

**Gateway and Glen View Elementary School
Improvements Project
Initial Study Checklist for Categorical Exemption**



**Santa Clara County
Office of Education**

Santa Clara County Office of Education

1290 Ridder Park Drive

San Jose, CA 95131

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**Evaluation for Applicability of a Categorical Exemption Under CEQA Section 15314,
Minor Additions to Schools**

Gateway and Glen View Elementary School Improvements Project

Project: Gateway and Glen View Elementary School Improvements Project

Property Owner: Gilroy Unified School District (GUSD)

Lead Agency: Santa Clara County Office of Education (SCCOE)

FINDINGS FOR A CEQA EXEMPTION UNDER SECTION 15314

Per Section 21084 of the Public Resources Code, the California Environmental Quality Act (CEQA) Guidelines includes a list of classes of projects which have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA. Section 15314 Exemption Minor Additions to Schools (Class 14 projects) consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption. (Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code).

EXCEPTIONS TO CATEGORICAL EXEMPTIONS

Section 15300.2 Exceptions of the CEQA Guidelines states a project is not eligible for a Categorical Exemption under CEQA if the project meets the definition of any of the following exceptions:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

FINDINGS

Based on the information presented in the following Initial Study, the proposed Gateway and Glen View School Improvements Project qualifies for a categorical exemption under CEQA Section 15314, Minor Additions to Schools, because it meets the Class 14 project conditions listed above and does not meet the definition of any of the exceptions to categorical exemptions under Section 15300.2. The Initial Study identifies potentially significant project impacts; however, these impacts would be less than significant through implementation of Best Management Practices (BMPs).

**GATEWAY AND GLEN VIEW SCHOOL CLASSROOM AND PLAYGROUND IMPROVEMENTS
PROJECT INITIAL STUDY CHECKLIST**

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Chapter 1. Introduction

The Santa Clara County Office of Education (SCCOE) is proposing improvements the Gateway School, a public special education school located at 7151 Hanna Street in Gilroy, CA, and Glen View Elementary School, located at 600 W 8th Street, Gilroy, CA. The two schools share the same school property. The Gateway and Glen View Elementary School Improvements Project (“the project”) consists of onsite school facility improvements, including demolition of an existing early learning center building; construction of a new early learning center building with four classrooms, two auxiliary administrative offices, and four restrooms; interior modifications to an existing classroom building; demolition and replacement of two playgrounds; upgrades to an existing parking lot; construction of a new parking lot; and future construction of a new classroom building and teacher training building on a 11.9-acre parcel. The project site is surrounded by existing single-family, multi-family, and medium density residentially zoned parcels.

The project site has a City of Gilroy PF Park/Public Facilities zoning designation and a General Plan land use designation of Public and Quasi-Public Facility. The current school use of the property is consistent with these designations. The project does not propose any changes to the site's existing zoning and land use designation.

The SCCOE has reviewed the Project Description, the Best Management Practices (BPMs) incorporated into the project, and the potential environmental impacts as described in Chapter 3, Environmental Checklist and Responses. Based on this information, it has been determined that the project qualifies as exempt from further CEQA analysis under Section 15314: Minor Additions to Schools. No exceptions to these exemptions have been identified as documented in Section 4.2, Exceptions to CEQA Exemptions. A Notice of Exemption for the project will be filed with the San Mateo County Clerk's Office.

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Chapter 2. Project Description

The proposed project consists of onsite school facility improvements at the Gateway School and Glen View Elementary School located at 600 W 8th Street (APN 799-14-001). The project would include the replacement of an early learning center building, modernized classroom interiors in an existing building, a new parking lot, existing parking lot alterations, two replacement playgrounds, and a new classroom building and teacher training building.

2.1 PROJECT LOCATION AND SITE DESCRIPTION

The project site is currently occupied by SCCOE's Glen View Elementary School, located at 600 W 8th Street, and SCCOE's Gateway Early Learning Center (Gateway School) located at 7151 Hanna Street in central Gilroy and surrounded by residential development on all sides (Figure 1 Project Location). The site is an 11.9-acre property owned by GUSD. SCCOE leases the school site for the Gateway School and Glen View Elementary School from GUSD. Glen View Elementary School and the Gateway School are bounded by W 8th Street to the north, Hanna Street to the east, W 9th Street to the south, and Princevalle Street to the west. The site is surrounded by residential development (single-family and multi-family residences) on all sides (Figure 2 Project Vicinity). The Gilroy City Hall is approximately 0.25 miles north of the project site and the Gilroy Caltrain station is approximately 0.35 miles east of the project site.

The site is currently developed with the Gateway School in the southeastern portion of the project site and the Glen View Elementary School in the western and northeastern portion of the project site (Figure 3 Site Photos). The Gateway School consists of a school building, an administrative building, a multipurpose building, a pool building, a playground, two parking lots, and a multipurpose field. Glen View Elementary School consists of 26 classrooms, a multipurpose room, library and technology center, a multipurpose field, basketball courts, hard courts, two playgrounds, and three parking lots. Both schools have been operating onsite since 1980. The site contains landscaped natural turf areas and does not contain any natural vegetation. Site topography is flat, ranging from approximately 98 feet above mean sea level (MSL) to 101 above MSL, and surrounded by roadways and flat parcels on all sides.

2.2 PROJECT PROPOSAL

The project proposes alterations to the Gateway School's Early Learning Center and Special Education Program and the Glen View Elementary School's Early Learning Center. Other portions of the Glen View Elementary School are not covered by the project.

The Division of the State Architect (DSA) provides design and construction oversight for K–12 schools, community colleges, and various other state-owned and state-leased facilities to ensure that they comply with all structural, accessibility, and fire and life safety codes. The project building plans would be submitted to DSA for review and approval.

Overall, the project would disturb a noncontiguous area sized approximately 49,830 square feet, or 1.14 acres. The project proposal does not include near-term offsite improvements.

2.2.1 Gateway School Improvements

The project proposal includes demolition of the existing 4,237-square-foot Gateway School building and construction of a modular early learning center building in the same location in the southeastern corner of the project site at W 9th Street and Hanna Street (Figure 4 Site Plan). The new early learning center building would consist of four classrooms, two auxiliary administrative offices, and four restrooms, all prefabricated, that would be assembled into one, 5,400-square-foot building onsite. The four modular classrooms and two administrative offices would be

supported by non-permanent wood foundations sitting on-grade, which allows for leveling adjustment if settlement were to occur.

The project proposes the demolition of an existing 1,000-square-foot playground located east of the existing Gateway School building and west of Hanna Street. The project would construct an upgraded playground for children ages zero to five in the same location.

The project proposal includes the removal and redevelopment of existing site hardscape, turf vegetation, lighting, and fencing associated with the existing Gateway School building. Six-foot high ornamental perimeter fencing would be constructed around the new early learning center building and upgraded playground. Three six-foot-high, six-foot-wide ornamental gates would be installed in the perimeter fencing to provide access to the new building.

The project would plant four new trees and numerous shrubs throughout the Gateway School site.

Overall, the proposed Gateway School work would disturb an area of approximately 19,800 square feet.

2.2.2 Glen View Elementary School Improvements

The improvements to Glen View Elementary School include the modernization of the interior of a 2,880-square-foot classroom building located south of W 8th Street, construction of a new 2,000-square foot playground to the southeast of the classroom building, and a new, thirty-stall parking lot off of W 8th Street.

The new thirty-stall parking lot would be located at 7151 Hanna Street with driveway access via W 8th Street. The parking lot is approximately 20,000 sq. ft. and will include the required stormwater runoff retention features.

Other project improvements include modifying an accessible parking stall in the existing parking lot on W 9th Street to meet Division of the State Architect – Access Compliance Section standards. The existing accessible stall is approximately 350 square feet in size.

The project also proposes future construction of a new pre-school classroom building with two classrooms that would serve 30 students and a teacher training building. Both buildings would be single-story, prefabricated structures on permanent foundations. The new pre-school classroom building would be approximately 2,880 square feet in size, and the new teacher training building would be approximately 1,920 square feet. The building would require new connections to off-site utilities lines to provide the buildings with water, wastewater disposal, power and gas, and telecommunications services. The timing for construction these building is unknown and are being proposed in the future. Prior to building construction and occupancy, the project Applicant would be required to receive utility connection permits from the City of Gilroy.

No landscaping or fencing improvements would be made to the Glen View Elementary School portion of the project site. The proposed Glen View Elementary School improvements would disturb an area of approximately 29,680 square feet.

The project proposes future off-site improvements to connect the proposed Glen View staff training and pre-school building to existing utilities, including water, sanitary sewer, electrical power, and natural gas.

2.2.3 Utilities

Existing utility providers would continue to serve the project site. The site is served by the City of Gilroy (domestic and fire water; sanitary sewer collection; stormwater), South County Regional Wastewater Authority (SCRWA) (sanitary sewer treatment), AT&T (telecommunications), Comcast (telecommunications), Pacific Gas & Electric Company (PG&E) (electricity), Recology South Valley (solid waste).

Gateway School

On the Gateway School campus, the new early education center building, including the four modular classrooms and two auxiliary administrative offices would be connected to existing on-site water, sewer, electrical, fire alarms, information technology, public announcement, and security systems. No offsite utility improvements are needed to serve the proposed project. Utilities (electricity, water, sewer) would be extended to the new buildings from within the project site (Figure 5 Utility Plan).

The project would install new 2-inch water supply lines, 4-inch sanitary sewer lines, and storm drain lines of several different sizes to serve the new Gateway School building. Existing utility lines would remain in place with the exception of a 10-inch storm drain line located within the proposed footprint of the new building that would either be abandoned in place or removed.

Glen View Elementary School

Future construction of the new Glen View staff training and pre-school buildings would require offsite utility improvements and connections. Future offsite utilities work that occurs in the public right-of-way would be subject to City of Gilroy regulations.

2.2.4 Parking Improvements

No parking improvements are proposed for the Gateway School site.

On the Glen View School site, a new, thirty-space parking lot would be constructed on W 8th Street east of an existing Glen View Elementary School classroom building. The new parking lot would alleviate existing street parking issues and serve the future teacher training building and pre-school building off W 8th Street. The parking lot would be approximately 20,000 square feet and would be constructed with stormwater runoff features that would meet NPDES permit requirements. Construction of the new parking lot would require demolition of an existing playground and associated hardscape, minor grading, and new curb cuts along the existing sidewalk on W 8th Street.

The project would upgrade the existing parking lot on W 9th Street to meet Division of the State Architect – Access Compliance Section standards. The existing W 9th Street parking lot currently contains 21 parking stalls, including one accessible stall, and 20 standard stalls. The project would make minor improvements, including repaving and restriping, to the existing accessible parking stall.

2.3 PROJECT DEMOLITION AND CONSTRUCTION

The project's proposed demolition and construction activities are listed below.

Gateway School

- Demolish existing 4,237-square-foot Gateway School early learning center building at 7151 Hanna Street;
- Construct new 5,400-square-foot Gateway School building in location of existing building;
- Demolish existing 1,000-square-foot playground located adjacent to existing school building;
- Install upgraded playground for zero- to five-year-old children east of the new early education center building;
- Install six-foot-high ornamental fence around perimeter of new Gateway School building and upgraded playground; and
- Install three six-foot-high, six-foot-wide ornamental gates along new fencing.

Glen View Elementary School

- Modernize classroom interiors in Glen View Elementary School classroom building on W 8th Street;
- Construct new, thirty-stall parking lot south of W 8th Street;
- Grade for and construct two new single-story, prefabricated classroom buildings south of W 8th Street adjacent to the location of the new parking lot (future construction);
- Construct a new 2,000-square foot playground south of the new thirty-stall parking lot; and
- Upgrade existing parking lot on Hanna Street to meet Division of the State Architect – Access Compliance Section standards.

The project would require minimal grading for work on W 9th Street (i.e., redeveloping the Gateway school building and playground and trenching for new utilities), which is anticipated to be balanced. Construction of the new 30-stall parking lot, playground, and two future buildings on W 8th Street would require grading that would not be balanced. Grading amounts are not currently known. Proposed ground-disturbing activities on W 9th Street would occur in previously disturbed areas currently occupied by structures or pavement. Project demolition and construction would comply with all applicable local and State building codes. The project construction contractor would protect all existing site features not included in the project, including structures, utilities, trees, landscaping, and site work, from damage.

Project demolition and construction would occur over the course of approximately 147 gross working days (21 weeks). Project construction is currently slated to begin February 28, 2022, and end July 22, 2022. The project will comply with City of Gilroy construction noise ordinance; therefore, project construction activities would occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. and 7:00 p.m. on Saturdays. Construction activities would not occur on Sundays or on holidays.

2.4 REQUIRED PERMITS AND APPROVALS

The Division of the State Architect (DSA) provides design and construction oversight for K–12 schools, community colleges, and various other state-owned and state-leased facilities to ensure that they comply with all structural, accessibility, and fire and life safety codes. Project building plans must be submitted to the DSA for review and approval.

California Government Code Section 53094(b) authorizes the Governing Board of a school district, by two-thirds vote, to render city or county zoning ordinances inapplicable to the proposed use of property by the school district. It is anticipated that the SCCOE will take this action; therefore, the project would not be required to obtain a land use permit or approval from the City of Gilroy. The City of Gilroy would only have permitting purview for connection to utilities and a new curb cut for parking lot improvements.

Government Code Section 53097 specifies that school districts shall comply with any city or county ordinance (1) regulating drainage improvements and conditions, (2) regulating road improvements and conditions, or (3) requiring the review and approval of grading plans as these ordinance provisions relate to the design and construction of on-site improvements which affect drainage, road conditions, or grading. The construction activities of the project would be subject to local regulation when work is conducted in the public right-of-way (street tree removal, extension of utilities, and grading/construction).

Table 1 lists the regulations the project shall follow during work. The requirements in Table 1 would be implemented by the project as best management practices (BMPs).

