Initial Study/ Mitigated Negative Declaration

StorQuest Self Storage Facility

November 2023

Prepared for:

City of Gilroy
7351 Rosana Street
Gilroy, California
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Figures

Tables

°F	degrees Fahrenheit
µg/kg	micrograms per kilogram
µg/L	micrograms per liter
AB	Assembly Bill
ADT	average daily traffic
Alquist-Priolo	Alquist-Priolo Earthquake Fault Zoning Act
AMSL	above mean sea level
AST	aboveground storage tank
bgs	below ground surface
BMP	best management practice
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Occupational Safety and Health Administration
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAP	climate action plan
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFC	chlorofluorocarbon
CFG Code	California Fish and Game Code
CFR	Code of Federal Regulations
CH_4	methane
CNDDB	California Rare Plant Rank
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CRHR	California Register of Historical Resources
cy	cubic yard
dB	decibel
dB(A)	A-weighted decibel
DPM	diesel particulate matter
DTSC	California Department of Toxic Substances Control
EIR	environmental impact report
FEMA	Federal Emergency Management Agency
FESA	federal Endangered Species Act

GHG	greenhouse gas
GIS	geographic information system
gpm	gallons per minute
GPS	Global Positioning System
GSF	gross square feet
GWP	global warming potential
HFC	hydrofluorocarbon
HRA	health risk assessment
HVAC	heating, ventilation, and air conditioning
I-	Interstate
IS	initial study
L_{dn}	day-night average sound level
L_{eq}	equivalent continuous sound level
L_{max}	maximum sound level
L_{min}	minimum sound level
LOS	level of service
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
mg/kg	milligrams per kilogram
mg/L	milligrams per liter
MMRP	Mitigation Monitoring and Reporting Program
MMT	millions of metric tons
mpg	miles per gallon
mph	miles per hour
MSCP	Multiple Species Conservation Program
MT	metric ton
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NCCP	natural community conservation plan
ND	negative declaration
NO	nitric oxide
NO_2	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O&M	operations and maintenance
O_3	ozone
OEHHA	California Office of Environmental Health Hazard Assessment
OSHA	Occupational Safety and Health Administration
PCB	polychlorinated biphenyl
PFC	perfluorocarbon
PM	particulate matter
PM_{10}	particulate matter measuring no more than 10 microns in diameter

$PM_{2.5}$	fine particulate matter measuring no more than 2.5 microns in diameter
Porter-Cologne Act	Porter-Cologne Water Quality Control Act
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
PRC	California Public Resources Code
RAQS	Regional Air Quality Strategy
RCRA	Resource Conservation and Recovery Act
ROG	reactive organic gas
ROW	right-of-way
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAA	streambed alteration agreement
SB	Senate Bill
SF_6	sulfur hexafluoride
SIP	State Implementation Plan
SO_2	sulfur dioxide
SO_x	sulfur oxides
SR-	State Route
SVOC	semivolatile organic compound
SWPPP	stormwater pollutant prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TCR	tribal cultural resource
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Services
USGS	U.S. Geological Survey
UST	underground storage tank
v/c	volume to capacity
VdB	vibration decibel
VMT	vehicle miles traveled
VOC	volatile organic compound

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Document Overview

This Initial Study/Negative Declaration (IS/MND) has been prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the proposed StorQuest Self Storage Facility (project). The primary intent of this document is to determine whether project implementation would result in potentially significant impacts to the environment.

In accordance with CEQA, projects that have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment must undergo analysis to disclose potential significant effects. The provisions of CEQA apply to California governmental agencies at all levels, including local agencies, regional agencies, state agencies, boards, commissions, and special districts. CEQA requires preparation of an IS for a discretionary project to determine the range of potential environmental impacts of that project and to define the scope of the environmental review document. As specified in Section 15064(f) of the CEQA Guidelines, the lead agency may prepare a Mitigated Negative Declaration if, in the course of the IS analysis, it is recognized that the project may have a significant impact on the environment but that implementation of specific mitigation measures would reduce potentially significant impacts to a less than significant level. As the lead agency for the proposed project, the City of Gilroy has the principal responsibility for conducting the CEQA environmental review to analyze the potential environmental effects associated with project implementation. During the review process, it was determined that no potentially significant impacts would occur. Therefore, an IS/MND has been prepared for the proposed project.

Note: The project has not been approved or denied. It is being reviewed for environmental impacts only. Approval of the project can take place only after the MND has been adopted.

This IS/MND is organized as follows:

- **Section 1: Project Description.** This section provides a description of the proposed project including the primary project features and site plans, purpose, location, and setting.
- **Section 2: Initial Study Checklist.** This section includes project information (lead agency, project sponsor, General Plan and zoning designations), the environmental factors (topics) potentially affected by the project, and the potential environmental impacts based on CEQA Guidelines Appendix G, Environmental Checklist questions.
- **Section 3: List of Preparers.** This section lists the organizations and individuals who were consulted and/or prepared this IS/MND.
- **Section 4: References.** This section presents a list of reference materials consulted during preparation of this IS/MND.

Public Review

The IS/MND will be circulated for a 30-day public review period from **11/03/2023 to 12/4/2023**.

Comments regarding this IS/MND must be made in writing and submitted to Cindy McCormick at the City of Gilroy, 7351 Rosana Street, Gilroy, California or by email to Cindy.McCormick@cityofgilroy.org.

If the commenter believes that the project may have a significant environmental effect, it would be helpful for the commenter to identify the specific effect and explain why the effect would occur and why it would be significant. Comments should focus on the proposed finding that the project would not have a significant effect on the environment because revisions or mitigation measures have been made or agreed to by the project proponent.

Section 1 Project Description

1.1 Project Overview

The proposed StorQuest Storage Facility (project) includes construction of a 57,671-square-foot (SF) storage facility with exterior units, interior units, outdoor recreational vehicle (RV) storage, and a small leasing office on a vacant parcel in the City of Gilroy (**Figure 1**). The project requires the issuance of a grading permit and Conditional Use Permit to comply with zoning regulations and the Industrial Use Table found in Section 30.23.10 of the Gilroy Municipal Code.

The purpose of the project is to provide a variety of self-storage types and sizes in a state-of-the-art storage facility. The project is composed of nine separate buildings (eight storage buildings and one office building), including exterior storage units, interior storage units, and a small leasing office, and outdoor RV storage, as described below and shown in the project site plan (**Figure 2**).

Exterior Storage Units. There would be 235 exterior storage units, ranging in size from 25 square feet to 300 square feet. Some of the drive-up units would be sized large enough to allow for interior boat storage.

Interior Storage Units. There would be 296 interior storage units, ranging in size from 25 square feet to 150 square feet.

Elevations and Proposed Colors & Materials: The project is designed to be consistent with the development style(s) of the adjacent and surrounding shopping areas, in both profile/elevation height and use of colors and materials (Figures 3 through 7).

RV Storage. The outdoor RV storage area would include a total of 41 RV parking spaces including twenty (20) 11'x40' spaces and twenty-one (21) 11'x35' spaces. Neither RV wastewater (gray/black water) disposal, nor washing of vehicles would be allowed on the premises.

Leasing Office. A small, 1,050 SF, leasing office would be located at the project site entry point which would allow for new customer access to the office without requiring them to fully enter the property. There would be an express kiosk located within a separate portion of the office which could be accessed 24 hours a day by both new and existing customers. The kiosk would have a security camera/keypad/microphone at the entry door linked to a remote call center. This would allow both current and future customers to enter this portion of the office and speak directly to staff 24 hours a day and handle new rentals and/or other concerns.

The leasing office hours would be 9 a.m. to 6 p.m., Monday through Saturday, and 10 a.m. to 5 p.m. on Sundays. It is anticipated the property would be staffed by two to three employees at any given time. Customers would be allowed to access the facility at any time, night or day, by using the provided access codes for the entry gate and to their respective storage units. The property

would be monitored by security cameras throughout the property and within the climate-controlled buildings as well as the leasing office, 24 hours a day, 7 days a week.

Services and Utilities. There would be a covered trash enclosure located within the property fencing, but it would only be used by office staff and not customers.

Exterior Lighting. The project would include safety/security lighting, which would be a new source of light on the project site. However, the lighting proposed would not create substantial new levels of light or glare, beyond that which already exists from the surrounding urbanized developments, which will adversely affect day or nighttime views in the area. All exterior lighting would be downlight, and the minimum needed for safety.

Design Recommendations and Best Management Practices. The project would be designed and constructed in accordance with the California Building Code (CBC) and recommendations identified in the Geotechnical Investigation prepared by Geocon (2022) and the Stormwater Control Plan prepared by Balance Hydrologics (2023) for the proposed project.

The project incorporates two bioretention ponds and a stormwater basin that were designed and sized to meet the requirements outlined in the Stormwater Management Guidance Manual for Low Impact Development and Post Construction Requirements for the City of Gilroy, Morgan Hill, and County of Santa Clara (2015) and the Santa Clara County Drainage Manual (2007) to treat runoff before it leaves the project site. The project also includes source control best management practices (BMPs) to minimize the introduction of pollutants to the drain system as identified in **Table 1**. Further, the project would be required to comply with the City's Municipal Code, including Chapter 27C.25, Water Pollution Control, which requires preparation and implementation of a Water Pollution Control Drawing and Erosion Control Plan. Accordingly, the project would implement the minimum standards and specifications of the California Stormwater Quality Association BMPs during construction.

Additionally, project design would comply with all applicable energy efficiency requirements, including Title 24 Building Energy Efficiency Standards, to obtain required building permits.

Table 1. Best Management Practices

Type of BMP	Description of Best Management Practices
Site Design	**Maintain natural drainage pathways and hydrologic features:** Driveways and parking areas have been designed to drain to bioretention areas.
	Impervious area dispersion: Runoff from roof, pavement, landscaped and graded areas would drain to stormwater facilities.
	Landscaping with native or drought tolerant species: Landscaping within the proposed project area would be with plants that are tolerant of saturated soil conditions.
	Storm drain stenciling: All inlets/catch basins would be stenciled with the words "No Dumping – Drains to Creek," or equivalent message.
	Protect trash storage areas from rainfall, run-on, runoff and wind dispersal: Runoff from trash enclosures, recycling areas, and/or food compactor enclosures, or similar facilities would not discharge to the storm drain system. Trash enclosure areas would be designed to avoid run-on to the trash enclosure area. If any drains are installed in or beneath dumpsters, the drains shall be connected to a properly sized grease removal device and/or treatment devices prior to discharging to the sanitary sewer. The area would be designed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal.
	Beneficial landscaping: Landscaping would be designed to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
	Dumpster refuse areas: Signs would be posted on or near dumpsters with the words "Do not dump hazardous materials here" or similar. The project would provide adequate number of receptacles and trash. Enclosures would be covered and inspected on a regular basis and repaired as necessary.
	Parking lot and vehicle washing: Distribute stormwater pollution prevention information to Owner.
Treatment Control	**Biofiltration basins:** Treatment of runoff would occur before it leaves the project site to remove coarse sediment, trash, and pollutants (i.e., nutrients, heavy metals, oxygen demanding substances, oil and grease, bacteria, and pesticides).

