent stormwater treatment control BMPs. Therefore, water quality standards or waste discharge requirements would not be violated, and water quality would not be degraded as a result of the proposed project operations.

Conclusion

Based on the above discussions, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during construction or operations. Therefore, a ***less-than-significant*** impact would occur.

b,e. Water supply is discussed in Section XIX, Utilities and Service Systems, of this IS/ND. Groundwater within the Llagas Subbasin is managed by the SCVWD. The 2021 Groundwater Management Plan (GWMP) describes the SCVWD's comprehensive groundwater management framework. Major recharge facilities within the Llagas Subbasin include the Uvas and Chesbro Reservoirs, Llagas and Uvas Creeks, the Madrone Channel, the San Pedro and Main Avenue groundwater recharge ponds, and the Uvas-Llagas pipeline.

The project site is currently developed and, thus, does not act as a groundwater recharge area. Pursuant to the Preliminary Hydrology Report prepared for the proposed project by BKF Engineers (see Appendix C),[17] the proposed project would not create more impervious surfaces than are currently found on-site. The proposed bioretention areas would also allow groundwater recharge. Therefore, given the similarities between the existing and proposed uses, the project site's recharge capability would not change substantially relative to existing conditions. Overall, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin, nor conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, a ***less-than-significant*** impact would occur.

ci-iii. The project site is currently developed with a single-story worship center, three temporary classroom buildings, a temporary restroom building, and a paved parking lot. The proposed project would not change the site's existing uses and, thus, the redeveloped site's drainage pattern would not change substantially relative to existing conditions. As previously discussed, the proposed project would install three runoff capture areas, one within each DMA (see Figure 7). DMAs 1 and 3 would each include new bioretention areas, which would be located in the southeast and southwest corners of the project site. DMA 2 would include a new catch basin located within the reconfigured parking lot.

[17] BKF Engineers. *Preliminary Hydrology Report.* March 2024.

Collected runoff would be routed from the detention basins through a new 48-inch detention pipe to a new dissipator located immediately south of the project site. The on-site storm drainage infrastructure would treat and retain 95 percent of the runoff from the project site and would also maintain peak runoff flows such that they do not exceed pre-project flows in accordance with the stormwater management requirements adopted by Resolution R3-2013-0032 issued by Central Coast RWQCB.

As discussed above, according to the Preliminary Hydrology Report, the proposed project would not create more impervious surfaces than are currently found on-site. In addition, as shown in Section 1.4 of the Preliminary Hydrology Report, development of the proposed stormwater management system would reduce peak flows from existing conditions. Stormwater would be directed into a series of storm drain pipelines which would lead to the proposed underground bioretention catch basins located in the southeastern and southwestern portions of the project site. Following treatment, stormwater flows would be discharged south of the project site through the proposed wide rock dissipator, which would slow flows and protect the hillside from erosion.

Based on the above, the proposed project would not significantly increase stormwater flows such that the capacity of the City's existing stormwater drainage system would be exceeded. The final drainage system design for the project would be subject to review and approval by the City of Morgan Hill Engineering Land Development Division, who would confirm that the proposed drainage system for the project is consistent with the City's Storm Drainage Master Plan and standard stormwater-related conditions of approval. Therefore, the proposed project would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation, or flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Thus, a ***less-than-significant*** impact would occur.

civ. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 06085C0606H, the project site is located entirely within Zone X, defined as an area that is located outside of the 100-year floodplain.[18] As such, the project site is not located within a FEMA-designated Special Flood Hazard Area (SFHA). Therefore, the proposed project would not impede or redirect flood flows or expose people or structures to a significant loss, injury, or death involving flooding, and a ***less-than-significant*** impact would occur.

d. The project site is not located near a water body that is susceptible to seiche hazard and the distance to the nearest coastline does not subject the site to tsunami hazards. As indicated on dam failure inundation hazard maps, the project site is located outside of any dam failure inundation hazard zones.[19] Therefore, the proposed project would not be exposed to substantial risks related to flooding as a result of the failure of a dam, tsunamis, or seiches and a ***less-than-significant*** impact would occur.