Table 1. Project Best Management Practices

Environmental Topic Areas	Regulations
Air Quality	<p><u>Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures Recommended for All Proposed Projects</u></p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 mph. 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
Biological Resources	<p><u>Nesting Birds Impact Avoidance and Minimization Measures</u></p> <p>Measure 1. Avoidance. To the extent feasible, construction activities (or at least the commencement of such activities) should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on</p>

	<p>nesting birds protected under the MBTA and California Fish and Game Code will be avoided. The nesting season for most birds in Santa Clara County extends from February 1 through September 15.</p> <p>Measure 2. Preconstruction/Pre-disturbance Surveys. If it is not possible to schedule construction activities between September 16 and January 31 then preconstruction surveys for nesting birds should be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. We recommend that these surveys be conducted no more than seven days prior to the initiation of construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, grasslands, buildings) in and immediately adjacent to the impact areas for nests.</p> <p>Measure 3. Buffers. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 300 ft for raptors and 100 ft for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation.</p> <p>Measure 4. Inhibition of Nesting. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1). This will preclude the initiation of nests in this vegetation, and prevent the potential delay of the project due to the presence of active nests in these substrates.</p>
<p>Cultural Resources / Tribal Cultural Resources / Geology and Soils</p>	<p><u>Unanticipated Discovery of Archaeological Resources</u></p> <p>In the event that archeological resources (e.g. prehistoric, historic, tribal cultural resources) are encountered during project construction, all activity within a 50-foot radius of the find shall be stopped, the Gilroy Unified School District, the City of Gilroy Planning Department, and the Community Development Department Director or the Director’s Designee and the City’s Historic Preservation Officer shall be notified, and a qualified archaeologist shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to Director of Community Development Department or the Director’s designee and the City’s Historic Preservation Officer and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials.</p> <p><u>Unanticipated Discovery of Human Remains</u></p> <p>In the event that human remains are discovered during construction, all activity within a 50-foot radius of the find shall be</p>

	<p>stopped. The Santa Clara County Coroner shall be notified and make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.</p>
Hydrology and Water Quality	<p><u>City of Gilroy Municipal Code Chapter 27C: Municipal Storm Water Quality Protection and Discharge Control</u></p> <p><i>Section 27C.25 Water pollution control.</i></p> <p>(a) Water pollution control drawings for erosion and sediment control showing how to stabilize soil and sediment on the construction site shall be a condition of a subdivision map, site plan, building permit, or development or improvement plan.</p> <p>(b) Erosion control shall be planned during the rainy season between September 15th and May 1st, and sediment control shall be planned year-round for the life of the project. Erosion and sediment control shall meet the minimum standards and specifications of the CASQA BMPs.</p> <p>(1) Erosion control plans shall provide details for BMPs such as but not limited to:</p> <ol style="list-style-type: none"> a. Preservation of existing vegetation. b. Hydraulic mulch. c. Hydroseeding. d. Soil binders. e. Straw mulch. f. Geotextile and mats. g. Wood mulching. h. Earth dikes and drainage swales. i. Velocity dissipation. j. Slope drains. <p>(2) Sediment control plans shall provide details for BMPs such as but not limited to:</p> <ol style="list-style-type: none"> a. Silt fence. b. Sediment basin. c. Sediment trap. d. Check dam. e. Fiber rolls/straw wattles. f. Gravel bag berm.

	<p>g. Street sweeping and vacuuming.</p> <p>h. Sand bag barrier.</p> <p>i. Straw bale barrier.</p> <p>j. Storm drain inlet protection.</p> <p>k. Wind/dust control.</p> <p>l. Stabilized rocked construction entrance/exit.</p> <p>m. Tracking control.</p> <p>(c) Implementation of the water pollution control drawings for erosion and sediment control shall be completed prior to any physical development of any property.</p> <p>(d) Construction sites shall keep erosion and sediment control supplies on site during the rainy season. (Ord. No. 2011-13, § 1, 11-21-11)</p> <p><u>City of Gilroy Municipal Code Chapter 27D: Post Construction Storm Water Pollution Prevention</u></p> <p><i>27D.4 Design standards and selection of best management practices.</i></p> <p>Projects meeting the criteria of section 27D.3(a) must meet the requirements of the design standards and selection of best management practices and shall be selected and designed to the satisfaction of the city engineer or designee in accordance with the requirements contained in the most recent version of the California Storm Water Quality Association Best Management Practice Handbooks which may be found at California Storm Water Quality Association web site at: http://www.casqa.org/LeftNavigation/ConstructionBMPHandbookPortalSWPPPTemplate/tabid/200/Default.aspx or an alternative standard approved by the city engineer.</p> <p>(a) Other references which can be used for selection of design BMPs to the satisfaction of the city engineer or designee are:</p> <ol style="list-style-type: none"> (1) Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) “Guidance for Implementing Storm Water Regulations for New and Redevelopment Projects”; (2) “Start at the Source Design Guidance Manual” developed by the Bay Area Storm Water Management Agencies Association (BASMAA); (3) Bay Area Storm Water Management Agencies Association “Using Site Design Standards to Meet Development Standards for Storm water Quality—A Companion Document to Start at the Source.” (Ord. No. 2013-12, 11-18-13) <p><i>27D.5 Storm water control plan required.</i></p> <p>Projects meeting the criteria of section 27D.3(a) must provide a storm water control plan. The storm water control plan shall detail how runoff and associated water quality impacts resulting from the</p>
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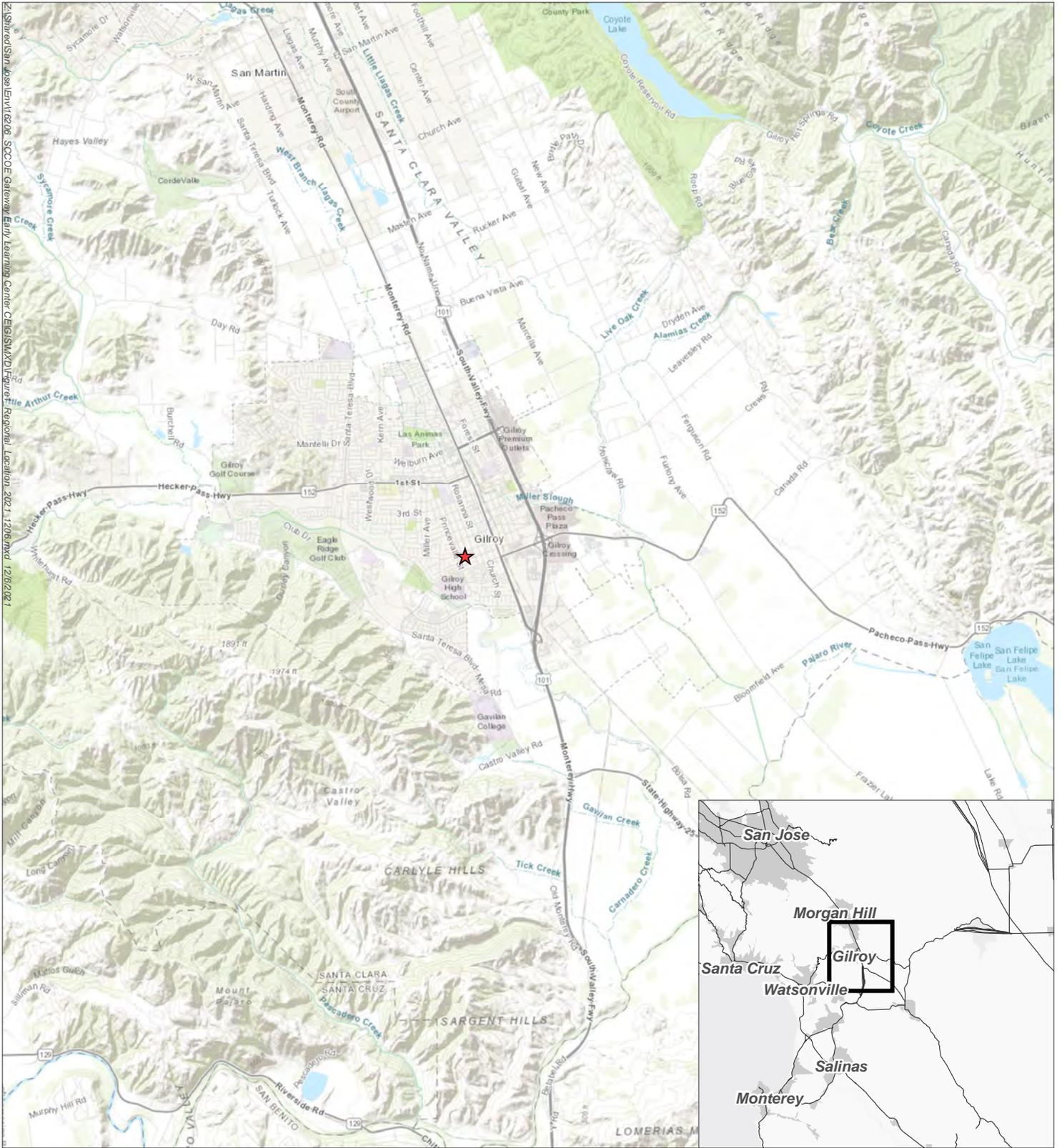
	<p>activity will be controlled or managed by the project's post construction BMP designs.</p> <p>No building permit shall be issued until the storm water runoff management plan has been reviewed and approved by the city engineer or designee. (Ord. No. 2013-12, 11-18-13)</p> <p><u>Central Coast RWQCB Post-Construction Requirements (Tier 4)</u></p> <ul style="list-style-type: none"> • Implement LID Measures <ul style="list-style-type: none"> ○ Limit disturbance of natural drainage features. ○ Limit clearing, grading, and soil compaction. ○ Minimize impervious surfaces. ○ Minimize runoff by dispersing runoff to landscape or using permeable pavements. • Treat runoff with an approved and appropriately sized LID treatment system prior to discharge from the site. • Prevent offsite discharge from events up to the 95th percentile rainfall event using Stormwater Control Measures. • Control post-project peak flows to not exceed pre-project peak flows for the 2- through 10-year storm events. (May be satisfied by Tier 3 requirements for some projects.) <p><u>City of Gilroy Construction Best Management Practices</u></p> <p>General Construction and Site Supervision:</p> <p><i>General Principles</i></p> <ul style="list-style-type: none"> • Cover materials when they are not in use. • Keep materials away from streets and storm drains. • Ensure dust control water doesn't leave site or discharge to storm drains. • Train your employees and subcontractors. Inform subcontractors about stormwater requirements and their own responsibilities. <p><i>Advance Planning and Permitting</i></p> <ul style="list-style-type: none"> • Schedule excavation and grading activities for dry weather periods. <p><i>Good Housekeeping Practices</i></p> <ul style="list-style-type: none"> • Designate one contained area for vehicle parking, vehicle refueling, and routine equipment maintenance. The designated area should be located away from storm drain inlets, and bermed if necessary. Make major repairs off site. • Maintain all vehicles and heavy equipment. Inspect frequently for and repair leaks. • Keep materials out of the rain – prevent runoff contamination at the source. Cover exposed piles of soil or construction materials with plastic sheeting or temporary roofs.
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	<ul style="list-style-type: none"> • Keep pollutants off exposed surfaces. Place trash cans and recycling receptacles around the site to minimize litter. • Clean up leaks, drips, and other spills immediately so they do not contaminate soil or leave residue on paved surfaces. Use dry cleanup methods whenever possible. If you must use water, use just enough to keep the dust down. • Cover and maintain dumpsters. Check frequently for leaks. Place dumpsters under roofs or cover with tarps or plastic sheeting secured around the outside of the dumpster. A plastic liner is recommended to prevent leakage of liquids. Never clean out a dumpster by hosing it down on the construction site. • Place portable toilets away from storm drains. Make sure portable toilets are in good working order. Check frequently for leaks. <p>Earth-Moving and Heavy Equipment Operations:</p> <p><i>General Business Practices</i></p> <ul style="list-style-type: none"> • Do not use diesel oil to lubricate equipment parts, or clean equipment. • Prevent sediment from migrating offsite and protect storm drain inlets, drainage courses, and streams, with appropriate BMPs (i.e., gravel rolls, silt fences, temporary swales, etc). • Properly monitor and maintain all erosion and sediment controls and report failures of erosion and sediment controls to the local stormwater authority <p><i>Site Planning and Preventive Vehicle Maintenance</i></p> <ul style="list-style-type: none"> • Perform major maintenance, repair jobs, and vehicle and equipment washing off site. • If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters. Do not clean vehicles or equipment onsite using soaps, solvents, degreasers, or steam cleaning equipment, and do not use diesel oil to lubricate equipment or parts onsite. • If you must drain and replace motor oil, radiator coolant, or other fluids on site, use drip pans or drop cloths to catch drips and spills. Collect all spent fluids, store in separate containers, and recycle whenever possible, or dispose of fluids as hazardous waste. • Recycle used vehicle batteries. <p><i>Practices During Construction</i></p> <ul style="list-style-type: none"> • Use check dams or ditches to divert runoff around excavations. Refer to the CASQA Construction BMP Online Handbook (www.casqa.org/resources/bmp-handbooks) for proper erosion and sediment control measures. • Cover stockpiles and excavated soil with secured tarps or plastic sheeting.
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	<ul style="list-style-type: none"> • Keep excavated soil on site and transfer it to dump trucks on site, not in the streets. • Remove construction equipment from the site as soon as possible. • Maintain street free of sediment tracking daily. <p><i>Spill Cleanup</i></p> <ul style="list-style-type: none"> • Keep spill cleanup materials (e.g., rags, cat litter, and absorbents) available at the construction site at all times. All fueling trucks and fueling areas should have spill kits or other spill protection devices. Clean up spills immediately when they happen. • Never hose down "dirty" pavement or impermeable surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, or rags) whenever possible and properly dispose of absorbent materials. If you must use water, use just enough to clean the spill without runoff. • Clean up spills on dirt areas by digging up and properly disposing of contaminated soil. • Report significant spills to the appropriate local spill response agencies immediately. If the spill poses a significant hazard to human health and safety, property or the environment, you must report it to the State Office of Emergency Services. <p>Fresh Concrete and Mortar Application:</p> <p><i>General Business Practices</i></p> <ul style="list-style-type: none"> • Wash out concrete equipment/mixers/trucks only in designated wash-out containers/areas, where the water will flow into a temporary lined waste pit, and in a manner that will prevent leaching into underlying soils. • Dispose of settled, hardened concrete as garbage. Whenever possible, recycle washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, streams, or dirt/landscape. • Always store both dry and wet materials under cover, protected from rainfall and runoff and away from storm drains or waterways. Store materials off the ground, on pallets. Protect dry materials from wind. • Secure bags of cement after they are open. Be sure to keep wind-blown cement powder away from streets, gutters, storm drains, rainfall, and runoff. <p><i>Concrete Use</i></p> <ul style="list-style-type: none"> • Washout areas should be located away from construction traffic or access areas to prevent disturbance or tracking. • Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system. If residue does enter a catch basin inlet, clean it up immediately. <p><i>During Construction</i></p>
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	<ul style="list-style-type: none"> • Don't mix more concrete, stucco or cement than you will use in a two-hour period. • Set up and operate small mixers on tarps or heavy plastic drop cloths. • When cleaning up after driveway construction, wash fines onto dirt areas, not down the driveway or into the street or storm drain. If necessary, divert runoff with temporary berms. If possible, sweep first. • Protect applications of fresh concrete, stucco and mortar from rainfall and runoff until the material has dried. • When breaking up pavement, be sure to pick up all pieces and dispose of properly. Recycle large chunks of broken concrete at a recycling facility or concrete plant. • Dispose of small amounts of excess dry concrete, stucco, grout, and mortar in the trash. • Never bury solid or hazardous waste material. <p>Roadwork and Paving:</p> <p><i>General Business Practices</i></p> <ul style="list-style-type: none"> • Schedule excavation and grading work during dry weather. • Protect storm drain inlets receiving runoff from construction area with devices such as, but not limited to, gravel bag barriers and geotextile storm drain inserts. • Recycle used oil, batteries, concrete, broken asphalt, etc. whenever possible, or dispose of properly. <p><i>Asphalt/Concrete Removal</i></p> <ul style="list-style-type: none"> • After breaking up old pavement, be sure to remove all chunks and pieces. Make sure broken pavement does not come in contact with rainfall or runoff. • Never hose down streets to clean up tracked dirt. Use dry sweep methods, such as a street sweeper or vacuum truck. Do not dump vacuumed liquid in storm drains. <p><i>During Construction</i></p> <ul style="list-style-type: none"> • Cover storm drain inlets and manholes when applying seal coat, slurry seal, fog seal, or similar materials. • Never wash excess material from exposed aggregate concrete or similar treatments into a street or storm drain. • Cover stockpiles and other construction materials with plastic tarps. Protect from rainfall and prevent runoff with temporary roofs or plastic sheets and berms. • Park paving machines over drip pans or absorbent material (cloth, rags, etc.) to catch drips when not in use. • Collect and recycle or appropriately dispose of excess abrasive gravel or sand. Do not sweep or wash it into gutters. • Avoid over-application by water trucks for dust control. • Do not use diesel oil to lubricate equipment parts or clean equipment.
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Noise	<p><u>Construction Hours</u></p> <p>Project construction would be limited to the days and hours specified in the City of Gilroy Municipal Code Section 16.38 Hours of Construction. Construction activities will be limited to the hours of seven (7) a.m. and seven (7) p.m., Monday through Friday and nine (9) a.m. to seven (7) p.m. on Saturday. Construction activities shall not occur on Sundays or city holidays, which include: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas. "Construction activities" are defined as including but not limited to, excavation, grading, paving, demolitions, construction, alteration or repair of any building, site, street or highway, delivery or removal of construction material to a site, or movement of construction materials on a site.</p>
Transportation / Traffic	<p><u>Construction Traffic Management Plan</u></p> <p>The project contractor will develop a Construction Traffic Management Plan that includes:</p> <ul style="list-style-type: none"> • Scheduling construction deliveries to the site outside school pickup and drop-off times. • Appropriate signage and safety measures to ensure pedestrian and bicycle access to the schools and local streets and sidewalks. • Identifying designated, off-street construction parking and equipment staging areas. <p>The Construction Traffic Management Plan should be prepared in accordance with latest edition of the California Manual on Uniform Traffic Control Devices (CA MUTCD). Plans shall be prepared by a California-licensed Professional Engineer with experience in preparing construction traffic management plans.</p>