Source: Balance Hydrologics 2023.

1.2 Project Location and Setting

The project site is an approximately 5.37-acre parcel (APN 841-018-086) located in the eastern portion of the City of Gilroy, north of the existing Pacheco Pass Center retail shopping area at the southeastern corner of Gilman Road and Camino Arroyo roadway (**Figures 1 and 2**).

The project site is currently vacant and undeveloped with a General Industrial (M2) zoning designation. The site is dominated by non-native weedy plants and is mowed or tilled routinely to allow fire control.

The surrounding land uses include agricultural lands to the north and east outside City limits, and developed lands to the west and south within the City limits. West of the project site, there are existing medical facilities on land zoned M2. South of the project site, there is an existing pedestrian/bike path which fronts a drainage canal (Miller Slough) and an existing retail shopping center on land zoned C3 (Shopping Center Commercial).

Camino Arroyo roadway borders the western margin of the site where minor embankments exist from the site to the approach of the Camino Arroyo overcrossing of Miller Slough. A drainage swale of approximately 4-6 feet deep exists at the eastern boundary the site and directs surface water to Miller Slough.

The site is generally flat and ground surface elevations are approximately 190 feel amsl (above mean sea level). The bed of Miller Slough lies approximately 15 feet lower than the surrounding grade.

Figure 1. Regional Setting

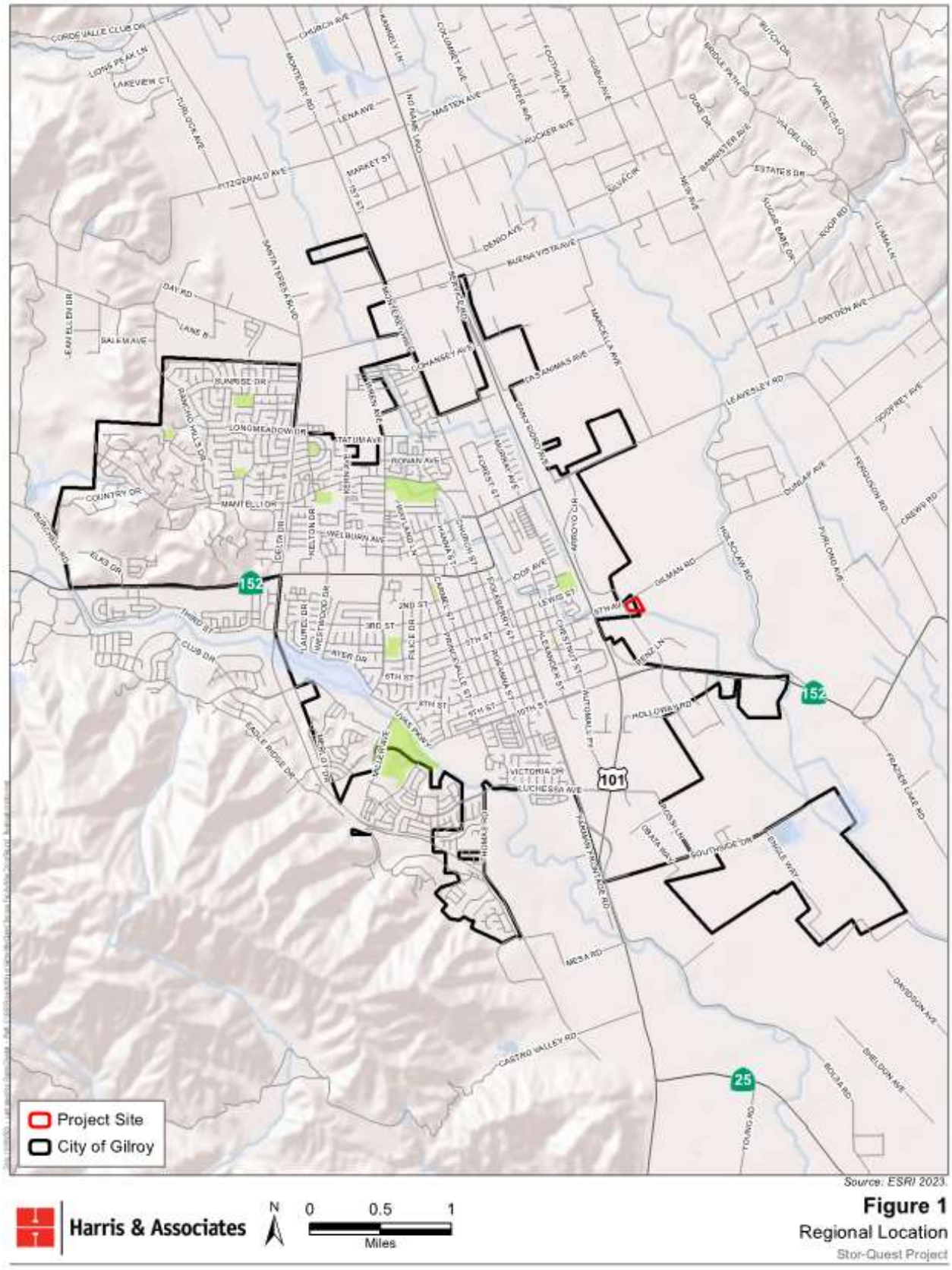


Figure 2. Project Site Plan

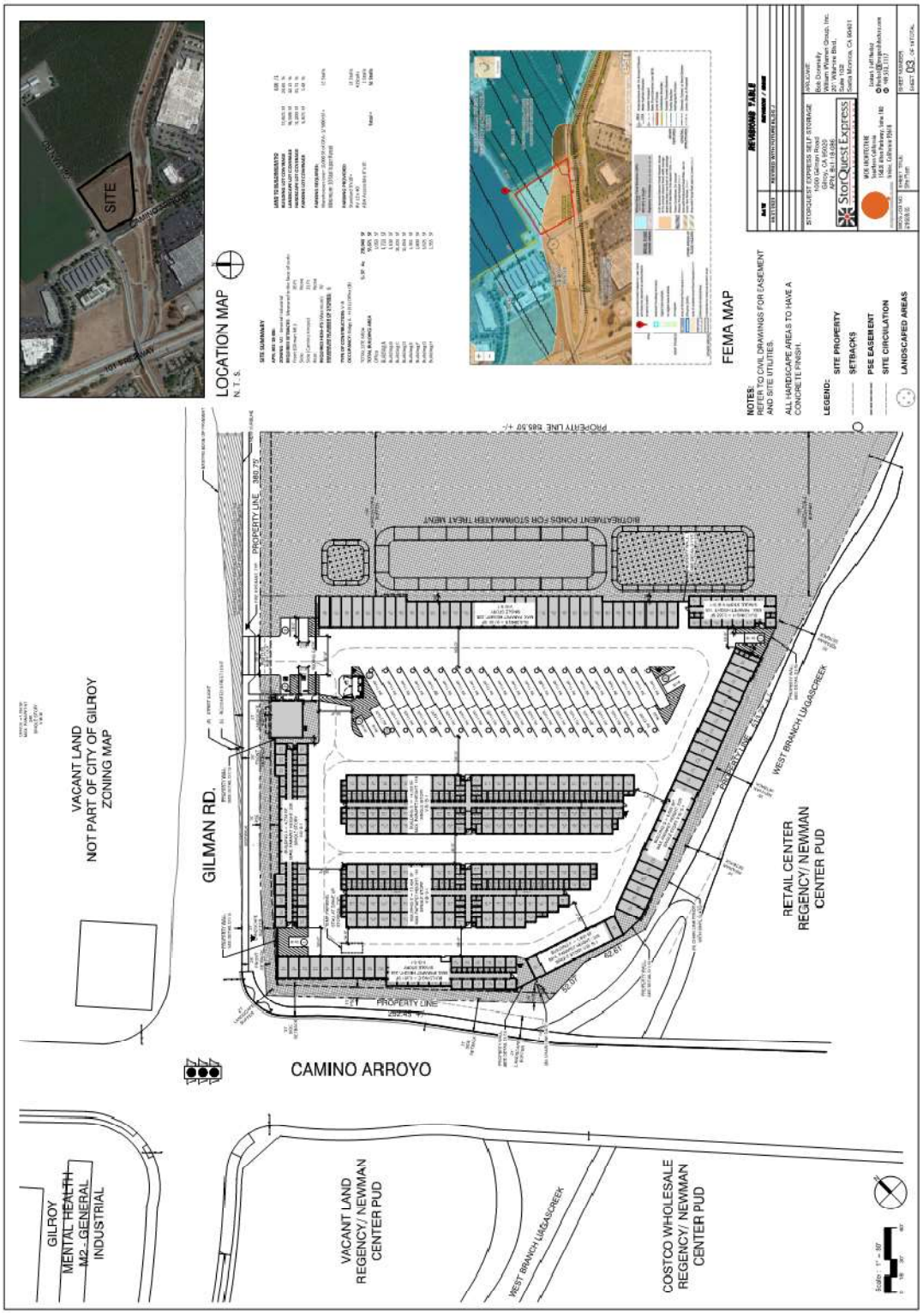


Figure 3. North Elevations and Office Building

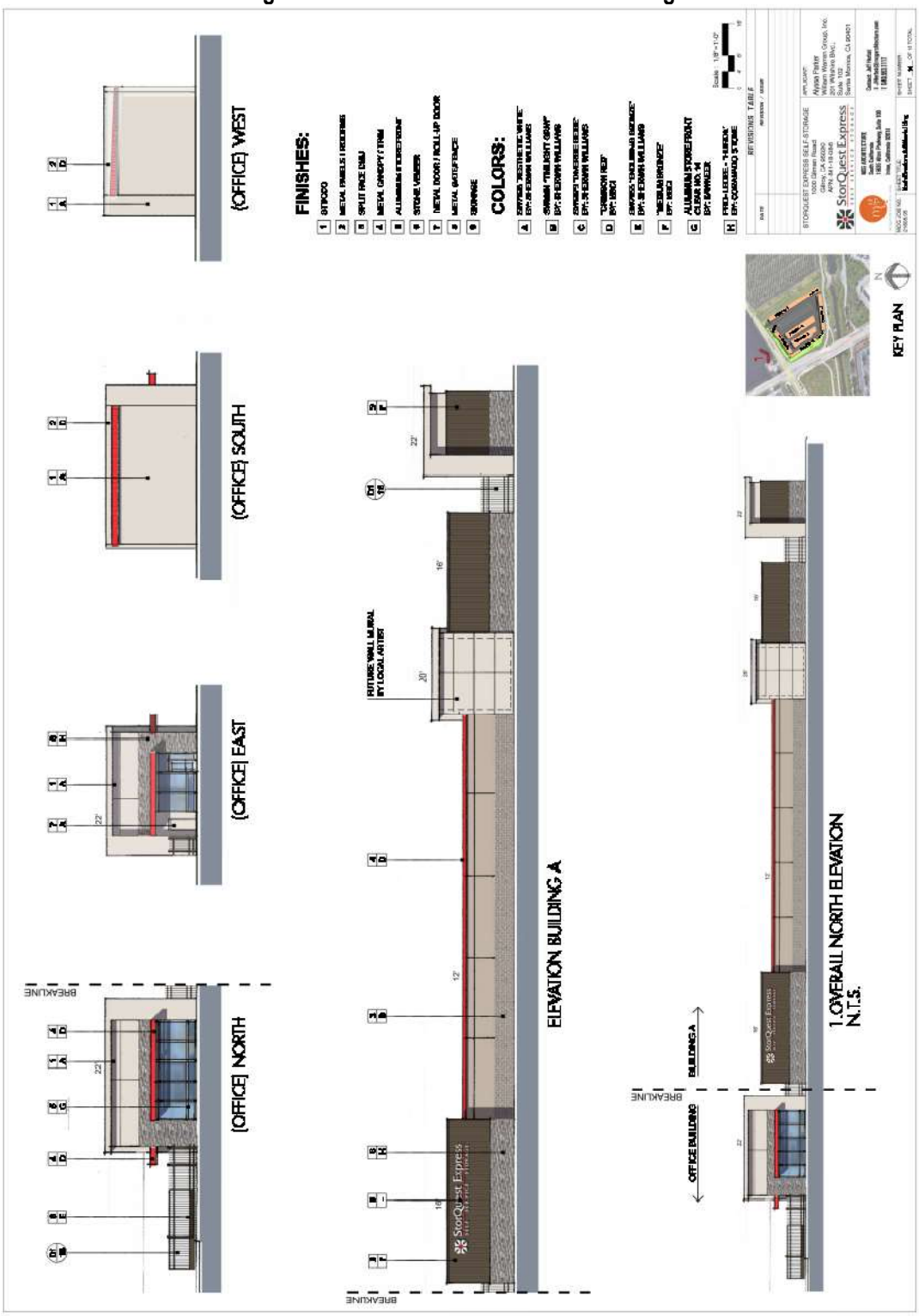


Figure 4. West Elevations

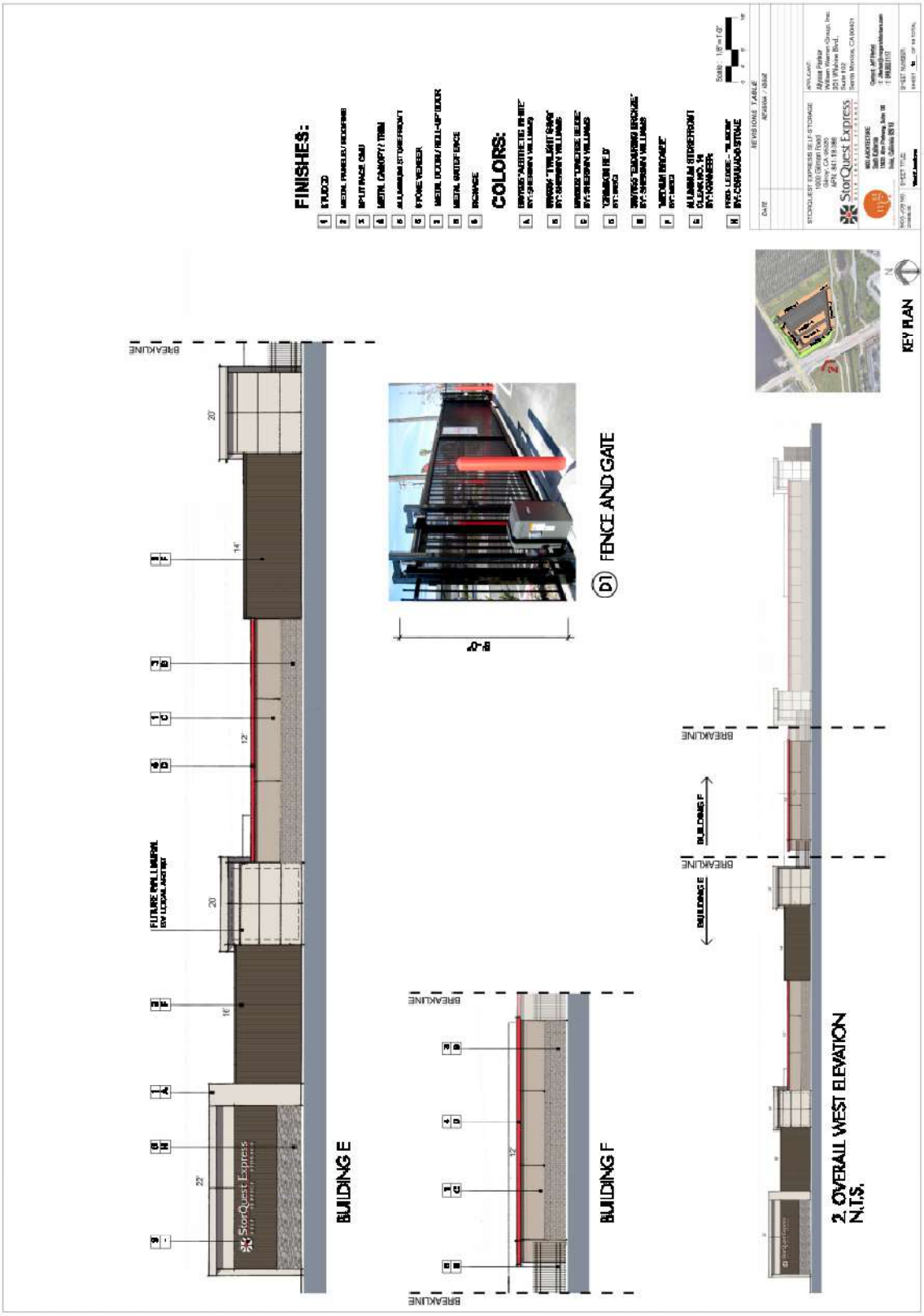


Figure 5. South Elevations

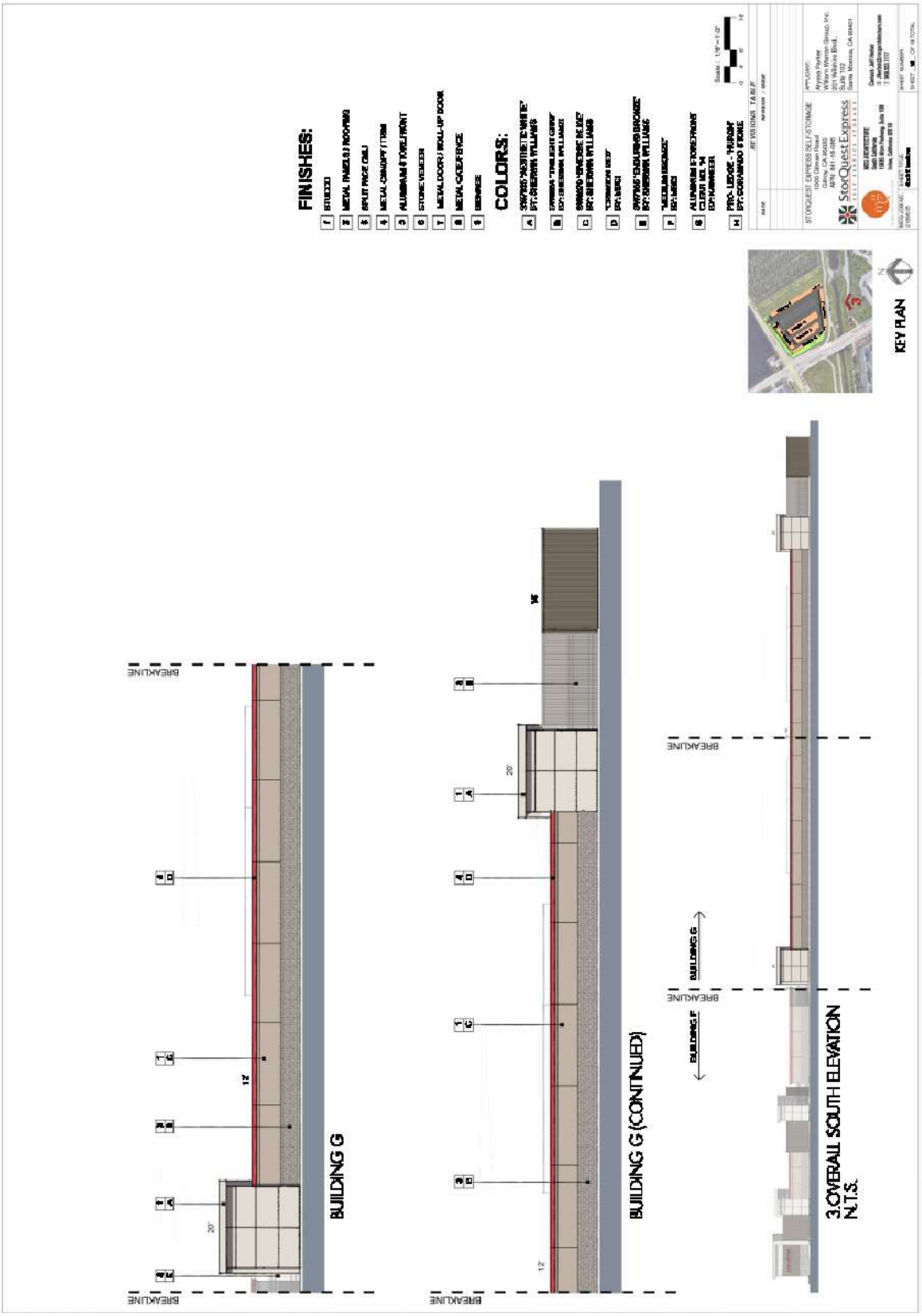


Figure 6. East Elevations

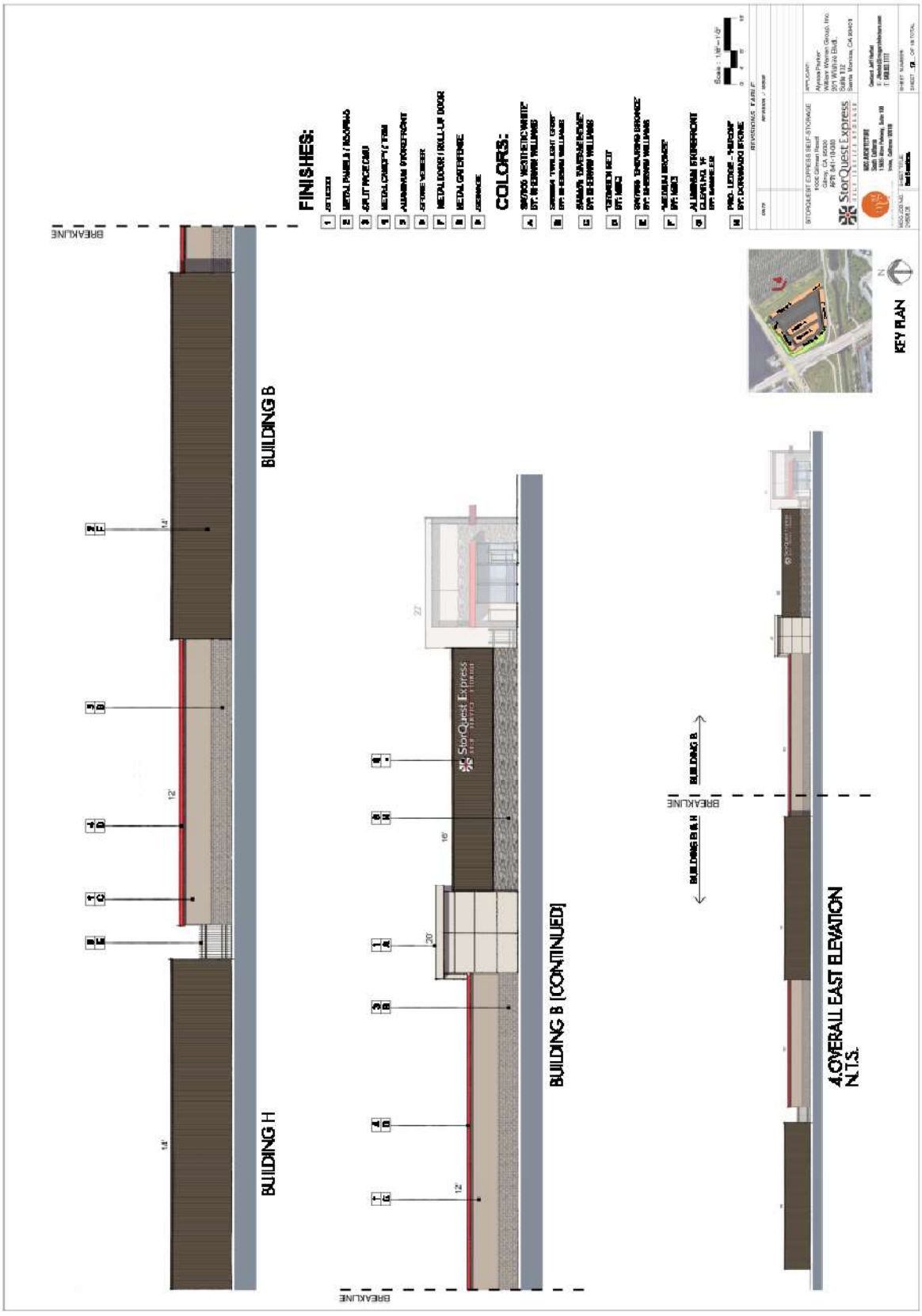
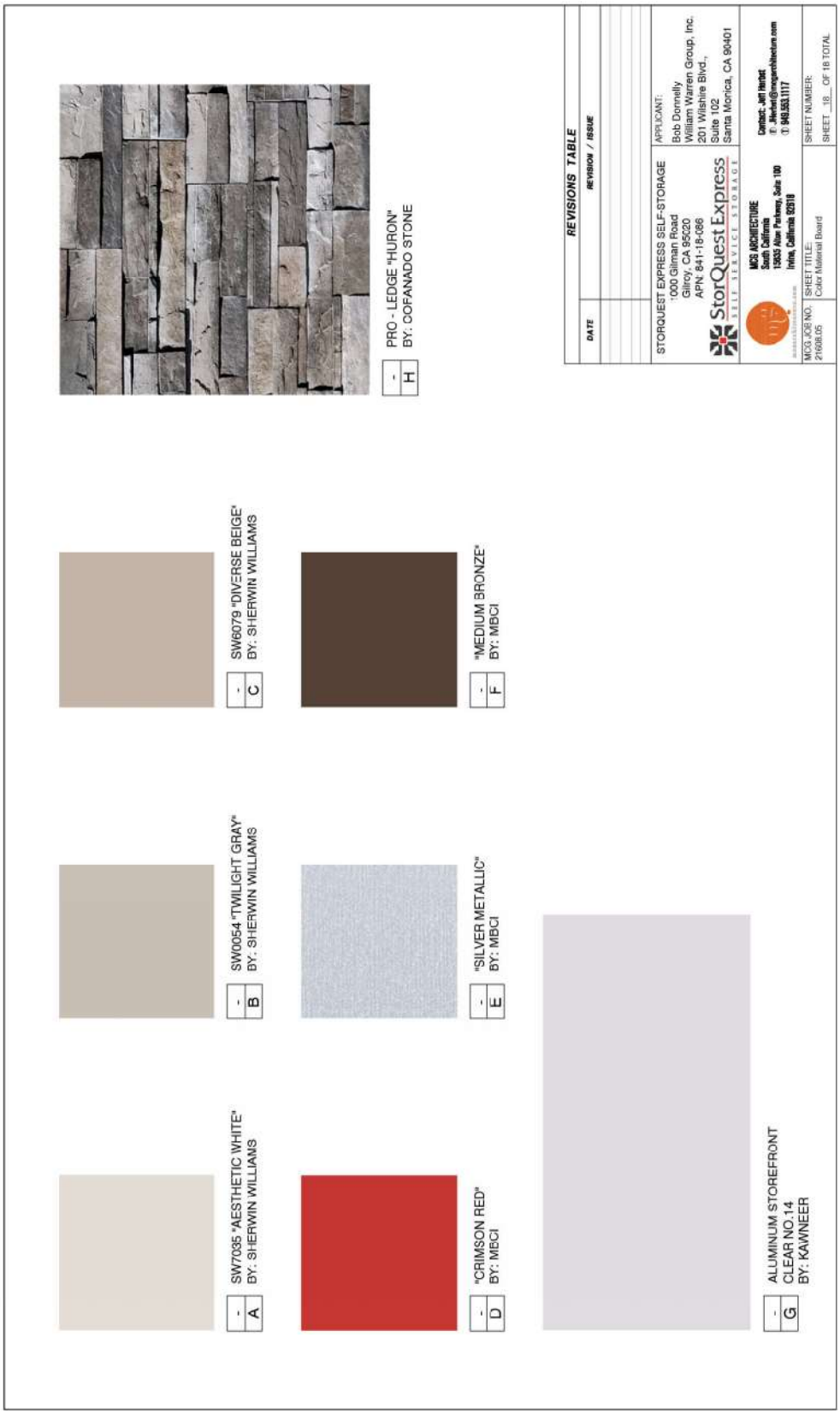


Figure 7. Proposed Colors and Materials



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Section 2 Initial Study Checklist

The following discussion of potential environmental effects was completed in accordance with Section 15063 of the CEQA Guidelines to determine if the proposed project may have a significant effect on the environment.

2.1 Project Information

1.	**Project title:**	StorQuest Storage Facility