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[18] Federal Emergency Management Agency. *National Flood Hazard Layer FIRMette*. Available at: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed March 2025.

[19] Association of Bay Area Governments. *Dam Inundation Map Viewer.* Available at: https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2. Accessed June 2024.

XI. LAND USE AND PLANNING. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	✖	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	✖	☐

Discussion

a. A project risks dividing an established community if the project would introduce infrastructure or alter land use so as to change the land use conditions in the surrounding community or isolate an existing land use. The proposed project would not change the existing uses. Therefore, the project would not physically divide an established community, and a ***less-than-significant*** impact would occur.

b. Although the proposed project is requesting a Rezone, implementation of the proposed project would not represent a change in on-site uses. In addition, the proposed project would be generally consistent with applicable Morgan Hill Municipal Code standards and General Plan policies, as well as other applicable policies and regulations adopted for the purpose of avoiding or mitigating environmental effects. Therefore, the proposed project would be consistent with the General Plan and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and a ***less-than-significant*** impact would occur.

XII. MINERAL RESOURCES. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	✖
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	✖

Discussion

a,b. The City's General Plan does not identify any regionally or locally important mineral resources within the City of Morgan Hill. The Santa Clara County General Plan does identify mineral resources of importance; however, the project site is not in proximity to the quarries currently in operation. Consequently, the proposed project would not result in the loss of a known mineral resource that would be of value to the region nor would the project result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, ***no impact*** to mineral resources would occur as a result of the proposed project.

XIII. NOISE. *Would the project result in:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. 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?	☐	☐	✖	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	✖	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	✖

Discussion

a. The following terms are referenced in the sections below:

- Decibel (dB): A unit of sound energy intensity. An A-weighted decibel (dBA) is a decibel corrected for the variation in frequency response to the typical human ear at commonly encountered noise levels. All references to dB in this analysis are A-weighted unless noted otherwise.
- Community Noise Equivalent Level (CNEL): The cumulative noise exposure over a 24-hour period. Weighting factors of +5 and +10 dBA are applied to the evening and nighttime periods, respectively, to account for the greater sensitivity of people to noise during those periods.
- Average, or equivalent, sound level (L_{eq}): The L_{eq} corresponds to a steady-state A-weighted sound level containing the same total energy as a time varying signal over a given time period (usually one hour).
- Day-Night Average Level (L_{dn}): The average sound level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 PM to 7:00 AM) hours.
- Maximum Sound Level (L_{max}): The maximum sound level over a given time-period.
- Median Sound Level (L_{50}): The sound level exceeded 50 percent of the time over a given time-period.

Noise-sensitive land uses are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the primary intended use of the land. Places where people live, sleep, recreate, worship, and study are considered to be sensitive to noise because intrusive noise can be disruptive to such activities. Within the project vicinity, the nearest sensitive receptors are the single-family residences fronting DeWitt Avenue, with the closest located approximately 560 feet east of the project site. The existing noise environment in the project area is predominantly defined by on-site vehicle noise and traffic on the local roadway network, primarily DeWitt Avenue and the existing driveway.

Project Construction Noise

During project construction, heavy-duty equipment would be used for demolition, grading, excavation, paving, and building construction, which would result in temporary noise level

increases while in operation. Noise levels would vary depending on the type of equipment used, how the equipment is operated, and how well the equipment is maintained. In addition, noise exposure at any single point outside the project site would vary depending on the proximity of construction activities to that point. Standard construction equipment, such as graders, backhoes, loaders, and haul trucks would be used on-site. Therefore, the project would result in short-term noise level increases in the project vicinity.

Table 3 shows maximum noise levels associated with typical construction equipment. Based on the table, activities involved in typical construction would generate maximum noise levels up to 85 dB at a distance of 50 feet. As one increases the distance between equipment, or increases separation of areas with simultaneous construction activity, dispersion and distance attenuation reduce the effects of combining separate noise sources. The noise levels from a source decrease due to spherical spreading loss at a rate of approximately six dB per every doubling of distance from the noise source.