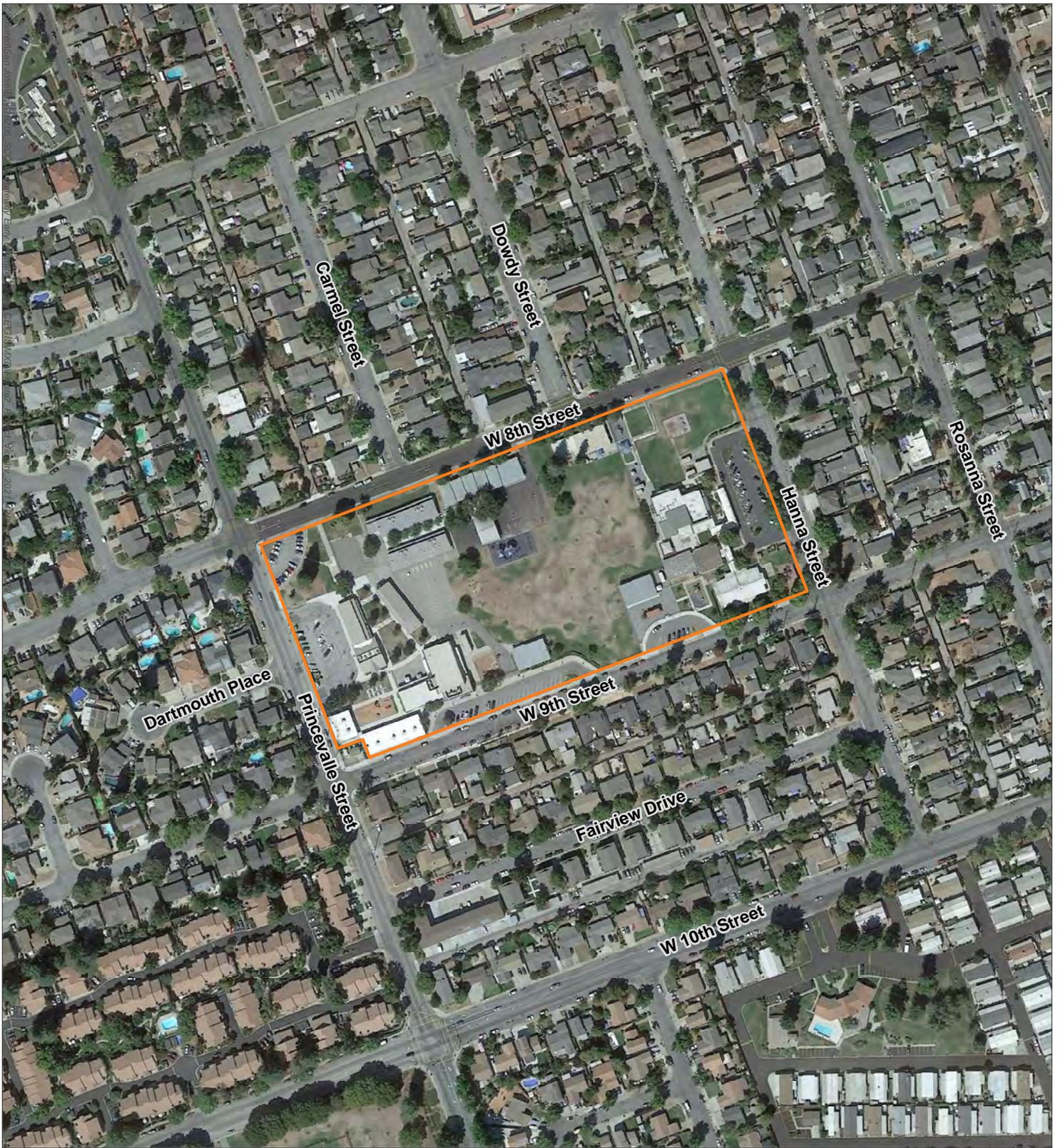
Source: ESRI 2021; MIG 2021

★ Project Location

Figure 1 Regional Location

Gateway and Glen View Elementary School Improvements Project





Source: Google Earth 2021; MIG 2021



 Project Area

Figure 2 Project Vicinity

Gateway and Glen View Elementary School Improvements Project



Figure 3. Site Photos



Photo 1. View of existing Gateway School building and playground from W 9th Street, looking north (Google Maps 2019).



Photo 2. View of existing Gateway School playground and school building from Hanna Street, looking west (Google Maps 2019).

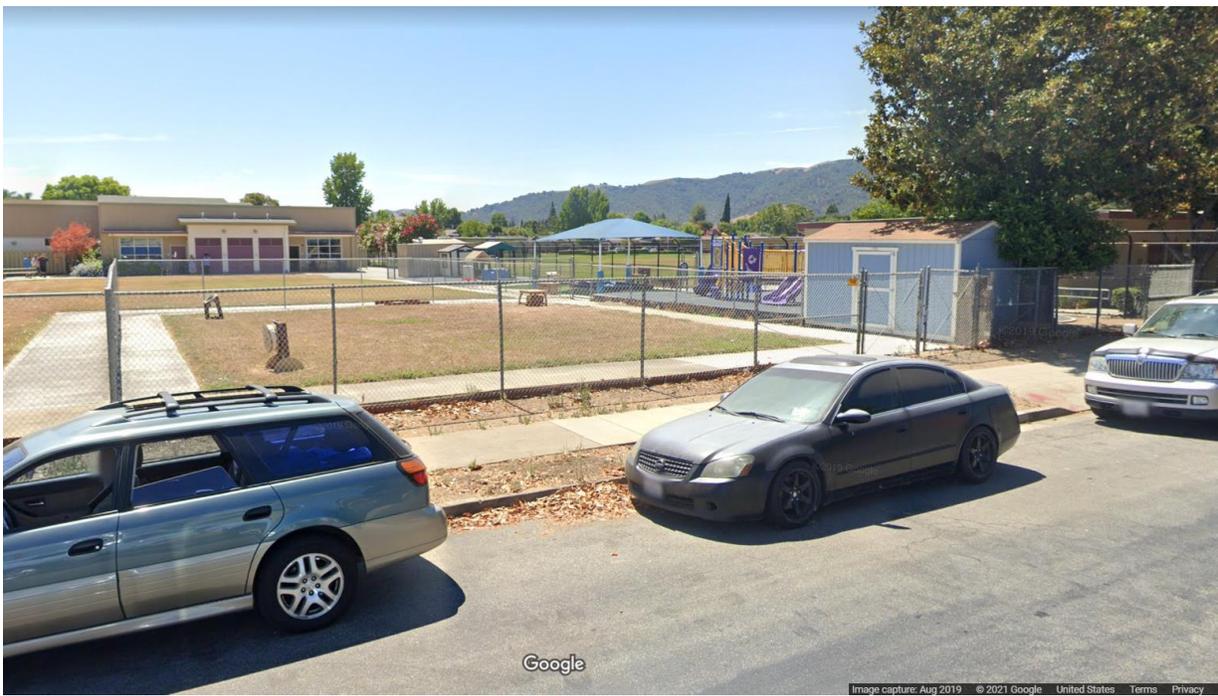
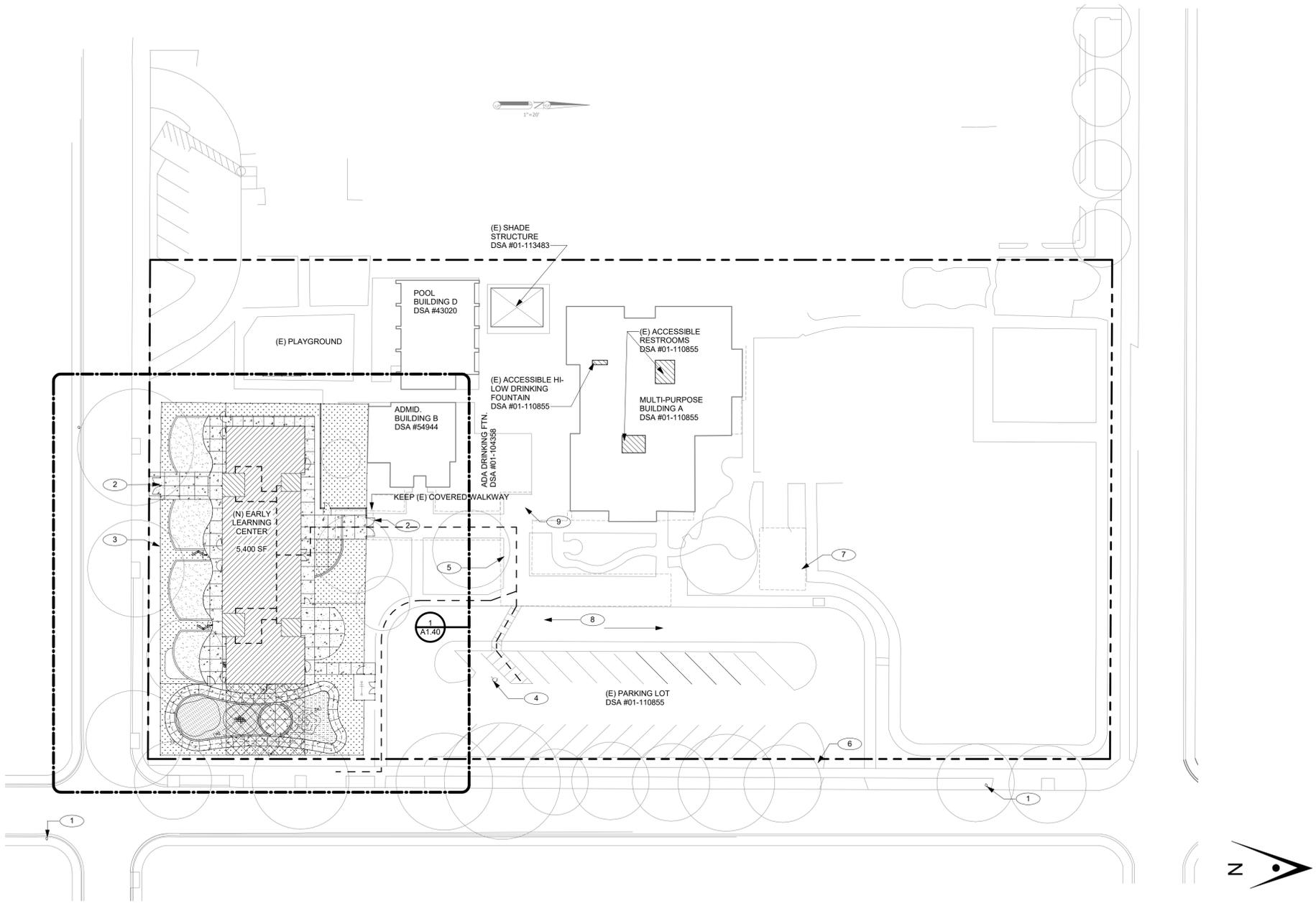


Photo 3. View of existing playground, hardscape, turf grass, and structures from W 8th Street, looking south (Google Maps 2019). This area would be redeveloped with a new parking lot and replacement playground.