2.	**Lead agency name and address:**	City of Gilroy Community Development Department c/o Cindy McCormick 7351 Rosana Street Gilroy, California 95020
3.	**Contact person name, address, and phone number:**	David J. R. Mack, AICP Harris & Associates 450 Lincoln Ave, Suite 103 Salinas, California 93901 David.Mack@WeAreHarris.com 831.320.0413
4.	**Project location:**	Gilman Road, Gilroy, California APN: 841-018-086
5.	**Project sponsor's name and address:**	William Warren Properties, Inc. c/o Bob Donnelly 201 Wilshire Blvd, Suite 102 Santa Monica, California 90401
6.	**General plan designation:**	General Industrial
7.	**Zoning:**	General Industrial (M2)
8.	**Description of project:**	Refer to Section 1, Project Description, of this IS/MND.
9.	**Surrounding land uses and setting:**	Refer to Section 1 of this IS/MND.
10.	**Other public agencies whose approval is required:**	N/A

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?	The NAHC was contacted for a Sacred Lands File Check to determine whether sacred lands are present on site. The response from the NAHC was positive, and the outreach to the list of Tribes provided was conducted. One response was received from Chairperson Andrew Galvan of the Ohlone Indian Tribe requesting copies of the CHRIS background search, which have been provided to him.

2.2 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the project, involving at least one impact that is a *Potentially Significant Impact*, *Less Than Significant with Mitigation Incorporated*, or *Less Than Significant Impact* as indicated by the checklist on the following pages. The environmental factors for which there would be *No Impact* are not checked below.

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

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

☐ Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project for the reasons described below; and no further discussion in the Environmental Checklist is necessary. The other topics that are checked off warrant additional discussion to demonstrate why the potential impact would be *Less than Significant* or *Less than Significant with Mitigation Incorporated* and thus are discussed in Section 2.4, as indicated below.

EVIDENCE:

1. **Aesthetics.** See Section 2.4.1.