Table 3
Construction Equipment Noise

Type of Equipment	Maximum Level, dB at 50 feet
Backhoe	78
Compactor	83
Compressor (air)	78
Dozer	82
Dump Truck	76
Excavator	81
Generator	81
Pneumatic Tools	85

Source: Federal Highway Administration, Roadway Construction Noise Model User's Guide, January 2006.

The nearest noise-sensitive receptors, the single-family residences east of the site fronting DeWitt Avenue, are located over 500 feet away from the project site boundaries. Thus, noise levels generated during project construction would be substantially less due to spherical spreading loss than those shown in Table 3 at the receptor. Although the Morgan Hill Municipal Code does not specify any short-term construction noise level limits, Chapter 8.28 of the Municipal Code prohibits construction activities between 8:00 PM and 7:00 AM, Monday through Friday, and between 6:00 PM and 9:00 AM on Saturdays. Construction activities may not occur on Sundays or federal holidays. Construction activities related to the proposed project would include the use of sound-dampening equipment such as mufflers, air-inlet silencers, shrouds, shields, or other noise-reducing features where appropriate.

Enforcement of time restrictions specified in the Morgan Hill Noise Ordinance would ensure that the temporary or periodic increase in ambient noise levels in the project vicinity during project construction are reduced to the maximum extent feasible, and a less-than-significant impact would occur.

Project Operational Noise

Pursuant to General Plan Policy SSI-8.5, noise level increases resulting from traffic associated with new projects are considered significant if: a) the noise level increase is five dBA L_{dn} or greater, with a future noise level of less than 60 dB L_{dn}, or b) the noise level increase is three dB L_{dn} or greater, with a future noise level of 60 dB L_{dn} or greater. As

previously discussed, the proposed project would result in similar uses to the existing on-site uses. Therefore, given the similarities between the existing and proposed uses, ambient noise levels at the redeveloped project site would not change substantially relative to existing conditions. Furthermore, as discussed in Section XVII, Transportation, of this IS/ND, the proposed project would not result in a net increase in daily vehicle trips relative to existing conditions. Therefore, traffic-related noise levels generated as part of project operation would not result in a substantial permanent increase in ambient noise levels in the project vicinity in excess of standards established in the Morgan Hill General Plan.

Overall, the project is consistent with the site's existing uses and would not include changes to operation or population; therefore, noise level increases associated with project operation are not anticipated to occur.

Conclusion

Based on the above, project construction and operation would not result in a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of standards established in the Morgan Hill General Plan. Thus, a ***less-than-significant*** impact would occur.

b. Similar to noise, vibration involves a source, a transmission path, and a receiver. However, noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to the vibration depends on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system which is vibrating.

Vibration is measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration in terms of peak particle velocities (PPV) in inches per second (in/sec). Table 4, which was developed by Caltrans, shows the vibration levels that would normally be required to result in damage to structures. As shown in the table, the threshold for architectural damage to structures is 0.20 in/sec PPV, and continuous vibrations of 0.10 in/sec PPV, or greater, would likely cause annoyance to sensitive receptors.

The proposed project would only cause elevated vibration levels during construction, as the proposed project would not involve any uses or operations that would generate substantial groundborne vibration. Although noise and vibration associated with the construction phase of the project would add to the noise environment in the immediate project vicinity, construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours.

The primary vibration-generating activities associated with the proposed project would occur during grading, paving, placement of utilities, and construction of foundations. Table 5 shows the typical vibration levels produced by construction equipment at various distances. The most substantial source of groundborne vibrations associated with project construction would be the use of vibratory compactors. Use of vibratory compactors/rollers could potentially be required during development of the site's new paved surfaces. The nearest structures to the project site are the single-family residential uses located approximately 560 feet to the east. Based on the vibration levels presented in Table 5, vibration levels generated from on-site project construction activities at the nearest

structures would be well below the 0.20 in/sec PPV threshold for damage to structures. Furthermore, construction activities would not result in vibration levels in excess of the 0.10 in/sec PPV threshold for annoyance to the nearest sensitive receptors.