GENERAL NOTES

1. TYPICAL EXISTING TO REMAIN U.O.N. - PROTECT ALL WORK TO BE REINSTALLED. ANY DAMAGE SHALL BE REPAIRED/ REPLACED TO OWNER'S SATISFACTION.
2. SEE CIVIL, LANDSCAPE, AND STRUCTURAL DWGS. FOR ADDITIONAL REQUIREMENTS.
3. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ACTUAL FIELD CONDITIONS PRIOR COMMENCEMENT OF WORK.
4. CONTRACTOR TO PROTECT ALL (E) SITE FEATURES FROM DAMAGE INCLUDING BUT NOT LIMITED TO, STRUCTURES, UTILITIES, TREES, LANDSCAPING, AND SITE WORK.
6. RECLAIMED WATER IRRIGATION SYSTEM EXISTING THROUGHOUT THE PRACTICE FIELDS AND CAMPUS. CONTRACTOR SHALL PROTECT IN PLACE OR REPAIR AND REPLACE IF DAMAGED
7. REPLACE UTILITY TRENCHING LANDSCAPE/SURFACE TO MATCH EXISTING MATERIALS (SOD VS. ASPHALT VS. CONCRETE).
8. DESIGN PROFESSIONAL IN GENERAL RESPONSIBLE CHARGE STATEMENT: THE POT IDENTIFIED IN THESE CONSTRUCTION DOCUMENTS IS COMPLIANT WITH THE CURRENT APPLICABLE CALIFORNIA BUILDING CODE ACCESSIBILITY PROVISIONS FOR PATH OF TRAVEL REQUIREMENTS FOR ALTERATIONS, ADDITIONS AND STRUCTURAL REPAIRS. AS PART OF THE DESIGN OF THIS PROJECT, THE POT WAS EXAMINED AND ANY ELEMENTS, COMPONENTS OR PORTIONS OF THE POT THAT WERE DETERMINED TO BE NONCOMPLIANT 1) HAVE BEEN IDENTIFIED AND 2) THE CORRECTIVE WORK NECESSARY TO BRING THEM INTO COMPLIANCE HAS BEEN INCLUDED WITHIN THE SCOPE OF THIS PROJECT'S WORK THROUGH DETAILS, DRAWINGS AND SPECIFICATIONS INCORPORATED INTO THESE CONSTRUCTION DOCUMENTS. ANY NONCOMPLIANT ELEMENTS, COMPONENTS OR PORTIONS OF THE POT THAT WILL NOT BE CORRECTED BY THIS PROJECT BASED ON VALUATION THRESHOLD LIMITATIONS OR A FINDING OF UNREASONABLE HARDSHIP ARE SO INDICATED IN THESE CONSTRUCTION DOCUMENTS. DURING CONSTRUCTION, IF POT ITEMS WITHIN THE SCOPE OF THE PROJECT REPRESENTED AS CODE COMPLIANT ARE FOUND TO BE NONCONFORMING BEYOND REASONABLE CONSTRUCTION TOLERANCES, THEY SHALL BE BROUGHT INTO COMPLIANCE.

DESIGN STATEMENT
 RELOCATABLE MODULARS WILL BE SUPPORTED BY NON-PERMANENT TREATED WOOD FOUNDATIONS SITTING ON-GRADE WHICH ALLOWS FOR LEVELING ADJUSTMENT IF SETTLEMENT WERE TO OCCUR

KEYNOTES

- 1 (E) FIRE HYDRANT
- 2 (N) 6' HIGH 8' WIDE ORNAMENTAL GATE W/ PANIC HARDWARE, SEE DETAIL 12 & 13 / A12.10 & GATE SCHEDULE
- 3 (N) 6' HIGH ORNAMENTAL FENCE ALL AROUND, SEE DETAIL 11 / A12.10
- 4 (E) VAN ACCESSIBLE PARKING, DSA #01-104358
- 5 (E) COVERED WALKWAY
- 6 (E) PARKING TOW AWAY SIGN
- 7 (E) STORAGE SHED
- 8 (E) STUDENT DROP OFF
- 9 (E) CHAINLINK FENCE & GATE

ARTiK
 ART & ARCHITECTURE

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 San Jose, CA 95111
 Phone 408.224.9890
 Fax 408.224.9891
 www.ArtikA3.com

CONSULTANT'S STAMP

Project Title
SCCOE GATEWAY EARLY LEARNING CENTER
 7151 Hanna Street, Gilroy, CA 95020

SANTA CLARA COUNTY OFFICE OF EDUCATION

No.	Description	Date
1	DSA SUBMITTAL	09/10/21

Drawing Title

SITE PLAN

Architect Seal

File No.	Drawing No.
Application No. 01-119657	A1.01
Date 6/25/21	
Project Number 06411	

1 SITE PLAN 1" = 30'-0"

PARKING CALCULATIONS

(E) PARKING LOT

TOTAL PARKING SPOTS	21
NON ACCESSIBLE	20
ACCESSIBLE VAN PARKING	1
ACCESSIBLE PARKING SPOT REQUIRED	1

CODE ANALYSIS

PROPOSED BUILDING

CONSTRUCTION TYPE:	VB
OCCUPANCY:	E
ALLOWABLE AREA:	9,000 SF
ALLOWABLE STORIES:	1
SPRINKLER:	NO
ACTUAL BUILDING AREA:	5,400 SF
SHADE STRUCTURE AREA:	1,500 SF
TOTAL BUILDING AREA:	6,900 SF
ACTUAL STORIES:	1
HEIGHT:	11'-4"

LEGEND

- (E) ELEMENTS
- NEW ELEMENTS
- PROPOSED PATH OF TRAVEL
- ACCESSIBLE PATH OF TRAVEL AS INDICATED ON PLAN IS A BARRIER-FREE ACCESS ROUTE WITHOUT ANY ABRUPT LEVEL CHANGES EXCEEDING 1/2" IF BEVELED AT 1:2 MAX SLOPE, OR VERTICAL LEVEL CHANGES NOT EXCEEDING 1/4" MAX, AND AT LEAST 48" IN WIDTH. SURFACE IS STABLE, FIRM, AND SLIP RESISTANT. CROSS SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL IS LESS THAN 5%, UNLESS OTHERWISE INDICATED. ACCESSIBLE PATH OF TRAVEL SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS TO 80" MINIMUM, AND PROTRUDING OBJECTS GREATER THAN 4" PROJECTION FROM WALL AND ABOVE 27" AND LESS THAN 80".
- (E) PATH OF TRAVEL PER DSA# 01-109715
- PROPERTY LINE
- ▨ PROPOSED BUILDING, SEE ENVIROPLEX DRAWINGS
- ▨ PROPOSED ACCESSIBLE TOILETS, SEE ENVIROPLEX DRAWINGS

KEY PLAN

Plot Date 9/10/2021 3:32:51 PM

Figure 4 Site Plan
 Gateway and Glen View Elementary School Improvements Project

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Chapter 3. Environmental Checklist and Responses

3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:*</i>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
*Except as provided in Public Resources Code Section 21099				

3.1.1 Discussion

Would the project:

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

No Impact. The project site is a fully built out school property in southern Gilroy and is surrounded by urban land uses. Residents of the City of Gilroy are afforded scenic views of the Diablo and Santa Cruz mountain ranges due to the City’s topography and location in the southern end of the Santa Clara Valley. The project site affords minimal views of the Diablo range to the east due distance and intervening structures and trees. The site affords more views of the eastern foothills to the Santa Cruz range to the west. The project would not block or otherwise impact views of the either of these mountain ranges from the project site, as the mountain ranges are visible from multiple locations throughout the project site, and the proposes buildings and amenities would not be of great enough height or sited in locations that would significantly impact existing views. The project would not have an impact on scenic vistas.

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

No Impact. The project site is not located within a state scenic highway. The nearest state scenic highway is SCr 152, Route 1/Santa Clara CL at Hecker Pass, a highway eligible for State Scenic Highway designation located approximately 7.9 miles to the west (Caltrans 2021).

- 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?**

No Impact. The proposed project is not subject to the City of Gilroy land use regulations; thus, this discussion is presented for information purposes only.

The project site is located within the Park/Public Facilities (PF) zoning district and has a general plan land use designation of Public and Quasi-Public Facility. The PF zoning district allows for facilities owned or leased and operated or used, by the City of Gilroy, the County of Santa Clara, and the Gilroy Unified School District unconditionally. The project site does not have a scenic resources designation under the Gilroy General Plan, nor is it located in a scenic resource protection district under the Gilroy Zoning Ordinance.

Government Code Section 53094(b) authorizes the Governing Board of a school district, by two-thirds vote, to render city or county zoning ordinances inapplicable to the proposed use of property by the school district. The SCCOE intends to take this action to render City of Gilroy zoning ordinances inapplicable to the proposed project. Therefore, the project would not be required to obtain a land use permit or approval from the City, and analysis of the project against regulations governing scenic quality is not required. The project would not conflict with applicable zoning 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?**

Less than Significant Impact. The project site is developed with school buildings, accessory structures, amenities, landscaping, and parking lots associated with three onsite schools, the Gateway School, Glen View Elementary School, and the State Preschool at Glen View (not part of the project). The site currently contains exterior lighting on buildings and standalone light fixtures throughout the site. Minimal amounts of light may also be generated from interior sources, such as interior security lighting, at nighttime. Glare is produced onsite during the daytime when sunlight hits pavement and the glass of school building and vehicle windows and at night when light from passing vehicles and other sources makes contact with the reflective surfaces onsite. Most of the materials used in the existing school buildings and structures are non-reflective.

The project would replace existing lighting on and immediately adjacent to buildings being removed but any new lighting would be for security and would not be a new source of light and glare. The new 30-stall parking lot would need typical parking lot lighting for security. This would be a new source of night lighting. Additionally, the proposed future new building on the Glen View campus would be a new source of lighting. All new exterior lighting would be designed to meet requirements for shielding of light. Cars parked at the proposed parking lot on W 8th Street would be a new source of glare; however, the amount of glare produced through operation of a 30-stall parking lot would be minimal.

3.1.2 References

California Department of Transportation (Caltrans). 2021. List of eligible and officially designated State Scenic Highways. Accessed on October 19, 2021 at <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>.

City of Gilroy. 2020. City of Gilroy 2040 General Plan. Accessed on October 21, 2021 at <http://www.cityofgilroy.org/274/2040-General-Plan>.

_____. 2021. Gilroy City Code. Accessed on October 21, 2021 at <https://www.codepublishing.com/CA/Gilroy>.

3.2 AGRICULTURAL AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project*:</i>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				

3.2.1 Discussion

Would the project:

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**
- 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?**

No Impact. (Responses a – e). There are no forest lands or agricultural lands on or near the project site; therefore, the project would not result in impacts to agricultural or forestry resources.

3.2.2 References

California Department of Conservation. 2021. California Important Farmland Finder. Accessed on October 21, 2021 at <https://maps.conservation.ca.gov/DLRP/CIFF/>.

3.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project*:</i>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
*Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.				

3.3.1 Discussion

Would the project:

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

No Impact. The Bay Area Air Quality Management District’ (BAAQMD) Final 2017 Clean Air Plan (CAP) was adopted in April 2017. The 2017 CAP guides BAAQMD’s efforts to reduce air pollution, protect public health, and protect the global climate (BAAQMD 2017a). A project that does not support the 2017 CAP goals would not be consistent with the CAP and may create a significant air quality impact. The proposed project’s consistency with the 2017 CAP goals is evaluated through its consistency with BAAQMD CEQA thresholds of significance. As documented in response b) below, the project would not exceed BAAQMD significant thresholds and therefore would support the goals of the 2017 CAP. As a result, the project would not conflict with or obstruct implementation of the applicable air quality plan. No impact would occur.

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?

Less than Significant Impact. The project would generate short-term emissions from construction activities, including demolition, grading, paving, building, and amenity construction and long-term emissions from operations. Construction-related emissions include dust (including PM₁₀ and PM_{2.5}) and combustion exhaust emissions of criteria air pollutants (ROG, NO_x, CO, PM₁₀, and PM_{2.5}) from construction equipment. To determine the project’s potential air quality impacts, the project’s estimated construction and operational emissions are compared against the BAAQMD CEQA thresholds of significance.

Construction Emissions

The BAAQMD's CEQA Guidelines establish construction-related screening size criteria for numerous land use types (BAAQMD 2017b). If a project meets the construction screening criteria, the project would not result in the generation of construction-related precursors that would exceed thresholds of significance for construction thresholds. The screening criteria for construction-related emissions for an elementary school are 277 ksf (ROG) for criteria pollutants or, alternatively, 3,904 students (ROG).

Proposed onsite improvements, including demolition of a 4,237 square foot school building and construction of a 5,400-square foot, prefabricated school building in its place, demolition and construction of two playgrounds, construction of a thirty-stall parking lot, and interior classroom modifications to a second existing school building, are minor in scope and would involve typical construction equipment, such as an excavator, a grader, a backhoe loader, and a skid steer loader. Construction emissions from development of the new Gateway School building and new Glen View Elementary School pre-school and staff training buildings would be reduced because the new modular buildings would be built offsite and would require only building pad development and assembly of the modules onsite.

Further, the Gateway School and Glen View Elementary School cumulatively do not serve more than 3,904 students in their Early Learning Center and Special Education programs. Glen View Elementary School currently enrolls 40 students in its Early Learning Center and the Gateway School currently enrolls 89 students in its Early Learning Center (72 students) and Special Education Program (17 students).

All construction-related emissions would be below BAAQMD significance thresholds and would be less than significant. However, BAAQMD's CEQA Air Quality Guidelines require projects to implement basic construction mitigation measures recommended for all proposed projects to control fugitive dust and exhaust emissions. These measures include:

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. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The SCCOE would require the construction contractor to implement the measures listed above as best management practices (BMPs) during the demolition and construction period (see Table 1). The SCCOE, as the lead agency for the project, would require the BMPs to be included on all construction plans.

Project compliance with BAAQMD's basic construction mitigation measures, which the project would implement at BMPs (see Table 1 in Project Description), would create a less than significant air quality impact with regard to construction activities.

Operational Emissions

The project is expected to produce emissions from motor vehicle use, air conditioning, water heating, and landscape maintenance after project construction is complete and the project is operational. The BAAQMD's CEQA Guidelines establish operational-related criteria air pollutant and precursor screening level sizes for numerous land use types. If a project meets the operational screening criteria, the project would not result in the generation of operational-related air pollutants and/or precursors that would exceed thresholds of significance for operational thresholds. The screening criteria for operational-related emissions for an elementary school are 271 ksf (NOX) for criteria pollutants and 44 ksf for GHGs, or alternatively, 2,747 students (ROG).

The project proposes minor onsite improvements, including demolition of a school building and construction of a modular school building in its place, replacement of existing playgrounds, construction of a small parking lot, and interior classroom modifications in a second building. The project would not demonstrably change the operational emissions generated from Glen View Elementary School or the Gateway School because operations would remain roughly the same. Operational GHG emissions associated with Glen View Elementary School would increase slightly due to the addition of a thirty-stall parking lot, which would result in new trips. However, the project is expected to produce a minimal number of daily trips that would not deviate substantially from existing conditions (see Section 3.17, Transportation). The proposed thirty-stall parking lot is intended to alleviate existing street parking issues and accommodate minimal new staff parking.

Further, the Gateway School and Glen View Elementary School cumulatively serve do not serve more than 3,904 students in their Early Learning Center and Special Education programs. Glen View Elementary School currently enrolls 40 students in its Early Learning Center and the Gateway School currently enrolls 89 students in its Early Learning Center (72 students) and Special Education Program (17 students).

Therefore, while the projects estimated operational criteria pollutant and GHG emissions volumes are not known, project buildout would result in a similar intensity of operations, the additional trips from operation of the new thirty-stall parking lot is minimal, and the onsite schools cumulatively do not serve more than 129 students. As a result, the project's estimated operational emissions would be below the BAAQMD's significance thresholds and would be less than significant.

Cumulative Impacts

The BAAQMD CEQA Air Quality Guidelines recommend that cumulative air quality effects from criteria air pollutants be addressed by comparison to mass daily and annual thresholds, which were developed to identify cumulatively considerable contributions to a significant regional air quality impact. The project would not exceed identified significance thresholds for construction or operation emissions; therefore, the project's emissions would not be cumulatively considerable. Cumulative impacts would be less than significant.