2. **Agriculture and Forest Resources.** The project site is located on a vacant parcel in an existing General Industrial (M2) zoning district and is designated as Other Land[1] under the California Department of Conservation Farmland Mapping and Monitoring Program (DOC 2023a). No farmland would be converted to non-agricultural uses as a result of the project, and the project site is not under a Williamson Act contract nor located in agriculturally designated lands. The project is designed to maintain a 150-foot agricultural buffer from adjacent farmed lands to the north and east. The property does not contain any trees; hence, the site does not meet the definition of forestlands. Therefore, the proposed project would not result in impacts to agriculture or forest resources. Therefore, there would be no impact to agriculture and forest resources. ***No Impact.***
3. **Air Quality.** See Section 2.4.3.
4. **Biological Resources.** See Section 2.4.4.
5. **Cultural Resources.** See Section 2.4.5.
6. **Energy.** See Section 2.4.6.
7. **Geology and Soils.** See Section 2.4.7.
8. **Greenhouse Gas Emissions.** See Section 2.4.8.
9. **Hazards/Hazardous Materials.** See Section 2.4.9.
10. **Hydrology/Water Quality.** See Section 2.4.10.
11. **Land Use and Planning.** See Section 2.4.11.
12. **Mineral Resources.** The Project would not result in loss of availability of a known mineral resource, or a locally important mineral resource recovery site delineated on a local General Plan, Specific Plan, or other land use plan because no known mineral resources are located within the project vicinity, according to the California Department of Conservation Mineral Lands Classification Map (DOC 2023b). Implementation of the Project would also not result in a change in access or ability to recover known mineral resources. ***No Impact.***
13. **Noise.** See Section 2.4.13.
14. **Population/Housing.** The proposed project would involve the construction of a 57,671 SF mini storage facility. The project site is zoned General Industrial (M2) and does not include any existing or proposed residences. The project would not directly or indirectly induce population growth in the area, because the use for the subject parcel would not change. The project would not displace, alter the location, distribution, or density of human population in the area in any

[1] Other Land is defined as "land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mins, borrow pits; and water bodies smaller than 40 acres. Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

way, or create a demand for additional or replacement housing. Therefore, the proposed project would not result in impacts related to population and housing. ***No Impact***.