Table 4
Effects of Vibration on People and Buildings

PPV		Human Reaction	Effect on Buildings
mm/sec	in/sec		
0.15 to 0.30	0.006 to 0.019	Threshold of perception; possibility of intrusion	Vibrations unlikely to cause damage of any type
2.0	0.08	Vibrations readily perceptible	Recommended upper level of the vibration to which ruins and ancient monuments should be subjected
2.5	0.10	Level at which continuous vibrations begin to annoy people	Virtually no risk of "architectural" damage to normal buildings
5.0	0.20	Vibrations annoying to people in buildings (this agrees with the levels established for people standing on bridges and subjected to relative short periods of vibrations)	Threshold at which there is a risk of "architectural" damage to normal dwelling - houses with plastered walls and ceilings. Special types of finish such as lining of walls, flexible ceiling treatment, etc., would minimize "architectural" damage
10 to 15	0.4 to 0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

Source: Caltrans. Transportation Related Earthborne Vibrations. TAV-02-01-R9601. February 20, 2002.

Table 5
Vibration Levels for Various Construction Equipment

Type of Equipment	PPV at 25 feet (in/sec)	PPV at 50 feet (in/sec)
Large Bulldozer	0.089	0.029
Loaded Trucks	0.076	0.025
Small Bulldozer	0.003	0.000
Auger/drill Rigs	0.089	0.029
Jackhammer	0.035	0.011
Vibratory Hammer	0.070	0.023
Vibratory Compactor/roller	0.210	0.070

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006.

Based on the above, project operation and construction would not generate excessive groundborne vibration or groundborne noise levels at the nearest existing sensitive receptors. Therefore, the project would result in a ***less-than-significant*** impact.

c. The nearest airport to the project site is the San Martin Airport, which is located approximately 4.8 miles southeast of the project site. The project site is located well outside of the Airport Influence Area (AIA) identified in the South County Airport

Comprehensive Land Use Plan.[20] In addition, the project site is not located within the vicinity of a private airstrip. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels associated with air traffic, and ***no impact*** would occur.

[20] Santa Clara County. *Comprehensive Land Use Plan, Santa Clara County, South County Airport.* Amended November 16, 2016.

XIV. POPULATION AND HOUSING. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	☐	✖
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	✖

Discussion

a. Given the nature of the proposed project, the project would not directly or indirectly induce substantial unplanned population growth in the project area, as the proposed worship center and church uses do not constitute major infrastructure. In addition, as previously discussed, the proposed project would not represent a change in the site's existing uses. Therefore, the proposed project would not directly or indirectly induce population growth in the City, as worship center and church uses do not generate new residents, nor do they indirectly facilitate to a substantial degree the construction of new residences that could result in population growth.

Based on the above, the proposed project would not induce substantial unplanned population growth in the project area, either directly or indirectly, and ***no impact*** would occur.

b. The project site does not contain existing residences. Therefore, the proposed project would not displace substantial numbers of existing people or housing, and ***no impact*** would occur.

XV. PUBLIC SERVICES.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection?	☐	☐	✖	☐
b. Police protection?	☐	☐	✖	☐
c. Schools?	☐	☐	✖	☐
d. Parks?	☐	☐	✖	☐
e. Other Public Facilities?	☐	☐	✖	☐

Discussion

a-e. The level at which fire protection, law enforcement, educational, recreational, and other public services are provided in the City of Morgan Hill would not change substantially as a result of the proposed project, relative to existing conditions. Furthermore, the proposed project would not directly or indirectly induce population growth in the City, as worship center and church uses do not generate new residents, nor do they indirectly facilitate to a substantial degree the construction of new residences that could result in population growth. As such, new governmental facilities related to public services would not be required.

Based on the above, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. Thus, a ***less-than-significant*** impact would occur.