- 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?**

Less Than Significant Impact. (Responses c - d). Project construction activities constitute a new source of diesel particulate matter (DPM) and PM_{2.5} emissions. DPM, a human carcinogen, poses a chronic health risk through long-term inhalation exposure. Project construction would occur in close proximity to surrounding sensitive receptors, include schools, single-family residences, and multi-family residences. However, project construction activities would have be temporary and intermittent, and the project contractor would be required to maintain and operate all construction equipment according to local, State, and federal regulations, including BAAQMD's basic construction mitigation measures, which the project would implement as BMPs. Compliance with these regulations would reduce the impact of construction emissions on surrounding sensitive receptors. Operation of the project would not expose sensitive receptors or a substantial number of people to substantial pollutant concentrations or significant odors, as operation of the project entails standard school activities. This impact would be less than significant.

3.3.2 References

- Bay Area Air Quality Management District (BAAQMD). 2017a. Final 2017 Clean Air Plan. April 19, 2017. https://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en
- _____. 2017b. California Environmental Quality Act Air Quality Guidelines. May 2017. https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.4.1 Discussion

Would the project:

- a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

No Impact. The project site contains only developed land, including buildings, playgrounds, and parking lots, and associated vegetation, including turf and landscape trees and does not contain

any sensitive natural communities. The project site does not contain suitable habitat for any species identified as a candidate, sensitive, or special-status species; therefore, no candidate, sensitive, or special-status species are expected to occur onsite.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. No riparian habitat or other sensitive natural community occurs on or adjacent to the project site. The project would have no impact on these resources.

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?

No Impact. No wetlands, including state or federally protected wetlands, or other waters of the U.S. or State occur on or adjacent to the project site. Therefore, the project would not directly or indirectly impact a jurisdictional wetland, and no impact would occur.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites)?

No Impact. The project site is fully developed with buildings, school amenities, parking lots, and turf and is surrounded by urban development. The site contains no natural habitat and would not provide a wildlife corridor. However, the majority of the vegetation onsite, including trees would be left undisturbed by the project and would continue to allow for common, urban-adapted species to move through the project site. No native wildlife nursery sites are located onsite.

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

Less than Significant Impact. the project is not subject to the Gilroy Protected Tree Ordinance. The project proposes to remove one onsite tree, a *Maytenus boaria* tree with a 15-inch trunk diameter located between the existing Gateway School building and adjacent playground. The tree to be removed is not of a species or size where it would be considered a loss of a biological resource.

The project is subject to the provisions of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGF) and would be required to implement nesting bird protections for construction occurring during the nesting bird season. Standard conditions for all projects are in place to protect nesting birds if tree removal occurs on site (see Table 1 in Project Description).

Construction disturbances that occur during the avian nesting season may result in the destruction or abandonment of nests, including eggs and nestlings, either directly or indirectly. However, any birds that occur onsite are habituated to disturbances related to developed areas and would continue to nest and forage onsite after project construction is complete.

All native bird species are protected from direct take (i.e., harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) under CDFW and MBTA. Therefore, the following Best Management Practices (BMPs) for impact avoidance and minimization are needed to ensure the project complies with the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGF).

Measure 1. Avoidance. To the extent feasible, construction activities (or at least the commencement of such activities) should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code will be avoided. The nesting season for most birds in Santa Clara County extends from February 1 through September 15.

Measure 2. Preconstruction/Pre-disturbance Surveys. If it is not possible to schedule construction activities between September 16 and January 31 then preconstruction surveys for nesting birds should be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. We recommend that these surveys be conducted no more than seven days prior to the initiation of construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, grasslands, buildings) in and immediately adjacent to the impact areas for nests.

Measure 3. Buffers. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 300 ft for raptors and 100 ft for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation.

Measure 4. Inhibition of Nesting. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1). This will preclude the initiation of nests in this vegetation, and prevent the potential delay of the project due to the presence of active nests in these substrates.

The SCCOE would incorporate Measures 1 through Measures 4 into the project as BMPs (see Table 1). The project would have a less than significant impact on native bird species through compliance with these BMPs.

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

Less than Significant Impact. The project site is located within the area covered by the Santa Clara Valley Habitat Plan, a habitat conservation plan/natural community conservation plan (HCP/NCCP). Implementation of the Santa Clara Valley Habitat Plan (Habitat Plan) is led by the Santa Clara Valley Habitat Agency. Section 6.4.1 of the Habitat Plan sets conditions of permit approval that minimize biological resources impacts resulting from urban development. Section 6.6 of the Habitat Plan requires measures to avoid or minimize impacts to specific wildlife species. The project qualifies as an “urban development” project under the Habitat Plan and is subject to the requirements of the Habitat Plan because it includes ground disturbance and construction, which are considered “covered activities.” The project applicant shall submit a Santa Clara Valley Habitat Plan Coverage Screening Form to the appropriate plan administrator. The project site does not contain any sensitive habitat and would not conflict with the provision of the Santa Clara Valley Habitat Plan.

3.4.2 References

City of Gilroy. 2020. Gilroy 2040 General Plan EIR. November 2, 2020. Santa Clara Valley Habitat Agency. 2012. Final Santa Clara Valley Habitat Plan. August 2012.

3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.5.1 Discussion

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Less than Significant Impact. The project site is currently occupied by GUSD’s Glen View Elementary School and SCCOE’s Gateway School in central Gilroy. The site is surrounded by residential development in all directions. A California Historic Resources Information Search (CHRIS) for the project was performed on October 1, 2021, by the Northwest Information Center (NWIC). Three cultural resources reports have previously covered the project area:

- S-39151 (2012): Historic Property Survey Report, Gilroy VERBS (Vehicle Emissions Reductions Based at Schools) Safe Routes to School Project RPSTPLE-5034 (024); Archaeological Survey Report, Gilroy VERBS Safe Routes to School Project, Santa Clara County, California; RPSTPLE-5034(024); Historical Resources Evaluation Report, Gilroy VERBS Safe Routes to School Project, Santa Clara County, California; RPSTPLE-5034(024)
- S-39957 (2012): Cultural Resources Assessment of the Crown Castle Gilroy Hub, Gilroy, Santa Clara County, California (BCR Consulting Project No. SYN1209) (letter report)
- S-44039 (1982): Historic Building Study, City of Gilroy, Planning Department, Volume 1; Historic Building Study, City of Gilroy, Planning Department, Volume 2

Two additional cultural resources reports have previously covered areas within a ¼-mile radius of the project area:

- S-24863 (2002): Preliminary Archaeological Reconnaissance for the Gilroy Civic Center Expansion Project in Gilroy, Santa Clara County, California
- S-49087 (2017): Results of an Archaeological Survey for the 10th Street Bridge in Gilroy, Santa Clara County, California

The CHRIS results determined there are no previously recorded historical resources located within the project area nor within a 0.25-mile radius of the project area. The school buildings and structures onsite are not listed on the list of historic sites maintained by the City of Gilroy, the California Register of Historic Resources (CRHR), or the National Register of Historic Places (NRHP). The onsite buildings and structures are not older than 45 years old. As such, none of the buildings or structures onsite is eligible for listing as historic resources. Therefore, the project

would not cause a substantial adverse change in the significance of a historical resource. This impact is less than significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than Significant Impact.

A Sacred Land File (SLF) search was completed by the Native American Heritage Commission (NAHC) on October 15, 2021. The SLF search returned positive results for known Tribal Cultural Resources (TCRs) within a ¼-mile area of the project site. Ten Native American Tribes with connections to the area were identified by the NAHC. MIG contacted the representatives of the ten tribes via email on November 3, 2021. The tribal consultation period for the project ended on December 4, 2021. MIG did not receive any response from the tribes.

Due to the presence of previously recorded TCRs in the project vicinity, there is potential for unanticipated discovery of archaeological resources during project construction. In the event unknown archaeological resources are present, project construction could destroy or significantly damage buried archaeological resources. The project shall implement the following BMPs during all earthmoving activities to avoid or minimize impacts to previously unknown archaeological resources.

Unanticipated Discovery of Archaeological Resources

In the event that archeological resources (e.g. prehistoric, historic, tribal cultural resources) are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Community Development Department Director or the Director's Designee and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to Director of Community Development Department or the Director's designee and the City's Historic Preservation Officer and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials.

Implementation of the BMPs (see Table 1) above would reduce potential impacts on archaeological resources to less than significant.

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

Less than Significant Impact. See response to b) above. The NAHC SLF records search returned positive results for the project vicinity (within ¼-mile of the project site). As noted above in response c), MIG did not receive any response from the ten tribes contacted as part of the project tribal consultation process.

The project shall also implement the following BMPs during earthmoving activities in the event human remains are discovered.

Unanticipated Discovery of Human Remains

In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section

15064.5(e) of the CEQA Guidelines. If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being given access to the site.
- The MLD identified fails to make a recommendation; or
- The landowner or his authorized representative rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner.

The project's implementation of the BMPs above (see Table 1) would reduce potential project impacts on human remains to less than significant.

3.5.2 References

City of Gilroy. 1983. Historic Sites. Accessed January 10, 2022 at <https://www.cityofgilroy.org/DocumentCenter/View/1747/Historic-Sites-PDF>.

Native American Heritage Commission (NAHC). 2021. SCCOE Gateway Early Learning Center SLF record search results letter. Held by MIG, Inc. October 15, 2021.

Northwest Information Center (NWIC). 2021. SCCOE Gateway Early Learning Center CHRIS record search results letter. Held by MIG, Inc. October 1, 2021.

3.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.6.1 Discussion

Would the project:

- **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Less than Significant Impact. Project construction activities would require the use of off-road construction equipment and construction-related vehicle trips that would combust fuel, primarily diesel and gasoline. Off-road construction equipment would be required to comply with the California Air Resources Board (CARB) off-road emissions standards. Petroleum use during construction would be temporary and necessary to conduct development activities; therefore, it would not be wasteful or inefficient.

Once operational, the project would involve the operation of a new school building, a modified existing classroom building, and a new parking lot, which would produce greenhouse gas emissions from energy consumption (e.g., heating and cooling, lighting, etc.) and use of petroleum products (e.g., gasoline and diesel) associated with vehicle trips to and from the site made by visitors. The project is not expected to increase energy demand at the site over the long term as the new Gateway School building would not increase substantially in size compared to the existing early learning center building (i.e., the project does not propose a substantial increase in land use intensity). The proposed Gateway School building would be constructed to current 2019 Building Energy Standards, as well as the California Green Building Standards Code (CALGreen Code), both of which took effect in January 1, 2020. Therefore, the project would result in efficient use of energy. Further, the project would generate less than 110 daily vehicle trips, which would not exceed the OPR’s vehicle miles traveled (VMT) significance threshold (see Section 3.17, Transportation). The proposed project’s energy consumption would not be wasteful, inefficient, or unnecessary. This impact would be less than significant.

- d) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

No Impact As discussed under response a), the proposed project would be constructed using current 2019 Building Energy Standards and California Green Building Standards. Furthermore, as discussed in Section 3.8, Greenhouse Gas Emissions, although the project is not subject to City plans and policies the analysis has determined that the project would not conflict with the City’s 2012 Climate Action Plan (CAP) nor AB 32. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No impact would occur.

3.6.2 References

City of Gilroy. 2019. Demolition Guidelines & Procedures. Accessed November 9, 2021 at <https://www.cityofgilroy.org/DocumentCenter/View/11000/Demolition-Guidelines--Procedures-2019>.

_____. 2021. Gilroy City Code. Accessed November 9, 2021 at <https://www.codepublishing.com/CA/Gilroy>.

3.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
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 or based on other substantial evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.7.1 Discussion

Consistent with the California Supreme Court decision in *California Building Industry Association v. Bay Area Air Quality Management District* (62 Cal. 4th 369; 2015), the impact discussion presented below focuses on the Project’s effect on geology and soils rather than the effect of geologic hazards and site conditions upon the proposed project. The project is evaluated to determine whether it would create or exacerbate soil or geologic conditions identified in each of the above significance threshold criteria.

Building design and construction at the site shall be completed in conformance with the recommendations of a site-specific geotechnical investigation. The geotechnical report shall be

reviewed and approved by the DSA as part of their building plan review process. The buildings shall meet the requirements of the California Building Code for seismic and geologic safety. The project would be designed to withstand soil hazards identified on the site and the project shall be designed to reduce the risk to life or property on site and off site to the extent feasible and in compliance with the Building Code.

Would the project:

- 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 or based on other significant evidence of a known fault?**

No Impact. Available mapping indicates there are no known active faults that traverse the project site, and the site is not located within an Alquist-Priolo zone (California Geological Survey (GS) 2021).

- ii) **Strong seismic ground shaking?**

Less Than Significant Impact. The project site is located in the San Francisco Bay Region, which is considered one of the most seismically active regions in the United States. Significant earthquakes have occurred in this area and strong ground-shaking in the project area can be expected as a result of a major earthquake on one of the faults in the region. Strong ground-shaking due to seismic activity may potentially damage or cause the failure of project buildings.

The project proposes the demolition of an early learning center school building and construction of a modular school building in the same location, replacement of a playground, construction of a new playground, construction of a parking lot, and interior modifications to an existing classroom building. The new project building and site improvements would be designed in accordance with current California Building Code (2019) earthquake resistance standards and DSA requirements. Compliance with building code requirements would reduce the impacts of potential severe ground shaking on the new school building and site improvements.

The project would not create potential for or exacerbate existing conditions related to seismic ground shaking. Therefore, this impact is less than significant.

- iii) **Seismic-related ground failure, including liquefaction?**

Less Than Significant Impact. Liquefaction occurs when loose, saturated sandy soils lose strength and flow like a liquid during earthquake shaking. Ground settlement often accompanies liquefaction. Soils most susceptible to liquefaction are saturated, loose, silty sands, and uniformly graded sands.

The site is not located in a State of California liquefaction hazard zone (CGS 2021). Therefore, the project is not subject to risk of liquefaction and the project would not create the potential for or exacerbate existing conditions related to liquefaction. This impact is less than significant.

- iv) **Landslides?**

Less than Significant Impact. The project site is flat and there are no slopes located in the vicinity. The project involves grading activities that would occur on flat land. This impact is less than significant.

- b) **Result in significant soil erosion or the loss of topsoil?**

Less than Significant Impact. Though the project site does not contain sloping terrain, which would increase the potential for downslope erosion and loss of topsoil, project construction activities may still result in onsite erosion. The project Applicant is required to comply with the City of Gilroy's construction BMPs for erosion and sediment control (City of Gilroy 2021a). These

measures include: scheduling excavation and grading activities, for dry weather periods, planting temporary vegetation or place other erosion controls before rain begins, using berms and drainage ditches to divert water flow around the site, constructing temporary check dams or berms to reduce stormwater runoff velocities, and protecting storm drain inlets receiving runoff from the construction area with devices such as gravel bag barriers and geotextile storm drain inserts.