15. **Public Services.** See Section 2.4.15.
16. **Recreation.** As stated above, the project would involve the construction of a 57,671 SF mini storage facility. The project would not result in an increase in the use of existing neighborhood and regional parks and other recreational facilities and would not cause substantial physical deterioration to these facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the project, based on review of City records. The existing pedestrian/bicycle trail adjacent to the southern boundary of the project site would not be impacted by the proposed development. Therefore, the project would not create new or additional recreational demands and would not result in impacts to recreation resources. ***No Impact***.
17. **Transportation.** See Section 2.4.17.
18. **Tribal Cultural Resources.** See Section 2.4.18.
19. **Utilities/Service Systems.** See Section 2.4.19.
20. **Wildfire.** The project is not located in a State Responsibility Area (SRA) and is not within an area of high risk of wildfire. As discussed in Public Services above, the project would be within the jurisdiction of the City of Gilroy Fire Department. The closest fire station is 1.2 miles away (on Chestnut Street) and within appropriate response distance. The proposed project would not impair an adopted emergency response plan or emergency evacuation plan. The local roadways (Camino Arroyo and Gillman Road) that serve as primary access to the site are not identified evacuation routes. The project site does not possess features (slope, high winds, vegetation) that would exacerbate wildfire risks or expose project occupants to pollutant concentrations from uncontrolled spread of wildfire. The project does not require the installation or maintenance of infrastructure (power lines, fuel breaks, or emergency water sources) that would exacerbate fire risk or that may result in temporary or permanent impacts to the surrounding area(s). The project would not expose people or structures to post-fire risks, such as downslope or downstream flooding, landslides, drainage changes or post-fire slope instability. Therefore, the project would not result in impacts related to wildfire. ***No Impact***.

2.3 Lead Agency Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent (state), including implementation of the mitigation measures identified herein. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

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

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

_____ _____

Signature Date

Cindy McCormick
Customer Service Manager
City of Gilroy

2.4 Evaluation of Environmental Impacts

This section documents the screening process used to identify and focus on environmental impacts that could result from the project. The checklist portion of the IS begins below and includes explanations of each CEQA issue topic. CEQA requires that an explanation of all answers be provided along with this checklist, including a discussion of ways to mitigate any significant effects identified. The following terminology is used to describe the potential level of significance of impacts:

- **No Impact.** The analysis concludes that the project would not affect the particular resource in any way.
- **Less than Significant.** The analysis concludes that the project would not cause substantial adverse change to the environment without the incorporation of mitigation.
- **Less than Significant with Mitigation Incorporated**. The analysis concludes that it would not cause substantial adverse change to the environment with the inclusion of mitigation agreed upon by the applicant.
- **Potentially Significant.** The analysis concludes that the project could result in a substantial adverse effect or significant effect on the environment, even if mitigation is incorporated. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

2.4.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Impact Analysis

a. Would the project have a substantial adverse effect on a scenic vista?

b. Would the project 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 located on a vacant parcel in an existing General Industrial (M2) zoning district. The project site has non-native weedy plants that are routinely mowed or tilled for fire control, and there are no trees, bushes or substantial vegetation or landscaping**.** The proposed project is not located on or near a designated scenic vista or on or within a state scenic highway. Therefore, there would be no impact to a scenic vista or scenic resources, including but not limited to trees, rock outcroppings, and/or historic buildings within a state scenic highway.

c. Would the project 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?

Less Than Significant Impact. The project is located on the boundary of urbanized development (medical facilities and shopping centers) and unincorporated undeveloped land (row crops/fields). There are public views of the site from surrounding public roadways and the pedestrian/bike trail along Miller Slough. Although the project would change public views of the site from undeveloped to developed, the project site is surrounded by commercial and industrial development to the south and west, including Highway 1; and the project would not conflict with applicable zoning and

other regulations governing scenic quality. Further, as described in Section 1, the project would include "beneficial landscaping" which would provide some aesthetic benefit to the development. Therefore, the project would not substantially degrade the existing visual character or quality of public views of the site, and the impact would be less than significant.

d. Would the project 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 would include safety/security lighting, which would be a new source of light on the project site. However, the lighting proposed would not create substantial new levels of light or glare, beyond that which already exists from the surrounding urbanized developments, which will adversely affect day or nighttime views in the area. Therefore, the impact would be less than significant.

2.4.2 Agriculture and Forestry Resources

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

Impact Analysis

See Section 2.2.

2.4.3 Air Quality

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. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard)?	☐	☒	☐	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Environmental Setting

The project site is in the San Francisco Bay Area Air Basin (SFBAAB). The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for ensuring that the national and California ambient air quality standards are attained and maintained in the SFBAAB. BAAQMD responsibilities related to improving air quality in the region include preparing plans for attaining and maintaining air quality standards and adopting and enforcing rules and regulations (BAAQMD 2023). As part of these efforts, BAAQMD has adopted Bay Area Air Quality Management District California Environmental Quality Act Guidelines (CEQA Guidelines) for evaluating impacts under CEQA (BAAQMD 2023). These guidelines include the thresholds for protecting health related to criteria pollutant emissions that are applicable to the proposed project in the analysis below.

Air quality laws and regulations have historically divided air pollutants into two broad categories: criteria air pollutants and non-criteria pollutants, or TACs. Criteria air pollutants are a group of common air pollutants regulated by the federal and state governments by means of ambient air standards based on criteria regarding health and environmental effects of pollution. These standards are the National Ambient Air Quality Standards established by the Clean Air Act, and the California Ambient Air Quality Standards, which were established by the California Clean Air Act and generally stricter than the federal standards. Air basins are classified as being in "attainment," "non-attainment," or "unclassified" for each criteria air pollutant based on whether or not the air quality standards have been achieved. The SFBAAB is currently designated as a non-attainment area for the California and National Ambient Air Quality Standards for ozone and particulate matter (BAAQMD 2023). Consistent with BAAQMD guidelines for new development projects, the

criteria air pollutants pertinent to the analysis in this memorandum are carbon monoxide (CO), nitrogen oxides (NO_x), ozone (O_3), and particulate matter.

TACs are pollutants with potential to cause significant adverse health effects. Particulate matter is the most important health risk driver in Bay Area air, both as fine particulate matter (PM2.5) and as diesel particulate matter (DPM) (BAAQMD 2023). Sensitive receptors are the land uses considered most sensitive to the potential health risks from these pollutants than others due to the types of population groups or activities involved. Sensitive population groups include children, older adults, people with acute illnesses, and people with chronic illnesses, especially those with cardiorespiratory diseases. The closest existing sensitive receptors to the project site are residences located approximately 0.25 mile west of the project site.

Impact Analysis

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. Applicable air quality plans include clean air plans prepared under the California Clean Air Act and state implementation plans prepared under the federal Clean Air Act. The most current BAAQMD air quality plan is the 2017 Clean Air Plan: Spare the Air, Cool the Climate (Clean Air Plan; BAAQMD 2017). A project is consistent with the Clean Air Plan if it supports the primary goals of the plan, implements all applicable control measures, and does not hinder implementation of any control measures. The 2017 Plan includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to SFBAAB residents, such as particulate matter, ozone, and toxic air contaminants. Overall actions for reducing criteria pollutants include limiting industrial emissions, stopping methane leaks, limiting exposure to toxics, reducing vehicle miles traveled (VMT) and encouraging electric vehicle (EV) use, promoting clean fuels, and making buildings more energy efficient and promoting clean energy, including building electrification. The Clean Air Plan control measures address both air pollutants and GHG emissions together in a cohesive plan, and control measures generally have benefits for both. As such, all control measure sectors are addressed in this section.

Clean Air Plan control measures are identified for nine sectors: Stationary Sources, Transportation, Energy, Buildings, Agriculture, Natural and Working Lands, Waste Management, Water, and Super-GHG Pollutants. The proposed project does not include any industrial processes or other stationary sources of pollutants, any agricultural activities, any waste management activities, or activities that are a typical source of Super-GHG pollutants. As such, the stationary source, agriculture, waste management, and Super-GHG pollutants control measures are not applicable to the project, and the project would not hinder implementation of these measures. Transportation, Energy, Buildings, Natural and Working Lands, and Water control measures are discussed below.

Transportation control measures focus on promoting alternative transportation, commute trip reduction, encouraging higher fuel standards, retiring older vehicles, and encouraging use of zero-emissions vehicles. The proposed project is located in an area currently developed with commercial uses and would not require the extension of public transit or other alternative transportation. A bus stop is currently located adjacent to the project site on Camino Arroyo. The proposed project does not impact personal vehicle choices. The project would not include any components that would hinder implementation of alternative transportation, commute trip reduction, or availability or use of clean vehicles. As discussed in Section 2.4.17, Transportation, the project would have minimal impact on area VMT.

Energy control measures focus on availability of community clean energy providers, energy efficiency retrofit programs, and education programs to reduce energy demand. The City of Gilroy is currently served by Silicon Valley Clean Energy, a community clean energy provider. The project would not hinder implementation of any BAAQMD programs to reduce energy demand and would be consistent with applicable energy efficiency requirements.

Building control measures focus on building electrification, primarily through exploration of BAAQMD options to update BAAQMD guidance to recommend installation of electric space and water heaters, and investigating incentives for renewable energy system installation. All-electric development has not been incorporated into the project site plan; however, the project would not hinder the ability of BAAQMD to adopt new regulations, recommendations, or incentive programs. The project would be consistent with the Clean Air Plan energy control measures. Refer to Section 2.4.8, Greenhouse Gas Emissions, for a discussion of the project's consistency with updated BAAQMD guidelines related to GHG impacts, which include building electrification.

Natural and working lands control measures focus on increasing carbon sequestration on rangelands and wetlands, but also encourage urban tree planting. The project does not include rangelands or wetlands and would include new trees as part of project landscaping. Water control measures focus on reducing emissions from water treatment, but also encourage reducing water use. The proposed project does not impact water treatment facilities and would comply with all applicable water use efficiency requirements.

As described above, the proposed project would implement or would not hinder implementation of applicable Clean Air Plan control measures. Therefore, this impact would be less than significant. No mitigation is required.

b. Would the project 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 with Mitigation Incorporated. Construction of the proposed project would result in temporary criteria pollutant emissions from exhaust from construction equipment, vehicle

and truck trips, application of coatings, and fugitive dust from ground disturbance. Operation of the proposed project would result in ongoing criteria pollutant emissions from vehicle trips, landscaping equipment, space and water heating, and use of consumer projects and reapplication of coatings and paint. Emissions from construction and operation are discussed separately below.

Construction

Project construction emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2022.1.16, based on construction information provided by the applicant, model default assumptions, and direction from Appendix D of the BAAMQD CEQA Guidelines, using CalEEMod for Bay Area Projects (BAAQMD 2023). Maximum daily emissions levels associated with project construction are shown in **Table 2**. As shown in **Table 2**, the project would not exceed BAAQMD construction thresholds for any pollutant. Therefore, the project would not result in a significant impact related to ROG, NOx, or PM10 and PM2.5 exhaust emissions during construction. However, significance of impacts related to fugitive dust emissions (PM10 and PM2.5) is based on implementation of recommended BMPs. In accordance with BAAQMD requirements, modeling assumes the project would implement BMPs that require watering twice daily and limiting vehicle speeds on unpaved roads. All required BMPs, including watering and speed limits, and the seven remaining BMPs, are required as **Mitigation Measure AIR-1**. With implementation of BMPs, emissions of criteria pollutants under the project would be below applicable thresholds, which are established to assist maintaining or achieving regional attainment in the SFBAAB. Construction would not result in a cumulatively considerable contribution to regional acute and long-term health impacts related to non-attainment of the ambient air quality standards. This impact would be less than significant with **Mitigation Measure AIR-1**.