XVI. RECREATION. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	✖	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	✖	☐

Discussion

a,b. The City's Community Services Department oversees the provision and maintenance of parks and recreation amenities and services within the City limits. As discussed above, the proposed project would not directly or indirectly induce population growth in the City. Therefore, use of the City's parks and recreation amenities would not substantially increase as a result of the proposed project. Furthermore, the proposed project would be similar to the site's existing use. As such, the level at which park facilities are used in the City of Morgan Hill would not change substantially as a result of the proposed project.

Based on the above, a ***less-than-significant*** impact would occur with regard to recreational resources.

XVII. TRANSPORTATION. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	✖	☐
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	✖	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	✖	☐
d. Result in inadequate emergency access?	☐	☐	✖	☐

Discussion

a. The law has changed with respect to how transportation-related impacts may be addressed under CEQA. Traditionally, lead agencies used level of service (LOS) to assess the significance of such impacts, with greater levels of congestion considered to be more significant than lesser levels. Enacted as part of SB 743 (2013), PRC Section 21099, subdivision (b)(1), directed LCI to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed CEQA Guidelines addressing "criteria for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses."

Pursuant to SB 743, the Natural Resources Agency promulgated CEQA Guidelines Section 15064.3 in late 2018. It became effective in early 2019. Subdivision (a) of that section provides that "[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact."

Please refer to question 'b' for a discussion of VMT.

Pedestrian, Bicycle, and Transit Facilities

Pedestrian facilities are provided along the existing driveway connecting DeWitt Avenue and the project site, as well as within the existing development. The proposed project would include connections to the existing sidewalks, maintaining pedestrian access to the project site and nearby land uses. Thus, the proposed project would not conflict with any existing or planned pedestrian facilities and would not substantially change pedestrian access relative to existing conditions. Thus, the proposed project would result in a less-than-significant impact related to pedestrian facilities.

In the project vicinity, bike lanes are located along the shoulder of DeWitt Avenue. Due to the relatively small size of the proposed project, the project is not expected to generate a significant amount of bicycle trips. Therefore, the demand generated by the proposed project could be accommodated by the existing bicycle facilities in the vicinity of the project site. Thus, the proposed project would not conflict with a program, plan, ordinance, or policy related to the City's bicycle facilities.

Bus service in the City of Morgan Hill is provided by the Santa Clara VTA, which operates local bus service with regional connections to destinations north and south of the City. The nearest bus stop to the project site is located approximately 0.61-mile northeast at the intersection of Alkire Avenue/Peak Avenue. In addition, as discussed previously, the proposed project would result in a new worship center, temporary classroom buildings and a restroom building, and a paved parking lot, similar to the site's existing use. Therefore, transit operations in the project vicinity would not change substantially relative to existing conditions, given the similarities between the existing and proposed uses. Because the proposed project could only slightly increase transit riders, the demands of the proposed project could be accommodated by the existing transit facilities. Thus, the proposed project would result in a less-than-significant impact to existing transit facilities.

Conclusion

Based on the above information, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and a ***less-than-significant*** impact would occur.

b. Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Pursuant to Section 15064.3, analysis of VMT attributable to a project is the most appropriate measure of transportation impacts, with other relevant considerations consisting of the effects of the project on transit and non-motorized travel. VMT is the total miles of travel by personal motorized vehicles a project is expected to generate in a day. VMT measures the full distance of personal motorized vehicle-trips, with one end within the project site.

According to the Technical Advisory on Evaluating Transportation Impacts in CEQA guidance, as published by LCI, certain projects are presumed to have a less-than-significant effect on VMT due to project size, project location, or project type.[21] Because the proposed project would be consistent with the site's existing land uses and is not anticipated to increase the existing level of trips, the proposed project would not result in VMT greater than the City's baseline VMT.