Further, the Gilroy City Code requires projects to implement construction period erosion and sediment control BMPs that meet the California Stormwater Quality Association's (CASQA) minimum standards and specifications (see Section 3.10, Hydrology and Water Quality) (City of Gilroy 2021b). Onsite erosion is not likely during project operation as the project site does not contain sloping terrain and areas disturbed by project construction would be replanted, paved with hardscape, or occupied by school amenities. Implementation of the erosion and sediment control BMPs would reduce the potential for project construction activities to result in significant soil erosion or loss of topsoil to less than significant.

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?

Less Than Significant Impact. See responses to questions ii) – iv) and d). The project site is subject to geologic hazard, such as strong seismic shaking. However, the project would not cause the site's underlying geologic unit or soils to become unstable with implementation of 2019 CBC requirements, which include standard project design and construction measures. The project would be designed and constructed in compliance with the 2019 CBC as required by the project COAs. Therefore, this impact is less than significant.

d) Be located on expansive soil, as noted in the 2010 California Building Code, creating substantial direct or indirect risks to life or property?

Less than Significant Impact. Expansive soils have the ability to shrink and swell with changes in soil moisture content. Expansive soils onsite have the potential to cause differential compaction during moderate and large earthquakes. Differential compaction, where certain soils become dense and settle, spreading unevenly across a site, has the potential to damage site buildings and improvements. The project site has not been tested for expansive soils; however, even if the site contains expansive soils, the project is subject to 2019 CBC requirements, compliance with which would ensure project buildings and structures are designed to withstand the potential impacts of expansive soils. The GSA will review and approve building plans to ensure site-specific geotechnical conditions have been factored into building design. Therefore, the project's potential for creating substantial risks to life or property from expansive soils is less than significant.

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?

No Impact. The project would connect to the City's existing sanitary sewer system. The project does not propose the use of septic tanks.

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

Less than Significant Impact. The project site is a fully developed property located in a highly urbanized area of the City. The site does not contain unique geologic features.

Paleontological resources include fossils that can preserve plant and animal remains through sediment deposition and settling over time. The Gilroy 2040 General Plan Draft EIR notes:

Gilroy is mostly characterized as being underlain by Quaternary period (Cenozoic era) and Mesozoic era sedimentary rocks. Quaternary sedimentary rocks are marine gravel,

sand, silt, and clay deposited mostly in valleys and lowlands and are related to the most recent Holocene and Pleistocene epochs. No known paleontological resources have been discovered in Gilroy, likely due to the presence of these relatively recent Holocene (10,000 years) deposits. (p. 3-151)

The project would involve shallow grading activities that, while highly unlikely, may potentially unearth unique paleontological resources onsite. The project includes implementation of BMPs in the event of unanticipated discovery of archaeological resources (see Table 1). The project would implement the same BMPs in the event of unanticipated discovery of paleontological resources. In the event paleontological resources are encountered during construction activities, all construction activity in the area of the find would be halted, and the Gilroy Community Development Director would be notified. Project implementation of this BMP would reduce the potential impacts of the project on paleontological resources to less than significant.

3.7.2 References

California Geological Survey. 2021. EQ Zapp: California Earthquake Hazards Zone Application. Accessed October 29, 2021 at <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>.

City of Gilroy. 2020. Gilroy 2040 General Plan Draft EIR. Public Review Draft. June 22, 2020. <https://www.cityofgilroy.org/DocumentCenter/View/11308/Draft-EIR---Gilroy-2040-General-Plan-?bidId=>

_____. 2021a. Construction Best Management Practices and Training Resources. Accessed November 16, 2021 at <https://www.cityofgilroy.org/713/Construction-BMPs-and-Training-Resources>.

_____. 2021b. Gilroy City Code. Accessed November 16, 2021 at <https://www.codepublishing.com/CA/Gilroy/>.

3.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.8.1 Discussion

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

Less than Significant Impact. The project would produce short-term greenhouse gas (GHG) emissions from construction activities and long-term GHG emissions from stationary sources (e.g., natural gas combustion for space and water heating, electricity use, and landscape maintenance equipment) and non-stationary sources (e.g., motor vehicles). The BAAQMD has established separate significance thresholds for operational GHG emissions from stationary sources and non-stationary sources. Operational emissions thresholds apply to project construction emissions, as the BAAQMD has not established thresholds for construction-related GHG emissions. As discussed in Section 3.3 Air Quality, the project would not produce construction-related or operational emissions that exceed the BAAQMD CEQA thresholds of significance. As a result, project GHG emissions would constitute a less than significant impact.

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

No Impact. Assembly Bill 32 (AB 32) establishes regulatory, reporting, and market mechanisms to reduce GHG emissions in California and establishes a cap on statewide GHG emissions. AB 32 requires the California Air Resources Board (CARB) to adopt a quantified cap on statewide GHG emissions. Statewide plans and regulations are being implemented at the statewide level to meet AB 32 emissions targets because no individual project could have a major impact on cumulative statewide GHG emissions. A project would have a significant GHG emissions impact if it conflicts with the AB 32 state goals.

The City adopted a Climate Action Plan (CAP) in 2012 (City of Gilroy 2013). The CAP serves as a roadmap for reducing the City’s energy consumption and GHG emissions to meet statewide emissions targets include in AB 32. Implementation of the 2012 CAP strategies and programs is not expected to achieve sufficient greenhouse gas (GHG) emission reduction to meet the AB 32 target for Gilroy. As a result, the City is participating in a Santa Clara County-sponsored CAP project with the goal of updating the interim CAP to achieve AB 32 compliance and to establish a CEQA-Qualifying Plan. The Gilroy 2040 General Plan contains implementation programs from the Draft Gilroy Climate Action Plan, which is tentatively planned for completion within three years of the adoption of the current general plan, which was adopted in 2020. The updated Gilroy Climate Action Plan will contain a Qualified Greenhouse Gas Reduction Strategy. Because an updated CAP has not yet been adopted, the project is subject to the requirements of the 2012 CAP. The project would comply with any applicable GHG emission reduction measures contained within the 2012 CAP. Therefore, the project would not conflict with an applicable, policy or

regulation adopted for the purpose of reducing the emissions of greenhouse gases. No impact would occur.

3.8.2 References

City of Gilroy. 2013. City of Gilroy Newsletter. Accessed November 11, 2021 at <https://www.cityofgilroy.org/ArchiveCenter/ViewFile/Item/547>.

3.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.9.1 Discussion

Would the project:

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

Less Than Significant Impact. Hazardous materials include substances that are flammable, corrosive, explosive, radioactive, infectious, thermally unstable, and poisonous. Hazardous materials include but are not limited to fuels, solvents, paints, and adhesives.

The project would not involve the routine transport, use, storage, and/or disposal of hazardous materials, including fuels, solvents, paints, and adhesives, because operation of a school does not typically involve regular use of hazardous materials. However, the project may transport, use, and store fuels, solvents, paints, and adhesives, on occasion for the maintenance of buildings, structures, and site improvements. Household chemicals may be stored onsite for regular cleaning of restrooms, classrooms, and administrative offices. Use of these materials would be regular, but intermittent. Onsite storage of any hazardous materials is expected to occur inside fully contained, locking storage rooms or closets. As such, any hazardous materials present onsite are not likely to escape into the environment. Further, use of any hazardous materials onsite for operations and maintenance purposes would be subject to existing local, State, and Federal

regulations. Project compliance with existing regulations regarding the storage, use, handling, and disposal of hazardous materials would ensure the project does not create a significant hazard to the public or environment related to hazardous materials. This impact would be less than significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. As discussed above in response a), the project would not involve the routine transport, use, storage, and/or disposal of fuels (i.e., gasoline, diesel, oil, etc.), adhesives, paints, or solvents. However, the project includes the temporary transport, storage, and use of fuels, paints, solvents, and adhesives for the demolition of existing facilities and the construction of a new school building, two playgrounds, and a small parking lot. Fuels would be used to power the construction equipment used in the demolition, grading, and construction phases of the project. Paints, solvents, and adhesives would be used during the construction phase of the project. As a result, the project would temporarily increase the potential for accidental release of hazardous materials into the environment.

However, the project's temporary transport, storage, and use of fuels, paints, solvents, and adhesives would be subject to existing Federal, State, and local regulations. Compliance with said regulations would ensure the project's temporary transport, use, and storage of hazardous materials results in a less than significant impact.

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

Less than Significant Impact. The project site is occupied by three schools, the Gateway School, the Glen View Elementary School, and the State Preschool at Glen View. As described in responses a) and b), the project would temporarily use fuels, paints, solvents, and adhesives during the construction and demolition phases of the project. Operation of the project would involve the regular intermittent use of household cleaners, adhesives, and solvents for regular cleaning and periodic maintenance activities. The project's transport, storage, and use of fuels, paints, solvents, and adhesives during construction and operations is subject to existing Federal, State, and local regulations. Compliance with said regulations would ensure the project's transport, use, and storage of hazardous materials results in a less than significant impact on the users of the existing onsite schools.

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?

No Impact. The Hazardous Waste and Substances Site List, also known as the Cortese List, is a planning document used by the State of California and its various local agencies, including the Department of Toxic Substances Control (DTSC), to comply with CEQA requirements in providing information about the location of hazardous materials release sites.

The California Department of Toxic Substances Control's (DTSC) EnviroStor database tracks DTSC's cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. A review of the Cortese List data resources sites in the EnviroStor database on October 19, 2021, did not show any known or suspected contamination sites on the project site or in the City of Gilroy (DTSC 2021).

The California State Water Resources Control Board's (State Water Board) GeoTracker database tracks and archives compliance data from authorized or unauthorized discharges or waste to land, or unauthorized releases of hazardous substances from underground storage tanks. A review of the Cortese List sites in the GeoTracker database conducted on October 19, 2021, did not result

in any hazardous materials sites located on the project site or within 1,000 feet of the site (SWRCB 2021).

A review of the California Environmental Protection Agency's (CalEPA) list of solid waste sites identified by the State Water Board with waste constituents above waste levels outside the waste management unit conducted on October 19, 2021 did not result in any sites located on the project site or in the City of Belmont (CalEPA 2021).

A review of CalEPA's list of "active" State Water Board CDO (Cease and Desist Orders) and CAO (Cleanup and Abatement Orders), conducted on October 19, 2021, did not result in any sites located on or near the project site (CalEPA 2021).

The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not 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?**

No Impact. The nearest public airport is the San Martin Airport, located approximately 5.4 miles north of the project site. The project would have no impact related to a safety hazard or excessive noise for people residing or working in the project area, which is not located within two miles of a public use airport or within the area of influence of any airport.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

No Impact. The City of Gilroy does not have an emergency response plan or emergency evacuation plan. The City participates in the Santa Clara County Operational Area Hazard Mitigation Plan, which was updated most recently in 2017 (County of Santa Clara 2017). Project demolition and construction activities would be confined to a 11.9-acre property. The project would not block access to vehicles, including emergency vehicles, and would not significantly impair or physically interfere with an adopted emergency response or emergency evacuation plan.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

No Impact. The project site is located in a fully urbanized area of southern Gilroy. The site is not located in a California Department of Forestry and Fire Protection (CAL FIRE) fire hazard severity zone according to the Gilroy 2040 General Plan Draft EIR. The site is not subject to wildland fire risk.

3.9.2 References

California Department of Toxic Substances Control (DTSC). 2021. "EnviroStor Hazardous Waste and Substances Site List (Cortese)." Accessed on October 19, 2021 at https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29.

California Environmental Protection Agency (CalEPA). 2021. "Cortese List Data Resources." Accessed on October 19, 2021 at <https://calepa.ca.gov/sitecleanup/corteselist/>.

City of Gilroy. 2020. Gilroy 2040 General Plan Draft EIR. Public Review Draft. June 22, 2020. <https://www.cityofgilroy.org/DocumentCenter/View/11308/Draft-EIR---Gilroy-2040-General-Plan-?bidId=>

County of Santa Clara. 2017. Santa Clara County Operational Area Hazard Mitigation Plan. October 15, 2017. Accessed November 11, 2021. <https://emergencymanagement.sccgov.org/sites/g/files/exjcpb261/files/For%20Partners/Local-Hazard-Mitigation-Plan-LHMP-Vol-2.pdf>

_____. 2020. San Martin Airport Comprehensive Land Use Plan. Amended November 18, 2020. Accessed November 11, 2021. https://stgenpln.blob.core.windows.net/document/ALUC_E16_CLUP.pdf

3.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water supply?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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: <ul style="list-style-type: none"> 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 off-site; 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 flows? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.10.1 Discussion

Would the project:

- a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water supply?**

Less Than Significant Impact. Project demolition, grading, and construction activities have the potential to discharge pollutants, including oil, grease, metals, solvents, and sediments, into the surrounding environment through stormwater runoff. Operation of the project may potentially affect stormwater quality through the accidental release of pollutants such as household chemicals, paints, fertilizers, and pesticides. Stormwater would be captured from the impervious

surfaces of the Gateway's School building, playground, and associated hardscape (i.e., walkways) and directed to onsite turf areas for percolation into underlying soils. The new 30-stall parking lot off W 8th Street would be designed with stormwater runoff retention features that would meet the requirements for compliance with the NPDES permit.

Government Code Section 53097 specifies that school districts shall comply with any city or county ordinance (1) regulating drainage improvements and conditions. The project is required to implement California Stormwater Quality Association (CASQA) minimum standards and specifications for erosion and sediment control to reduce water pollution per Chapter 27C of the Gilroy City Code (City of Gilroy 2021a). The CASQA minimum standards call for erosion and sediment control plans that include BMPs related to preservation of existing vegetation, use of erosion control materials and processes (i.e., hydraulic mulch, hydroseeding, soil binders, straw mulch, geotextile and mats, wood mulching, earth dike and drainage swales, velocity dissipation, and slope drains), and use of sediment control materials and measures (i.e., silt fence, sediment basin and trap, straw wattles, gravel bag berms, and straw barriers, storm drain inlet protection, dust control, and stabilized construction staging).

Gilroy is under the jurisdiction of the Central Coast Regional Water Quality Control Board (Central Coast RWQCB), which oversees implementation of the State National Pollution Elimination Discharge System (NPDES) program along the California central coast. As of June 2013, the City of Gilroy is subject to the requirements of a Small Municipal ("Phase 2") General Stormwater Permit. The City of Gilroy partners with the City of Morgan Hill and south Santa Clara County (the portion of Santa Clara County that drains to the Pajaro River-Monterey Bay watershed), as Permittees to implement the requirements of the NPDES permit. As a Permittee, Gilroy is subject to the Central Coast Post-Construction Requirements that are specific to the Central Coast Region. Projects that create and/or replace at least 2,500 square feet of impervious surface area collectively over the entire project site are subject to the Central Coast Post-Construction Requirements. These requirements include low impact development (LID) site design, pollutant source control, stormwater treatment, and hydromodification management measures. Post-construction requirements vary under a tier system based on the type and location of the project and amount of impervious surface created and/or replaced.