Table 2. Estimated Construction Maximum Daily Air Pollutant Emissions (lb/day)

Construction Year	ROG	NOx	PM_{10} (exhaust)	$PM_{2.5}$ (exhaust)
2024	3.7	36	1.6	1.47
2025	34.9	10.9	0.44	0.4
BAAQMD Threshold	54	54	82	54
Significant Impact?	*No*	*No*	*No*	*No*

Source: CalEEMod, version 2022.1.16.

Notes: NO_X = oxides of nitrogen; PM_{10} = particulate matter less than 10 microns; $PM_{2.5}$ = particulate matter less than 2.5 microns; ROG = reactive organic gases

Operation

Operational emissions were also calculated using CalEEMod. Default inputs were assumed for the proposed project, with the exception of vehicle trips. Vehicle trip data was obtained from the project traffic analysis (Hexagon 2023). The total estimated operational criteria pollutant emissions from the proposed project are provided in **Table 3**. As shown in **Table 3**, operational emissions from the proposed project would not exceed any of the significance thresholds for maximum daily or annual emissions. Air quality impacts associated with operation of the project

would be less than significant. Because emissions of criteria pollutants under the project would be below applicable thresholds, which are established to assist maintaining or achieving regional attainment in the SFBAAB, operation would not result in a cumulatively considerable contribution to regional acute and long-term health impacts related to non-attainment of the ambient air quality standards. No mitigation is required during project operation.

Table 3. Operational Maximum Air Pollutant Emissions

Emission Source	Maximum Emissions							
	ROG		NO_x		PM_{10}		$PM_{2.5}$	
	lb/day	tpy	lb/day	tpy	lb/day	tpy	lb/day	tpy
Mobile	<1	<1	<1	<1	1	<1	<1	<1
Area	2	<1	<1	<1	<1	<1	<1	<1
Energy	<1	<1	1	<1	<1	<1	<1	<1
Total Operational Emissions	**2**	**<1**	**1**	**<1**	**1**	**<1**	**<1**	**<1**
BAAQMD Threshold	**54**	**10**	**54**	**10**	**82**	**15**	**54**	**10**
Significant Impact?	*No*	*No*	*No*	*No*	*No*	*No*	*No*	*No*

Source: CalEEMod, version 2022.1.16.

Notes: lb/day = pounds per day; tpy = tons per year; NO_x = nitrogen oxides; PM_{10} = respirable particulate matter; $PM_{2.5}$ = fine particulate matter; ROG = reactive organic gases

Emission quantities are rounded to the nearest whole number.

Mitigation Measures

Mitigation Measure AIR-1 would implement BAAQMD BMPs and reduce impacts related to particulate matter during construction to a less than significant level.

AIR-1 **Construction Best Management Practices for Dust Control.** The City of Gilroy or the construction contractor on their behalf shall implement the following Bay Area Air Quality Management best management practices for construction-related fugitive dust emissions during all phases of construction, as applicable. These requirements will be documented on construction plans and submitted to the City prior to obtaining a grading permit.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Construction of the proposed project has the potential to result in emissions of DPM and fugitive dust, specifically $PM_{2.5}$. DPM is a mixture of many exhaust particulates and gases that is produced when an engine burns diesel fuel. Compounds found in diesel exhaust are carcinogenic and may cause health impacts ranging from irritation, headache, and dizziness to increased risk of cardiovascular, cardiopulmonary, and respiratory disease and lung cancer, depending on the length of exposure. The project would result in a short-term addition of truck trips occurring over only a few months. A maximum of 40 truck trips per day is estimated for approximately 8 days during grading, and 10 truck trips per day is estimated during the approximately one-year building construction phase. Therefore, the length of individual receptor exposure would be limited; and as shown in **Table 2**, maximum daily air pollutant emissions from on- and off-road vehicle emissions would not exceed applicable thresholds for exhaust. Construction associated with implementation of the project would not result in a significant impact to sensitive receptors related to DPM. Construction of the project would also result in fugitive dust from ground-disturbing activities. Project construction is estimated to last for less than 2 years and would not result in long-term exposure to dust. Maximum daily fugitive dust emissions would be approximately 4 lb/day during site preparation, which is estimated to last for only 1 work week. Additionally, the project would minimize dust by watering twice daily and limiting vehicle speed, and closest sensitive receptors are located more than a quarter of a mile from the construction area. Mitigation Measure AIR-1 would implement additional BMPs to reduce dust; however, this impact would be less than significant without mitigation due to the limited estimated dust emissions and time of exposure.

Following construction, the proposed project would result in minimal emissions of all criteria pollutants, including particulate matter, as shown in **Table 3**. The project would not generate a substantial number of diesel vehicle trips, and the proposed project does not include any stationary

sources of TACs. As such, project particulate matter emissions would not result a significant impact to sensitive receptors.

Areas with high vehicle density, such as congested intersections and parking garages, have the potential to create high concentrations of CO, known as "CO hotspots." An air quality impact is considered significant if CO emissions create a hotspot where either the California one-hour standard of 20 ppm or the federal and California eight-hour standard of 9 ppm is exceeded. The BAAQMD CEQA Guidelines include screening criteria for determining whether an individual project would have the potential to exceed these thresholds. A project would result in a significant impact if it would conflict with a regional transportation plan, increase traffic volumes at affected intersections to more than 44,000 vehicles per hour, or increase volume to more than 24,000 vehicles per hour at an intersection where air mixing is limited, such as a tunnel. The proposed project does not include any road improvements that would conflict with a regional transportation plan, and the intersections surrounding the project site do not include features that would limit vertical or horizontal mixing. Finally, based on the most recent City-wide traffic counts available (2008), the average daily trips (ADT) on Camino Arroyo and Gilman Road in the project vicinity were 23,600 ADT and 1,500 ADT, respectively. The project would not contribute more than 14 trips per hour to surrounding roadways during peak hour (Hexagon 2023). As such, the proposed project would not contribute to congestion with the potential to result in a CO hotspot. This impact would be less than significant. No mitigation is required.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The BAAQMD has developed a list of recommended odor screening distances for specific odor-generating facilities. These facilities include wastewater facilities, waste management facilities, and various industrial and agricultural processes (BAAQMD 2023). The proposed project is a storage facility that would not include any components that are a typical source of substantial odor. This impact would be less than significant. No mitigation is required.

2.4.4 Biological Resources

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

Environmental Setting and Impact Analysis

The information in this section is based on a field visit, Biological Resource Assessment, and Draft Aquatic Resource Delineation Report prepared by SOAR Environmental Consulting (2022a, 2022b) and peer reviewed by Emily Mastrelli, principal biologist, Harris & Associates.

a. Would the project 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 Game or U.S. Fish and Wildlife Service?

Less Than Significant with Mitigation Incorporated. Database search results identified 26 special-status wildlife and plant species known to occur within the region. Of these, one wildlife species, the western pond turtle (*Emys marmorata*), was determined to have a high potential to occur on site.

Sensitive Plants

No sensitive plant species were observed on site or determined to have a moderate or higher potential to occur on the project site. Further, the entire project site is a fallow agricultural field that is dominated by non-native weedy plants and is mowed or tilled routinely for fire control. Therefore, the project is not expected to result in impacts to sensitive plant species, and no mitigation would be required.

Sensitive Wildlife Species

No sensitive wildlife species were observed on site, and one sensitive wildlife species (western pond turtle) was determined to have high potential to occur on the project site and is discussed in further detail below. Database search results returned four other sensitive wildlife species known to occur within the region. Those include California tiger salamander, least Bell's vireo, steelhead, and Swainson's hawk. Based on habitat requirements and the availability and quality of the habitats on site, it was determined that those four species have a low likelihood of occurring at the project site. Therefore, impacts would not occur to these species as a result of project implementation.

Western Pond Turtle

The western pond turtle is a California state SSC that has been observed basking approximately 1.13 miles southeast of the Project site in a stream that is connected to Miller Slough, which borders the project site to the south. The project site may be used for movement by western pond turtles. It is unknown whether or not the western pond turtle nests on the project site based on proximity. Regardless, impacts to individual western pond turtles or their basking/aquatic habitats would be a potentially significant impact. Implementation of **Mitigation Measure BIO-1** (Western Pond Turtle Protection Measures) would reduce this impact to a less than significant level.

Mitigation Measures

BIO-1 **Western Pond Turtle Protection.** The City of Gilroy or the construction contractor on their behalf shall include the following measures in the construction documents and implement them prior to and during construction, as specified below.

1. **Conduct pre-construction surveys.** Five days prior to the start of construction activities, a qualified biologist (knowledgeable and experienced in western pond turtle identification) shall conduct pre-construction surveys of the project site. Western pond turtles observed on the project site shall be allowed to leave the project site on their own. Any eggs observed on the project site shall be relocated by the qualified biologist to a suitable area outside the construction disturbance

area. A survey report detailing the survey results shall be prepared and submitted to the California Department of Fish and Wildlife prior to the start of construction.

2. **Install exclusion fencing.** Immediately following the western pond turtle survey, an exclusion fence shall be placed at the limits of all disturbance areas to protect any western pond turtles within the drainage along the eastern side of the project site. The qualified biologist shall be present during trenching activities for the installation of the exclusion fence.
    a. Exclusion fence shall consist of standard silt fencing, approximately 42 inches in height, of which 6 inches shall be trenched into the soil. The soil shall then be compacted against both sides of the fence to secure the bottom to prevent wildlife entry. The stakes shall be placed on the inside of the fence facing the development. No gaps or holes are permitted in the fencing system, except for pedestrian and vehicle entry points. The fence shall be inspected weekly by the qualified biologist for holes, gaps, or access points, which shall be repaired upon discovery. "Gated" entry/exit points may be constructed in the fencing system for equipment and personnel. The qualified biologist shall ensure no wildlife is capable of entering the fenced off site via the gate. The gate structure shall ensure no wildlife is capable of entering the fenced off site via the gate. The gate structure must be flush to the ground with no holes or gaps (i.e., plywood gates with silt fencing flaps).
    b. Inspect for trapped wildlife. The area inside the fence shall also be inspected for trapped wildlife prior to the initiation of construction activities each day. If western pond turtles are discovered, construction activities in the area shall cease immediately. The fence shall be opened and monitored until the wildlife has left the fenced area on its own accord. If the wildlife does not leave on its own accord, the California Department of Fish and Wildlife shall be contacted before work may continue.

b. Would the project 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 Game or US Fish and Wildlife Service?

Less Than Significant Impact. The majority of the project site is a fallow agricultural field, composed of non-native weedy plants, which is not considered a sensitive community. Although portions of a non-vegetated channel that may potentially fall under the jurisdiction of the USACE, RWQCB, and/or CDFW occur east of the project site, no impacts to this feature are anticipated. Therefore, no impacts to sensitive vegetation communities would occur as a result of project implementation, and no mitigation is required.

c. Would the project 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?