Based on the above, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and a ***less-than-significant*** impact would occur.

c,d. The proposed project does not include changes to existing roadways or the introduction of an incompatible use or any design features that would be considered hazardous. Access to the project site would be provided by the existing driveway extending from the project site's eastern boundary to DeWitt Avenue. The project site's entrance would conform with applicable design standards and requirements contained in the Morgan Hill Municipal Code and the City's Design Standards and Standard Details for Construction, which would ensure that traffic entering and exiting the site would not pose hazards to traffic in the area. Furthermore, the proposed project's conformance with standards set forth in the City's Design Standards and Standard Details for Construction would be subject to approval by the City Engineer, prior to approval of the project's final improvement plans.

[21] Governor's Office of Planning and Research. *Technical Advisory on Evaluation Transportation Impacts in CEQA*. December 2018.

Based on the above information, the proposed project would not substantially increase hazards due to design features or incompatible uses, and emergency access to the site would be adequate. In addition, because the project site is set back from the surrounding roadways, construction activities would not disrupt the transportation network near the project site. As such, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible uses, nor result in inadequate emergency access. Therefore, a ***less-than-significant*** impact would occur.

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

Discussion

a,b. As discussed in Section V, Cultural Resources, of this IS/ND, the proposed project would be required to implement the City's standard Conditions of Approval related to the protection of historical and archaeological resources consistent with Morgan Hill Municipal Code Section 18.60.090. As part of compliance with the Conditions of Approval, a tribal monitor would be present on-site to monitor all ground-disturbing activities during project construction. In the event that archaeological resources are discovered during the course of construction activities, including tribal cultural resources and suspected Native American remains, the project would be required to comply with further measures to ensure that potential impacts are avoided.

Based on the above, the proposed project is not expected to adversely impact tribal cultural resources. In addition, the project applicant would be required to comply with the City's standard conditions of approval related to cultural resource discovery, as discussed in Section V, Cultural Resources, of this IS/ND. Therefore, a ***less-than-significant*** impact to tribal cultural resources would occur.

XIX. UTILITIES AND SERVICE SYSTEMS. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	✖	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	✖	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	✖	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	✖	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	✖	☐

Discussion

a-c. The City prohibits the use of natural gas for new construction, and electricity and telecommunications services would be provided by way of existing infrastructure in the project vicinity. Similarly, the proposed buildings would connect to existing water, sewer, and stormwater drainage infrastructure on-site. As discussed throughout this IS/ND, the similarities between the existing and proposed uses would ensure that water consumption and wastewater generation associated with the redeveloped project site would not substantially change relative to existing conditions. Because water consumption rates would not change, adequate water supplies exist to serve the proposed project. Issues related to stormwater infrastructure are discussed in Section X, Hydrology and Water Quality, of this IS/ND. As noted therein, the proposed project would not significantly increase stormwater flows into the City's existing system.

Furthermore, the proposed project would be subject to the City's Development Impact Mitigation Fee, in accordance with Morgan Hill Municipal Code Section 3.56.030. The revenues generated through payment of the fee are used by the City to pay for needed upgrades and/or expansions to City facilities, including water and sewer facilities. Therefore, payment of the City's Development Impact Mitigation Fee would further serve to reduce the proposed project's potential impacts on the domestic water and wastewater conveyance and treatment systems.

Based on the above, the proposed project would not require or result in the relocation or construction of new or expanded utility facilities, the construction or relocation of which could cause significant environmental effects. Additionally, the City would have sufficient water supplies to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years, and adequate capacity to serve the project's

wastewater services demand in addition to the City's existing commitments. Therefore, the project would result in a ***less-than-significant*** impact.

d,e. Recology South Valley provides solid waste and recycling services to the businesses and residents of the cities of Morgan Hill and has contracted with the Monterey Regional Waste Management District to provide solid waste disposal services. Pursuant to the Landfill's current Solid Waste Facility Permit, the Landfill has a maximum permitted tonnage limit of 3,500 tons per day, a design capacity of 49,700,000 cubic yards, and a remaining capacity of 48,560,000 cubic yards (97 percent).[22]

Based on the similarities between the existing and proposed uses, waste generation associated with the redeveloped project site would not substantially change relative to existing site conditions. Therefore, the proposed project would not produce enough solid waste for the landfill to exceed capacity, and sufficient permitted capacity exists at the Monterey Peninsula Landfill to accommodate the proposed project's incremental increase in solid waste disposal needs. In addition, during project construction, the proposed project would be required to submit a Waste Management Plan to the City detailing on-site sorting of construction debris, as required by CBSC Section 4.408. Implementation of the Waste Management Plan would ensure that the proposed project meets established diversion requirements for reused or recycled construction waste.