The project would be considered a Tier 4 project, which includes projects that create or replace 22,500 square feet or more of net impervious surface area. Tier 4 projects must implement the following post-construction requirements:

- Implement LID Measures
 - Limit disturbance of natural drainage features.
 - Limit clearing, grading, and soil compaction.
 - Minimize impervious surfaces.
 - Minimize runoff by dispersing runoff to landscape or using permeable pavements.
- Treat runoff with an approved and appropriately sized LID treatment system prior to discharge from the site.
- Prevent offsite discharge from events up to the 95th percentile rainfall event using Stormwater Control Measures.
- Control post-project peak flows to not exceed pre-project peak flows for the 2- through 10-year storm events. (May be satisfied by Tier 3 requirements for some projects.)

The project BMPs (see Table 1) include measures required by the City of Gilroy, City of Morgan Hill, and County of Santa Clara's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements.

Construction activities that disturb 10,000 square feet or more are required to obtain a Construction Activities Storm Water General Permit (General Permit) from the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan

(SWPPP) for City approval. The project is required to obtain a General Permit as it would disturb more than 10,000 square feet of land.

The project is required to comply with City of Gilroy's construction BMPs intended to prevent or minimize the entry of pollutants, sediments, and debris into local waterways (City of Gilroy 2021b). Construction BMPs for earth-moving and heavy equipment operations, fresh concrete application, general construction and site supervision, landscaping, painting and application of solvents and adhesives, and paving apply to the project. BMPs include measures to reduce onsite erosion and control runoff, such as scheduling excavation and grading activities for dry weather periods, protecting storm drain inlets through use of gravel bag barriers and geotextiles, use of berms and drainage ditches to divert water flow around the site, maintaining all vehicles and heavy equipment to prevent or contain leaks, staging and cleaning vehicles and equipment in a completely contained area away from streams and storm drain inlets, among other measures.

Overall, project compliance with the BMPs included in Table 1 would ensure the project does not violate any water quality standards or degrade surface water quality.

The project would be served by the City of Gilroy and would not use groundwater. The project would not impact or interrupt groundwater supply.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact. The project would receive domestic and fire water service from the City of Gilroy. The project would not use groundwater and, therefore, would have no impact on groundwater supplies or groundwater recharge.

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;

Less than Significant Impact. The project site is a fully developed property that is largely built out with impervious surfaces and landscaping, including extensive turf grass. The project would replace an existing building and two playgrounds onsite, and construct a new parking lot. The project would not alter the existing site drainage pattern, which currently directs most stormwater runoff to the landscaped turf areas surrounding the existing buildings. The project site does not contain sloping terrain and construction activities would not likely result in onsite erosion. To reduce the potential for erosion from construction activities, the project would comply construction BMPs (see Table 1), which include erosion control and water quality protection measures, required by the City of Gilroy for all construction projects. This impact would be less than significant with project compliance with erosion control and water quality protection BMPs.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less than Significant Impact. The project site is fully developed and currently contains buildings, amenities, other hardscape, and landscaping associated with the onsite schools. The project would redevelop the site with impervious surfaces from the new Gateway School building, replace hardscape around the new Gateway School building, a new teacher training building, a new pre-school building, and a new parking lot. Though the project would increase the amount of runoff generated onsite, the project is required to comply with runoff control and treatment BMPs (see Table 1), which include implementation of stormwater measures per the City of Gilroy, City of Morgan Hill, and County of Santa Clara's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements, compliance with CASQA's minimum standards and specifications for erosion and sediment control BMPs, and development of a

project SWPPP. As a result, the project would not increase surface runoff in a manner that would result in onsite or offsite flooding.

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

Less than Significant Impact. The project would result in a net increase of impervious surface area onsite. However, new stormwater runoff would largely drain to existing turf areas (W 8th Street) and new turf areas (W 9th Street) except in the case of the new parking lot. Any increase in stormwater runoff resulting from an increase in impervious surfaces on the project would be required to be retained on the site; therefore, stormwater runoff from the new parking lot would be directed to onsite retention features that meet NPDES permit runoff control requirements. Project compliance with BMPs, including the stormwater control measures in Table 1, would ensure the project does not provide substantial additional sources of polluted runoff.

Outside the project construction areas, the existing stormwater runoff patterns would be unchanged and stormwater runoff would be directed either to turf areas or to the City of Gilroy's stormwater drainage system in the streets.

iv. Impede or redirect flows?

No Impact. The project would make improvements to buildings and amenities on an existing school site. The site does not contain any waterways and the project would not alter the course of a stream or river. Therefore, the project would not impede or redirect flood flows.

d. At risk of a release of pollutants due to project inundation in a flood hazard, tsunami, or seiche zone?

No Impact. The project site is predominantly located in Zone X, Area with reduced flood risk due to levee, according to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM), Number 06085C0639H, effective 2009 (FEMA 2009). A small area in the northern half of the project site is located within Zone X, 0.2 percent annual chance flood hazard. The project site is not located in a special flood hazard area (SFHA).

The project is not located in a tsunami hazard area according to the California Department of Conservation (California Department of Conservation 2021). As such, the project is not subject to risk of pollutant release due to tsunami.

A seiche is a standing wave in an enclosed or partially enclosed body of water, such as a lake. The project site is not located in the vicinity of any lakes and, as such, is not subject to risk of pollutant release due to seiche.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. Government Code Section 53097 specifies that school districts shall comply with any city or county ordinance (1) regulating drainage improvements and conditions. The project would be required to implement measures to protect water quality, as described in responses a) and c) and as listed in Table 1. These measures include but are not limited to those required by CASQA for erosion and sediment control BMPs; the City of Gilroy, City of Morgan Hill, and County of Santa Clara's Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements; as part of a project SWPPP under a SWRCB Construction Activities Storm Water General Permit (General Permit); and included in the City's Construction Best Management Practices and water resources protection ordinances (City Code Chapter 27). Project compliance with BMPs pertaining to water quality protection would ensure the project does not conflict with a water quality control plan or have an adverse effect on water quality.

The project would receive domestic and fire water service from the City of Gilroy. The project would not use groundwater and, therefore, would not conflict with a sustainable groundwater management plan.

3.10.2 References

California Stormwater Quality Association. 2021. California Storm Water Quality Association Best Management Practice Handbooks. Accessed November 16, 2021 at <https://www.casqa.org/resources/bmp-handbooks>.

California Department of Conservation. 2021. Santa Clara County Tsunami Hazard Areas. Accessed on November 12, 2021 at <https://www.conservation.ca.gov/cgs/tsunami/maps/santa-clara>.

City of Gilroy. 2021a. Gilroy City Code. Accessed November 16, 2021 at <https://www.codepublishing.com/CA/Gilroy/>.

_____. 2021b. Construction Best Management Practices and Training Resources. Accessed November 16, 2021 at <https://www.cityofgilroy.org/713/Construction-BMPs-and-Training-Resources>.

City of Gilroy, City of Morgan Hill, County of Santa Clara. 2015. Stormwater Management Guidance Manual for Low Impact Development & Post-Construction Requirements. June 2015. Accessed November 12, 2021 at <https://www.cityofgilroy.org/DocumentCenter/View/5186/Guidance-Manual-for-Low-Impact-Development--Post-Construction-Requirements?bidId=>.

Federal Emergency Management Agency (FEMA). 2009. Flood Map Service Center. Flood Rate Insurance Map (FIRM) Number 06085C0639H, revised 2009. Accessed on November 12, 2021 at <https://msc.fema.gov/portal/search?AddressQuery=7151%20Hanna%20Street%2C%20Gilroy%2C%20CA#searchresultsanchor>

3.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.11.1 Discussion

Would the project:

a) Physically divide an established community?

No Impact. The project site is a fully developed property surrounded by residential uses. The project would make improvements to buildings and amenities associated with two existing schools. The project would not 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?

No Impact. The project site has a zoning designation of Park/Public Facilities (PF) and has a general plan land use designation of Public and Quasi-Public Facility. The existing schools are consistent with these land use designations and none of the proposed project features would create an environmental impact.

California Government Code Section 53094(b) authorizes the Governing Board of a school district, by two-thirds vote, to render city or county zoning ordinances inapplicable to the proposed use of property by the school district. It is anticipated that the SCCOE will take this action; therefore, the project would not be required to obtain a land use permit or approval from the City of Gilroy. The City of Gilroy would only have permitting purview for connection to utilities in the public right-of-way and curb cuts for the construction of the new 30-stall parking lot.

Government Code Section 53097 specifies that school districts shall comply with any city or county ordinance (1) regulating drainage improvements and conditions, (2) regulating road improvements and conditions, or (3) requiring the review and approval of grading plans as these ordinance provisions relate to the design and construction of on-site improvements which affect drainage, road conditions, or grading. The construction activities of the project would be subject to local regulation when work is conducted in the public right-of-way (street tree removal, extension of utilities, and grading/construction).

The project would comply with applicable city ordinances regulating drainage improvements, road conditions, grading activities, and the design and construction of improvements.

See Section 3.10, Hydrology and Water Quality. The project does not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

3.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.12.1 Discussion

Would the project:

- 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?**

No Impact (Responses a – b). The project site has no potential for use in mineral resource recovery (CGS 1999). Therefore, the project would have no impact on the availability of mineral resources.

3.12.2 References

California Geological Survey (CGS). 1999. Update of Mineral Land Classification: Aggregate Materials in the Monterey Bay Production-Consumption Region. Accessed October 21, 2021 at <https://maps.conservation.ca.gov/cgs/informationwarehouse/mlc/>.

3.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
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 in other applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.13.1 Discussion

Would the project result in:

- 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 in other applicable local, state, or federal standards?**

Less than Significant Impact. The project involves the replacement of an existing school building, interior improvements to an existing classroom building, replacement of a playground, installation of a new playground, and installation of a new parking lot. As such, the project site would continue to generate the same ambient noise levels compared to current conditions and would not result in a substantial permanent increase in ambient noise levels.

Construction of the project, including demolition, grading, and building and infrastructure construction, would generate temporary increase in ambient noise levels. Construction noise levels may vary greatly depending upon the type and model of construction equipment, the operation being performed, the conditions of the equipment, and the prevailing wind direction.

The project is not subject to the City of Gilroy’s noise standards, however, all construction activities would be conducted within the hours identified by the City for construction. The project would conduct all construction and related activities during the hours of 7:00 am to 7:00 pm on Monday through Friday and 9:00 am to 7:00 pm on Saturdays, consistent with the Gilroy City Code. Project compliance with the construction noise requirements included in the City Code would prevent the generation of a substantial temporary increase in ambient noise levels. A less than significant impact would occur.

- b) **Generation of excessive groundborne vibration or groundborne noise levels?**

Less than Significant Impact. The project would use typical construction equipment, which may include an excavator, backhoe loader, grader, and trucks, that may produce groundborne vibration and noise. The potential for groundborne vibration and noise is typically greatest when

vibratory or large equipment such as rollers, impact drivers, or bulldozers are used. The project would employ large equipment primarily during demolition, site preparation, grading/excavation, and paving. No specific vibration-inducing equipment is proposed for the project (e.g., vibratory roller or vibratory pile drive). Project construction equipment would, at worst-case and for limited period of times, operate adjacent to the site's property lines within a minimum of approximately 60 feet of residential buildings surrounding the project site (at W 8th Street). At 60 feet, project construction equipment would not likely result in groundborne vibration or noise that would adversely affect people or structures. As a result, the project would have a less than significant impact from construction-related groundborne vibration and 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?**

No Impact. The nearest airport is the San Martin Airport, located approximately 5.4 miles north of the project site. The project would have no impact related to excessive noise levels for people residing or working in the project area, which is not located within two miles of an airport or within the area of influence of any airport.

3.13.2 References

City of Gilroy. 2021. Gilroy City Code. Accessed November 7 at <https://www.codepublishing.com/CA/Gilroy/>.

3.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Induce a substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.14.1 Discussion

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No Impact. (Responses a – b). The project involves school facility improvements, including replacement and upgrade of buildings and playgrounds. The project would not induce unplanned population growth, nor would it displace existing people or housing. No impact would occur.

3.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) 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:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.15.1 Discussion

Would the project:

a) 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:

- i) Fire protection?**
- ii) Police?**
- iii) Schools?**
- iv) Parks?**
- v) Other public facilities?**

NO Impact (Responses i-ii, iv-v). The project consists of site improvements to a school property occupied by Glen View Elementary School and the Gateway School. Proposed improvements include demolishing the existing Gateway School building and constructing a prefabricated, modular building of slightly larger size in the same location, demolishing two playgrounds and installing upgraded playground in the same locations, constructing new teacher training and pre-school classroom buildings, constructing a new thirty-stall parking lot, and modernizing the interior of an existing classroom building. The project would not cause population growth. The project would not increase demand for fire protection or police protection, park facilities, or other public facilities.

Less Than Significant Impact (Response iii). The project includes the improvement of existing facilities as well as the construction of new buildings to increase student capacity at the Glen View campus. The new buildings would facilitate increased enrollment at the Gateway School and Glen View Elementary School. Although the project involves the physical alteration of governmental facilities; alterations would not cause substantial adverse physical impacts, as described in this Environmental Checklist.

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.16.1 Discussion

Would the project:

- a) **Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?**
- b) **Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

No Impact. (Responses a – b). The project includes minor improvements to existing school sites and would not impact the use of existing neighborhood or regional parks or other recreation facilities. The playground replacement proposed as part of the project would not have an adverse physical effect on the environment. Therefore, the project would have no impact on recreational facilities.

3.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.17.1 Discussion

Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less Than Significant Impact. Project activities would be fully contained within the project site. The project proposes a new, thirty-stall parking lot on W 8th Street, the construction of which would add a driveway and curb cuts where there is an existing sidewalk. As such, the existing sidewalk on W 8th Street would be temporarily unusable to pedestrians during the project construction period. The project would also conduct work within the existing right-of-way (ROW) along W 9th Street that may temporarily render sidewalks unusable to pedestrians during the project construction period. The project would not otherwise alter existing pedestrian infrastructure in the site vicinity.

The project site is located within the 560 feet of a Santa Clara Valley Transit Authority bus routes and bus station located on W 10th Street (City of Gilroy 2021). The project would not alter or interfere with the operations of existing transit routes in the site vicinity.

Bicycle facilities in the project vicinity include bike routes on Princevalle Street and W 10th Street, and a bicycle lane on Church Street (City of Gilroy 2016). The project would not alter or impair the operation of existing bicycle routes in the project vicinity.

The project site is not located within or near areas covered by a plan that addresses roadway or traffic improvement, including the Downtown Gilroy Improvement Plan. However, the City of Gilroy requires all projects that conduct work within the City ROW to prepare Traffic Control Plans that meet the City Engineering Division’s minimum requirements (City of Gilroy 2008). The project will be required to prepare a Traffic Control Plan for construction of the new driveway to serve the proposed 30-stall parking lot that includes BMPs that would be implemented for all work that takes place in the City ROW (see Table 1):

Traffic Control Plan Requirements

1. Traffic control plans shall be prepared in accordance with latest edition of the California Manual on Uniform Traffic Control Devices (CA MUTCD).