Less Than Significant Impact. The only potentially jurisdictional aquatic feature near the project site is a non-vegetated channel that travels from north to south along the eastern side of the project site. No potentially jurisdictional wetlands are present on the project site; therefore, no impacts to potentially jurisdictional wetlands would occur as a result of project implementation, and no mitigation is required.

d. Would the project 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?

Less Than Significant Impact. The project site is bordered by urbanized commercial development to the west, Miller Slough to the south, and active agriculture fields to the north and east. The project site itself is fallow agricultural land, and no significant wildlife corridors are known to occur on the project site. No routes of movement for large mammals were identified as occurring on the project site. The area may provide local wildlife movement opportunities, but these species are capable of moving through developed areas, and any disruption of this movement would be minor and temporary in nature (during construction only). No known wildlife nursery sites are located on the project site, and wildlife is not expected to use the site seasonally for significant breeding or migration opportunities.

Therefore, implementation of the project would not 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. The impact would be less than significant, and no mitigation is required.

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

f. Would the project 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 Santa Clara Valley Habitat Plan (Habitat Plan), also referenced as the Santa Clara Valley Habitat Conservation Plan (SCVHCP), is a 50-year regional plan to protect endangered species and natural resources while allowing for future development in Santa Clara County (https://scv-habitatagency.org/). Accordingly, it provides a framework for promoting the protection and recovery of natural resources, including endangered species, while streamlining the permitting process for planned development, infrastructure, and maintenance activities. It is the City of Gilroy's (City) policy to comply with the SCVHCP in its consideration and approval of

development projects. Further, the City of Gilroy 2040 General Plan incorporates compliance with the SCVHCP in the goals and policies used to guide development in the City (City of Gilroy 2020b). Therefore, no impacts to local conservation plans would occur from the implementation of the project, and no protection measures are required.

There are no trees on the project site, and the Project would be in compliance with the municipal city ordinances and policies protecting trees and biological resources in the Gilroy 2040 General Plan (2020b) and Gilroy City Code (City of Gilroy 2023a), which requires compliance with the SCVHCP. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources.

The impact would be less than significant, and no mitigation is required.

2.4.5 Cultural Resources

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

Environmental Setting

The project site is an inactive agricultural field and is bordered to the north by agricultural fields and ground-mounted solar panels, to the east by an orchard, to the south by retail shopping and Miller Slough, and to the west by access points for East 6th Street and Camino Arroyo, and U.S. Route 101. The site topography is flat at approximately 200 feet elevation (amsl). There are no structures on the property, nor trees or bushes. Vegetation consists of non-native weedy plants, and there is a drainage extending north-south east of the project site. Powerline poles are present at the northwest corner outside the project site.

The project site is located within a low to moderate sensitivity area, as identified on Figure 3.5-1 of the General Plan EIR (City of Gilroy 2020a); therefore, an archaeological survey is required. The survey was conducted by Donna Beddow, senior archaeologist, Harris & Associates, on August 17, 2023, to identify the location of any cultural resource that may be present on site. The survey was conducted in 5- to 10-meter segments. The project site is undeveloped and covered in disturbed habitat. Dumping on site is evident, and visibility was fair due to dense vegetation. The survey area was relatively level, and greater assessment was focused on open areas.

Historical topographic maps and historical aerials were reviewed from 1952 to 2020 (1952, 1953, 1956, 1968, 1980, 1981, 1982, 1987, 1993, 1998, 2005, 2009, 2010, 2012, 2014, 2016, 2018, and 2020). From 1952 through 1993, the project site was in agricultural use; however, by 1998 it was fallowed.

Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant Impact. No historical or archaeological resources were identified during the cultural survey, and previously recorded resources were not located within the Area of Potential Effect (APE). The APE has been disturbed by agricultural use from 1952 through 1993 and by mowing or tilling while it has been fallowed since 1998.

Staff conducted a records search of the surrounding area using the California Historic Resources Inventory System (CHRIS) (CHRIS Background Data). Eleven studies have been conducted within a 0.25-mile radius. Of those, two intersect with the project site (**Table 4**). One site (P-43-003023) was previously recorded within the 0.25-mile radius. No prehistoric or historic sites are located on the project site or 0.25-mile radius. The one identified resource is a historic engineering structure (**Table 5**).

Because there are no historical or archaeological resources on the project site, and because the project is not anticipated to pose any impacts to existing historical or archaeological resources outside the site, the impact would be less than significant, and no mitigation is required.

Table 4. Previous Studies within 0.25-Mile Buffer

Study #	Report ID	Title	Author	Year
1	S-006355	A Cultural Resource Evaluation of the Proposed Thermonetics Co-Generation Project Area, Gilroy, California	Woodward–Clyde Consultants	1984
2	S-008237	A Cultural Resource Evaluation of the Gilroy Cogeneration Project Area, Gilroy, California.	Betty Schmucker	1986
3	S-008384	Preliminary Archaeological Reconnaissance of the Las Animas Technology Park, East of Gilroy, Santa Clara County, California	Trudy Haversat and Gary S. Breschini	1981
4	S-008478	Cultural Resources Evaluation of the Llagas Creek Watershed	Robert Cartier, Glory Anne Laffey, Charlene Detlefs, and Peter Johnson	1981
	S-008478a	Addendum to the Llagas Creek Watershed Cultural Resources Evaluation: Identification and Evaluation of Potentially Significant Bridge Structures Within Reaches 2, 3 and 9	Robert Cartier, Charlene Detlefs, and Glory Laffey	1981
	S-008478b	Addendum to the Llagas Creek Watershed Cultural Resources Evaluation: Identification and Evaluation of Potentially Significant Bridge and Culvert Structures Within Reaches 7a, 7b, 8a, and 11a	Robert Cartier and Charlene Detlefs	1981
5	S-014475	Preliminary Cultural Resources Reconnaissance for 178 Acres East of Gilroy, Santa Clara County, California	Anna Runnings and Gary S. Breschini	1992
6	S-026048	Historic Compliance Report (State Only), State Route 152 (SR 152 Improvements Project - U.S. 101/152 Interchange to West Entrance of Gilroy Foods), Santa Clara County, 04-SCL-101 - KP 9.46 to 10.58 and 04-SCL-152 - KP 15.96 to 17.68, EA43981K	Lauren Gibo Bobadilla	1992
	S-026048a	Historic Architectural Survey Report, State Route 152 A (S.R. 152 Improvements Project - U.S. 101/152 Interchange to West Entrance of Gilroy Foods) Santa Clara County, California, 04-SCL-101 - KP 9.46 to 10.58 and 04-SCL-152 - KP 15.96 to 17.68, EA43981K	Theresa Saputo Rogers	2002
	S-026048b	Negative Archaeological Survey Report, State Route 152 A (S.R. 152 Improvements Project - U.S. 101/152 Interchange to West Entrance of Gilroy Foods) Santa Clara County, California, 04-SCL-101 - KP 9.46 to 10.58 and 04-SCL-152 - KP 15.96 to 17.68, EA43981K	John E. Berg and Pat Mikkelsen	2002
	S-026048c	Route 152 Improvement Project, KP 17.68 to 18.70, widen Route 152 from Two to Four Lanes Including Improvements to Llagas Creek Bridge	John E. Berg and Carie Montero	2002
	S-026048d	Route 152 Improvement Project, Removal of Trees and Hedges at Curve in Highway 152	John E. Berg	2001
	S-026048e	Route 152 Improvement Project, Widening Existing Roadway for Installation of Left-Turn Pocket from Route 152 to Furlong Avenue	John E. Berg and Carie Montero	2002

Table 4. Previous Studies within 0.25-Mile Buffer

Study #	Report ID	Title	Author	Year
	S-026048f	Route 152 Improvement Project, Install Signal Lights & Widen Intersection for Merge lands at Rte. 152 and Furguson Rd	John E. Berg	2002
	S-026048g	Archaeological Survey Report, 04-SCL-101/152, Route 152 Safety Improvement Project	John E. Berg	2002
7	S-026971	Preliminary Archaeological Reconnaissance for the Santa Clara County Health Facility on APNs 841-69-015, -16 & -017, Gilroy, Santa Clara County, California	Mary Doane and Trudy Haversat	2003
8	S-043369	Cultural Resources Records Search and Site Visit Results for AT&T Mobility, LLC Candidate CCU5213 (E 6th Street & S Valley Freeway), South Valley Freeway, Gilroy, Santa Clara County, California (APN 841-10-039) (letter report)	Cher L. Peterson and Kathleen A. Crawford	2013
9	S-043370	Direct APE Historic Architectural Assessment for AT&T Mobility, LLC Candidate CCU5213 (E 6th Street & S Valley Freeway), South Valley Freeway, Gilroy, Santa Clara County, California (APN 841-10-039) (letter report)	Wayne H. Bonner and Kathleen A. Crawford	2013
10	S-043988	Supplemental Historic Property Survey Report for the Freeway Performance Initiative along Highway 101 in Santa Clara County, California (PM 7.0-7.2, 21.55-22.3 and 26.2-26.55)	Benjamin Harris and Douglas Bright	2011
	S-043988a	Supplemental Archaeological Survey Report for the Freeway Performance Initiative along Highway 101 in Santa Clara County, California, 04-SCL-101 (PM 7.0-7.2, 21.55-22.3 and 26.2-26.55)	Benjamin Harris and Kathryn Rosa	2012
	S-043988b	Historic Property Survey Report for the Freeway Performance Initiative along Highway 101 in Santa Clara County, California, (PM 7.0-7.2, 21.55-22.3 and 26.2-26.55)	Benjamin Harris and Douglas Bright	2011
	S-043988c	Archaeological Survey Report for the Freeway Performance Initiative along Highway 101 in Santa Clara County, California, 04-SCL-101 (PM 0.0 - 26.55)	Benjamin Harris and Douglas Bright	2011
	S-043988d	FHWA111128A: Supplemental Historic Property Survey Report (HPSR) - Finding of No Adverse Effect with Standard Conditions - ESAs for the Freeway Performance Iniative (FPI) project along Highway 101 in Santa Clara County, California (ESA 153301 / Project ID 0400020304)	Elizabeth McKee	2012
11	S-044039	Historic Building Study, City of Gilroy, Planning Department, Volume 1	Mike Dorn, Robin McGinnis, Larry Scettrini, Chuck Myer, and Rhonda Pellin	1982
	S-044039a	Historic Building Study, City of Gilroy, Planning Department, Volume 2	Mike Dorn, Robin McGinnis, Larry Scettrini, Chuck Myer, and Rhonda Pellin	1982

Bold = Studies that intersect with the project site.

Table 5. Previously Recorded Cultural Resources within 0.25-Mile Buffer

Primary Number	Trinomial	Chronological Placement	Site Type	Resource Name
P-43-003023	N/A	Historic	Engineering Structure	AT&T Mobility LLC CCU5213/E 6th Street & S Valley Freeway

c. Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant with Mitigation Incorporated. Human burials outside dedicated cemeteries can occur in prehistoric archaeological contexts. The project proposes excavation to a depth of approximately 1-5 feet below ground surface. Therefore, construction activities associated with the Project could have the potential to disturb human remains, which could include Native American burial sites.