Based on the above, the proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste. Therefore, the project would result in a ***less-than-significant*** impact.

[22] California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: Monterey Peninsula Landfill (27-AA-0010)*. Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2642?siteID=1976. Accessed March 2025.

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

Discussion

a-d. As discussed in Section IX, Hazards and Hazardous Materials, of this IS/ND, the project site is located in a High FHSZ.[23] The project would be required to comply with all applicable requirements of the California Fire Code, as adopted by Morgan Hill Municipal Code Chapter 15.44. In addition, the proposed project would be required to comply with all applicable provisions of the California Health and Safety Code and Title 23 of the CCR.

The proposed project would not conflict with the City's Emergency Operations Plan.[24] As previously discussed, implementation of the proposed project would not result in any substantial modifications to the City's existing roadway system. The project site is currently graded, and the project area does not include any existing features that would substantially increase fire risk for future visitors. Given that the project site is located within a developed urban area and is situated adjacent to existing roads, water lines, and other utilities, the project would not result in substantial fire risks related to installation or maintenance of such infrastructure. Lastly, as discussed in Section VII, Geology and Soils, and Section X, Hydrology and Water Quality, of this IS/ND, development of the proposed project would not expose people or structures to significant risks related to flooding or landslides.

Based on the above, the proposed project would not expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and a ***less-than-significant*** impact would occur.

[23] City of Morgan Hill. *City of Morgan Hill Wildland Urban Interface Map.* March 2009.
[24] City of Morgan Hill. *Emergency Operations Plan.* January 11, 2018.

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

Discussion

a. As discussed in Section IV, Biological Resources, of this IS/ND, the project site has been previously disturbed and does not contain any protected species or known historic or archaeological resources. Thus, implementation of the proposed project is not anticipated to have the potential to result in impacts related to biological or cultural resources. Nonetheless, in the event that such resources are unearthed, the City's standard Conditions of Approval would be implemented. The proposed project would also be subject to applicable General Plan policies and Municipal Code standards, as discussed throughout this IS/ND. With compliance with General Plan policies, Municipal Code standards, and application of standard BMPs during construction, development of the proposed project would not result in any of the following: 1) degrade the quality of the environment; 2) substantially reduce or impact the habitat of fish or wildlife species; 3) cause fish or wildlife populations to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory. Therefore, a ***less-than-significant*** impact would occur.

b. The proposed project, in conjunction with other development within the City of Morgan Hill, could incrementally contribute to cumulative impacts in the area. However, as demonstrated in this IS/ND, all potential environmental impacts that could occur as a result of project implementation would be less than significant with compliance with applicable General Plan policies, Morgan Hill Municipal Code standards, and other applicable local and State regulations. Therefore, when viewed in conjunction with other closely related past, present, or reasonably foreseeable future projects, development of the proposed project would not contribute to cumulative impacts in the City of Morgan Hill, and the project's contribution to the cumulative impact would be ***less than significant.***

c. The project site is currently developed and would be redeveloped in an urbanized and developed area of the City of Morgan Hill. Development of the proposed project would not be expected to result in substantial adverse impacts to human beings, either directly or

indirectly. The potential for substantial environmental effects on human beings is addressed within this IS/ND and all impacts have been identified as less than significant. As such, a ***less-than-significant*** impact would result.

Appendix A

Air Quality and Greenhouse Gas Modeling Results

Appendix B

Biological Evaluation Addendum

Appendix C

Preliminary Hydrology Report