2. Plans shall be prepared by a California-licensed Professional Engineer with experience in preparing traffic control plans.
3. Traffic control plan shall be designed to address specific site/project conditions. Examples, samples, or “typical” drawings are not allowed.
4. Traffic control plan shall be submitted for each phase of work, particularly when phases alter traffic patterns/flow.
5. Improvement plans must be approved by the City before traffic control plan can be approved.
6. Place all “Notes” on traffic control plan (see below for required notes).

Notes:

1. Specify working days and hours.
2. Construction signs shall be black on orange (not black on yellow or black on pink).
3. Access to all private properties shall be maintained at all times during construction.
4. Temporary traffic control signs shall not block fire hydrants and/or driveways at all times.
5. All traffic control devices (signs, channelizers, etc.) shall be retroreflective and/or illuminated during nighttime traffic control.
6. All existing roadway signs conflicting with traffic control plan shall be covered for duration of work and uncovered when roadway is reopened.
7. For signalized intersections, all active travel lanes shall have temporary or permanent detection. All permanent detection shall be installed within 48 hours of end of temporary traffic control.
8. Contractor shall post temporary “No Parking,” “No Stopping,” and/or “Tow Away” signs along roadway frontage, where applicable, a minimum three (3) working days prior to commencement of work. Signs shall state days and hours when restrictions apply.
9. Contractor shall display on its barricades company name and 24-hour emergency telephone number in case of emergency callouts.
10. Contractor shall furnish, erect, and maintain barricades, lights, signs, flagmen, fencing, and other safety measures to give adequate protection to the public at all times. Contractor shall provide access to all areas in the vicinity of the encroachment and shall provide necessary temporary sidewalk and warning signs.
11. The parking of any construction-related vehicles or storage of any material is not allowed on a public street or sidewalk unless approved in advance by the City Engineer.
12. Any traffic striping, pavement markings, pavement surface, etc. damaged or destroyed by Contractor’s work shall be replaced by Contractor to the satisfaction of the City Engineer at Contractor’s sole expense.
13. Contractor shall notify all private property owners in writing a minimum three (3) working days prior to any construction that may affect access. Notice shall contain a) Company Name b) Contact Name c) Company and/or Contact Phone Number
14. Contractor shall notify City of Gilroy Engineering Division in writing a minimum five (5) working days prior to beginning of work.

Development and implementation of a project Traffic Control Plan would ensure the project does not conflict with adopted policies, plans, or programs addressing the City of Gilroy’s circulation system. This impact is less than significant.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?

Less Than Significant Impact. The California Office of Planning and Research (OPR) published its Technical Advisory on Evaluating Transportation Impacts in CEQA in December 2018. According to the OPR Technical Advisory, projects that generate fewer than 110 trips per day may be presumed to cause a less than significant transportation impact pertaining to VMT. The project proposes site improvements that largely mirror existing conditions and would result in similar land use intensity. The proposed new, thirty-stall parking lot is being proposed to address existing problems with on street parking associated with the Glen View campus. The parking lot is not being proposed to serve new trips to the campus and is not anticipate to increase project VMT. The two new future buildings on the Glen View campus are expected to serve 30 new students and eight new staff. This increase in students and staff is expected to generate 76 new daily trips and therefore would not exceed the 110-daily trip threshold, the project is exempt from CEQA VMT analysis. The project would have a less than significant VMT impact.

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

No Impact. The project would construct a new, thirty-stall parking lot on W 8th Street. The new parking lot ingress/egress driveway, curbs cuts, gutters, and other features would be designed to meet the City's Standard Details & Specifications. Project construction and demolition may interfere with pedestrian and cyclist routes; however, this impact would be temporary, intermittent, confined to the project site and adjacent sidewalks/bike lanes.

The project would not result in safety hazards to pedestrians, bicyclists, or vehicles.

d) Result in inadequate emergency access?

No Impact. Emergency access to the project site would continue to be provided by W 9th Street, Hanna Street, and W 8th Street. The project would provide adequate emergency access. The project would not impact emergency access.

3.17.2 References

City of Gilroy. 2008. Traffic Control Plans Minimum Requirements. Accessed November 18, 2021 at <https://ca-gilroy.civicplus.com/DocumentCenter/View/939/Traffic-Control-Plan-Requirements-PDF>.

_____. 2016. City of Gilroy Bicycle Map. Accessed November 11, 2021 at https://visitgilroy.com/wp-content/uploads/2018/05/2016_City-of-Gilroy-Bicycle-Map.pdf.

_____. 2021. VTA System Map, South County Map. Accessed November 11, 2021 at https://www.vta.org/sites/default/files/2021-10/VTA_SouthCounty_101121.pdf.

3.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Cause a substantial adverse change in the significance of a tribal cultural resources, 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:				
i) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.18.1 Discussion

Would the project:

- a) Cause a substantial adverse change in the significance of a tribal cultural resources, 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:**
 - i. 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)?**
 - ii. 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?**

Less Than Significant Impact (Responses i - ii). As discussed in Section 3.5, Cultural Resources, the NAHC conducted a SLF search on October 15, 2021. The SLF search returned positive results for known TCRs within ¼-mile of the project site. MIG contacted the representatives of the ten Native American Tribes identified by the NAHC as having connections

to the area on November 3, 2021. The tribal consultation period for the project ended on December 4, 2021. MIG did not receive any response from the tribes.

The project incorporates BMPs that would be implemented in the event of unanticipated discovery of archaeological resources or human remains (see Table 1).

3.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.19.1 Discussion

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?**

Less than Significant Impact. The site is served by the City of Gilroy (domestic and fire water; sanitary sewer collection; stormwater), South County Regional Wastewater Authority (SCRWA) (sanitary sewer treatment), AT&T (telecommunications), Comcast (telecommunications), Pacific Gas & Electric Company (PG&E) (electricity), Recology South Valley (solid waste). Utility providers that currently serve the project site would continue to serve site following project implementation.

Gateway School Site

Project improvements on the Gateway school site would require the instillation of new water and sanitary sewer lines running from existing service lines within the project site to the new Gateway School building. Existing utility lines on the Gateway School site would either be abandoned and capped in place or left as is in the case of utilities that currently serve other structures onsite or that would serve the new Gateway School building. All work to install new utilities for the Gateway School site, including trenching and backfilling, would take place onsite.

Stormwater would be captured from the impervious surfaces of the Gateway's School building, playground, and associated hardscape (i.e., walkways) and directed to onsite turf areas for percolation into underlying soils. New 4-inch perforated storm drain lines would be installed to serve the upgraded Gateway School playground. Additional LID stormwater capture and treatment features would be installed onsite, as described in Section 3.10, Hydrology and Water Quality.

The proposed Gateway School building would be larger in size than the existing school building and would increase the amount of impervious surface and subsequent runoff generated onsite. However, the project's net increase in impervious surface would be minimal as the project would predominantly replace existing hardscape onsite and all increase in runoff would be retained onsite.

Existing electrical, natural gas, and telecommunications utilities would be left in place and connected to the new building.

Glen View Elementary School Site

The project would add new water supply, sanitary sewer, and storm drain lines to serve the two new future buildings. Future offsite utilities work in the public right-of-way would be required to connect the proposed Glen View Elementary School pre-school and teacher training buildings to utility mains. New utility lines would be the same size or similar in size to existing lines. The project would install new 2-inch domestic water supply pipes, 4-inch sanitary sewer pipes, and 15-inch storm drainpipes, which would be slightly larger than existing 10-inch storm drain lines.

Existing electrical, natural gas, and telecommunications utilities would be left in place and connected to the new buildings.

The Glen View Elementary School improvements would increase the amount of stormwater generated onsite due to the new impervious surface area associated with the 30-stall parking lot and the two new future buildings. All increases in stormwater water runoff due to the increase in impervious surfaces would be retained onsite. The storm water retention system would be designed according to the Stormwater Management Guidance Manual for Low-Impact Development & Post-Construction Requirements (City of Gilroy, City of Morgan Hill, County of Santa Clara 2015). Additional LID stormwater capture and treatment features would be installed onsite, as described in Section 3.10, Hydrology and Water Quality. However, the new parking lot is not expected to produce amounts of new stormwater runoff that would exceed the capacity of the existing storm drain system. Water and electrical power demand and wastewater generation would approximate existing conditions.

The project would not

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. See response to question a). The project would result in a slight increase in water use compared to existing conditions for the operation of a slightly larger Gateway School building and the future two new building on the Glen View Elementary School site. The City of Gilroy, the water provider for the site, would have sufficient water supplies available to serve the project.

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?

Less Than Significant Impact. See response to question a). The project would not result in a significant change in the amount of wastewater currently generated by uses onsite. The City of Gilroy provides wastewater collection service to the site and the South County Regional

Wastewater Authority (SCRWA) provides wastewater treatment services. Both providers would have adequate sewer capacity to serve the project.

- 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?**

Less Than Significant Impact. (Responses d - e). Recology South Valley, which provides solid waste collection service to the site, has capacity to provide recycling, composting, and garbage services to the project.

The project would produce similar amounts of solid waste compared to existing conditions as the project would not substantially increase the intensity of the existing land uses onsite. The project is expected to comply with applicable Federal and State solid waste management and reduction statutes and regulations.

3.19.2 References

City of Gilroy, City of Morgan Hill, County of Santa Clara. 2015. Stormwater Management Guidance Manual for Low Impact Development & Post-Construction Requirements. June 2015. Accessed November 12, 2021 at <https://www.cityofgilroy.org/DocumentCenter/View/5186/Guidance-Manual-for-Low-Impact-Development--Post-Construction-Requirements?bidId=>.

3.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Is the project located near state responsibility areas or lands classified as very high fire hazard severity zones?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.20.1 Discussion

Would the project:

- 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 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?**

No Impact. (Responses a - d). The project site is located in a fully urbanized area in southern Gilroy. The site is not located in a California Department of Forestry and Fire Protection (CAL FIRE) fire hazard severity zone (CAL FIRE 2021). The nearest very high fire hazard severity zone is located approximately two miles southwest of the project site. The project would not affect wildfire hazards in the area. No impact would occur.

3.20.2 References

California Department of Forestry and Fire Protection (CAL FIRE). 2021. Fire and Resources Assessment Program (FRAP), Fire Hazard Severity Zone (FHSZ) Viewer. Accessed on October 21, 2021 at <https://egis.fire.ca.gov/FHSZ/>

3.21 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means the incremental effects of a project are considerable when viewed in connection with the efforts of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.21.1 Discussion

- 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?**

Less Than Significant Impact. The project would not 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. The project would implement BMPs (see Table 1) that would reduce potentially significant impacts to biological resources, cultural resources, and tribal cultural resources to less than significant.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means the incremental effects of a project are considerable when viewed in connection with the efforts of past projects, the effects of other current projects, and the effects of probable future projects)?**

Less Than Significant Impact. The project consists of the redevelopment of a school building and playgrounds, construction of a small parking lot, and other site improvements on a fully developed school property surrounded entirely by urban uses. The project would not contribute to cumulative impacts of other current or probable future projects.

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

Less Than Significant Impact. Although the project could have limited short-term construction impacts, BMPs have been included in the project to ensure conformance with regulatory and policy requirements. The project would not have a substantial adverse effect on human beings.

Chapter 4. Categorical Exemption Investigation

4.1 FINDINGS FOR A CEQA EXEMPTION

Based on the site plans, information provided by the project applicant, and documentation of potential environmental impacts resulting from the proposed project, it has been determined that the project is eligible for a categorical exemption under CEQA Guidelines Section 15314, Minor Additions to Schools. Projects falling under this type of exemption are Class 14 projects. The project qualifies as a Class 14 project because it involves improvements as described in this document, that qualify as minor additions to the site relative to the scale of existing school uses on the subject property. The project would be fully contained within the existing school grounds. The project would increase the number of classrooms onsite by two and the overall student capacity of onsite facilities by 30 students, or 23 percent of the current combined student capacity of the Gateway Learning Center and Glen View Elementary School Early Learning Center (i.e., 129 students).

The project would not increase the student capacity of either the Gateway School or Glen View Elementary School by more than 25 percent or ten classrooms.

4.2 EXCEPTIONS TO CEQA EXEMPTIONS

There is no substantial evidence that any exceptions to a CEQA Exemption apply, pursuant to Section 15300.02 of the CEQA Guidelines and discussed in more detail below.

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project is a Class 14 project and, therefore, is not subject to this exception.

- b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place over time is significant.

The project proposes school site improvements, including redevelopment of a building and several playgrounds, and construction of two new buildings and a parking lot. All project improvements would be contained on the project site. Most of the project improvements will be constructed within this next year (2022) except for the two new buildings proposed on the Glen View Elementary School site. The timing of construction of these future buildings (a new pre-school classroom building with two classrooms that would serve 30 students and a teacher training building) is unknown, but have been analyzed in this Categorical Exemption and included in the analysis of project impacts. The analysis determines the project will not have significant environmental impacts and qualifies for a Categorical Exemption. The project would result in a minor increase in the land use intensity of the existing school uses onsite but would not have a significant cumulative impact from successive projects of the same type in the same place over time.

- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility the activity will have a significant effect on the environment due to unusual circumstances.

In published CEQA cases, Banker's Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego (2006) (139 Cal. App. 4th 249) (Banker's Hill case) and Azusa Land Reclamation Company, Inc. v. Main San Gabriel Basin Watermaster et al. (1997) (52 Cal. App. 4th 1165), an unusual circumstances test is satisfied "where the circumstances of a particular project (i) differ from the general circumstances of the projects covered by a particular categorical exemption, and (ii) those circumstances create an environmental risk that does not exist for the general class of exempt projects."

The project proposes minor onsite building redevelopment and amenity and site improvements and is typical of a Class 14 CEQA Exemption. The project would not have a significant effect on the environment.

- d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

See Section 3.1, Aesthetics. The project site is not located on or near a state scenic highway. The project would not remove any historic buildings, trees, or other scenic resources. All work would occur within the site boundary or in immediately adjacent ROWs.

- e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The provisions in this code are commonly referred to as the "Cortese List". The list itself is a planning document used by the State of California and its various local agencies and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. The Code requires the California Environmental Protection Agency to develop at least an annually updated Cortese List. The California Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List.

See Section 3.9, Hazards and Hazardous Materials. The project site is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code, nor are there any such sites located within 1,000 feet of the project site.

- f) Historical Resources (Historic Architecture, Archaeological Resources, and Tribal Cultural Resources). A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

See Section 3.5, Cultural Resources, and Section 3.18, Tribal Cultural Resources. The project site does not contain any historical resources nor any buildings or structures eligible to become historical resources. While there are no previously recorded archaeological resources onsite, due to the presence of previously recorded TCRs in the project vicinity, there is potential for unanticipated discovery of archaeological resources during project construction. BMPs for the unanticipated discovery of archaeological resources and human remains will be incorporated into the project.

The project would not cause a substantial adverse change in the significance of a historical, archaeological, or tribal cultural resource.

Chapter 5. List of Preparers

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