Native American burial grounds have specific provisions for treatment in Division B6, Chapter II, of the Santa Clara County Code of Ordinances. California Health and Safe Code, Sections 7050.5, 7051, and 7054 contain specific provisions for the protection of human burial remains. California Public Resources Code, Section 5097.98, addresses the disposition of Native American burials.

If human remains are found, California Health and Safety Code, Section 7050.5, states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to California Public Resources Code, Section 5097.98. Therefore, the impact would be less than significant with the implementation of **Mitigation Measure CR-1**.

Mitigation Measures

CR-1 **Protocol for Unanticipated Discovery of Human Remains.** In the event of an unanticipated discovery of human remains, the construction contractor shall cease all excavation activities within 200 feet of the find. The County Coroner shall be notified immediately. If the remains are determined to be Native American, the coroner must within 24 hours notify the Native American Heritage Commission (NAHC), which would determine and notify a most likely descendant. The most likely descendant must be granted access to the site and shall, within 24 hours of notification by the NAHC, complete an inspection. The most likely descendant may make recommendations regarding the disposition of the remains.

2.4.6 Energy

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

Impact Analysis

a. 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. Construction activities associated with the proposed project would require the use of heavy-duty off-road equipment and construction-related vehicle trips that would combust fuel, primarily diesel and gasoline. Heavy-duty construction equipment would be required to comply with CARB's airborne toxic control measures, which restrict heavy-duty diesel vehicle idling to 5 minutes. Since petroleum use during construction would be temporary and needed to conduct development activities, it would not be wasteful or inefficient. Although more electricity would be consumed on an annual basis compared to the existing vacant lot, the structures would use the energy in an efficient manner per current building code requirements. The project would comply with all applicable energy efficiency requirements, including Title 24 Building Energy Efficiency Standards, to obtain building permits, and does not include any unusual features that would result in wasteful, inefficient, or unnecessary energy usage. The project would minimize energy use by offering outdoor and drive-up garage units so that climate-control is limited to interior units requiring this service. Climate-control equipment would be managed to avoid inefficient or unnecessary use. As such, the proposed project's energy consumption would not be wasteful, inefficient, or unnecessary. This impact would be less than significant, and no mitigation is required.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The proposed project would not conflict with nor obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency. The City of Gilroy currently does not have an adopted Climate Action Plan (CAP); however, the City's 2040 General Plan includes strategies for energy use. The General Plan encourages energy-efficient buildings (LU 8.12, PFS 8.4, PFS 8.10, NCR 3.1) and the use of alternative transportation to reduce VMT (M 5.3, M 5.12). The project would comply with all

applicable energy efficiency requirements and would have minimal impact on local VMT, as discussed in Section 2.4.17, Transportation. The project is located in an area currently developed with commercial uses and would not require the extension of alternative transportation facilities. An existing bus stop is located adjacent to the project site on Camino Arroyo. This impact would be less than significant, and no mitigation is required.

Refer to Section 2.4.8, Greenhouse Gas Emissions, for a discussion of the project's consistency with updated BAAQMD guidelines for energy us as it relates to GHG impacts.

2.4.7 Geology and Soils

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

Environmental Setting

Information in this section is based on the Geotechnical Investigation prepared by Geocon (Geocon 2022). The investigation evaluated the subsurface soil and geologic conditions on the project site in March 2022 and included a review of published geologic information and aerial photographs, subsurface exploration and sample collection, laboratory testing, and engineering analyses.

The City of Gilroy is located within the Coast Ranges Geomorphic Province of California, which is characterized by a series of northwest trending mountains and valleys along the north and central coast of California. Topography is controlled by the predominant geological structural trends within the Coast Range that generally consist of northwest trending synclines, anticlines, and

faulted blocks. The dominant structure is a result of both active northwest trending strike-slip faulting, associated with the San Andreas Fault system, and east-west compression within the province. The site is not within a currently established Alquist-Priolo Earthquake Fault Zone or similar zone for surface fault rupture hazards. No active or potentially active faults are known to pass directly beneath the site.

The site is not mapped within a State of California Seismic Hazard Zone for liquefaction hazards; however, the site is in a Santa Clara County Geologic Hazard Zone for liquefaction and has high susceptibility to liquefaction based on web-based mapping by the Association of Bay Area Governments.

Impact Analysis

a. Would the project 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? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

Less Than Significant Impact. The purpose of the Alquist-Priolo Earthquake Fault Zoning Act (1972) is to mitigate the hazard of surface faulting by preventing the construction of buildings used for human occupancy over an area with known faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the grounds surface. The project site is not within a currently established Alquist-Priolo Earthquake Fault Zone or similar zone for surface fault rupture hazards.

No active or potentially active faults are known to pass directly beneath the project site. However, the project site is located within a seismically active region. The following faults exist within the region: Calaveras (3.25 miles), Sargent SW Section (4.25 miles), Sargent NW Section (6.5 miles), and San Andreas (8 miles), as shown in the ENGEO Geotechnical Report (2020). The project would be subject to the CBC seismic design force standards (2022), which provides design measures for the stability of project elements and reduce potential impacts caused by seismic ground shaking. Therefore, the impact would be less than significant, and mitigation is required.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. The site is not mapped within a State of California Seismic Hazard Zone for liquefaction hazards; however, the site is in a Santa Clara County Geologic Hazard Zone for liquefaction, indicating a high susceptibility to liquefaction based on web-based mapping by the Association of Bay Area Governments. Liquefaction is a phenomenon in which saturated

cohesionless soils are subject to a temporary loss of shear strength due to pore pressure buildup under the cyclic shear stresses associated with intense earthquakes. As identified in the Geological Investigation (Geocon 2022), based on the depth to significant liquefiable layers, the potential for seismic-related ground failure to liquification is considered low. Therefore, the impact would be less than significant, and no mitigation is required.

iv. Landslides?

Less Than Significant Impact. The project site is located on flat topography and does not exist within the vicinity of any mapped landslides. The flat nature of the topography surrounding the project site would not support the conditions for the surrounding slope to fail, such as during a seismic event or saturated surface runoff conditions. Therefore, the impact would be less than significant, and no mitigation is required.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The proposed project would involve construction activities that would result in ground disturbance, including excavation, grading, and soil removal. The proposed project would comply with the City's Municipal Code and the CBC, which regulate excavation activities, construction of foundations and retaining walls, and grading activities including drainage and erosion control. The proposed project would comply with all applicable City regulations, including the City's Municipal Code, Chapter 27C.25, Water Pollution Control, which requires implementation of construction site erosion and sedimentation control BMP to minimize erosion and topsoil loss. Compliance with these regulations during construction would provide adequate protection against soil substantial soil erosion. Once constructed, the site would be covered with buildings and parking, which would not result in substantial soil erosion. Therefore, impact would be less than significant, and no mitigation is required.

c. Would the project 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. According to the Geotechnical Investigation (Geocon 2022), the project site is located in an area susceptible to lateral spreading. However, given the flat topography of the site and the depth of the liquefiable layers in comparison to the height of the nearest free face (Miller Slough), the risk of lateral spreading at the site is low. Therefore, the impact would be less than significant, and no mitigation is required.

d. Would the project 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?

Less Than Significant Impact. Geologic mapping by California Geological Survey indicates the project site is underlain by Holocene-age alluvial deposits. Soils boring taken by Geocon identified

alluvial soils. The alluvium is generally composed of medium stiff to hard lean to fat clays with variable amounts of sand and gravel, stiff to hard silts with variable amounts of clay, sand, and gravel, medium dense to very dense sands with variable amounts of silt, clay, and gravel, and dense sandy gravels with silt. The surficial clays possess moderate to high plasticity and moderate to borderline high expansion potential. The Geotechnical Investigation recommends proper soil moisture conditioning, compaction and surface drainage to reduce the shrink-swell potential of the site soils. In addition, top layer of low-expansive material would be required beneath interior slabs-on-grade and exterior slabs and rigid pavements. With the incorporation of the Geotechnical Investigation recommendations, the impact would be less than significant, and no mitigation is required.

e. Would the project 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?

No Impact. The project would connect to the City's existing sanitary sewer system. The project, therefore, does not propose use of a septic tank or other alternative wastewater disposal system. Thus, there would be no impact.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. The project proposes excavation to a depth of approximately 1-5 feet below ground surface. Based on the relatively shallow excavation depth, the project is unlikely to impact paleontological resources.

2.4.8 Greenhouse Gas Emissions

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

Environmental Setting

A GHG is any gas that absorbs infrared radiation and traps heat in the atmosphere. GHGs are produced from natural processes and human activities. The accumulation of GHGs in the atmosphere influences the long-term atmospheric temperatures and contributes to global climate change. In California, per Assembly Bill (AB) 32 (2016), GHGs are defined to include carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, plus chlorofluorocarbons and other chlorine- or bromine-containing gases. Hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride are synthetic, powerful GHGs that are emitted from a variety of industrial processes and the production of chlorodifluoromethane. Construction or operation of the project would not include any industrial processes, and chlorodifluoromethane has been mostly phased out of use in the United States, with the exception of feedstock production (USEPA 2023); therefore, these GHGs are not discussed further in this memorandum. CO2 accounts for the largest amount of GHG emissions, and collectively, CO2, CH4, and N2O amount to 80 percent of the total radiative forcing from well-mixed GHGs (CARB 2014). For each GHG, a global warming potential has been calculated to reflect how long emissions remain in the atmosphere and how strongly each GHG absorbs energy on a per-kilogram basis relative to CO_2. For example, 1 pound of CH_4 has 25 times more heat-capturing potential than 1 pound of CO_2. To simplify reporting and analysis, GHG emissions in this analysis are reported in metric tons of carbon dioxide equivalent ($MTCO_2e$).

California has enacted a variety of legislation relating to climate change, much of which has set aggressive goals for GHG emissions reductions throughout the state. Most recently, AB 1279, the California Climate Crisis Act, was enacted in September 2022. The bill established a statewide goal to achieve net-zero GHG emissions by 2045 and to achieve and maintain net-negative GHG emissions thereafter. Similar to regional issues related to air quality, the BAAQMD issues regional guidance for assisting local governments in reducing GHG emissions in accordance with statewide emissions reduction goals (BAAQMD 2023).

Impact Analysis

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant with Mitigation Incorporated. The BAAQMD CEQA Guidelines (BAAQMD 2023) provide recommended procedures for evaluating climate impacts during the environmental review process consistent with CEQA requirements for GHG emissions impacts. Although these thresholds are not required to be used by lead agencies and recommendations are non-binding, the CEQA Guidelines provide localized, evidence-based recommendations for meeting statewide emissions reduction goals. The City of Gilroy has not adopted a City-specific GHG threshold or a qualified plan for GHG reduction. As such, the BAAQMD thresholds are applicable for evaluating the significance of project GHG emissions.

The BAAQMD threshold for GHG emissions is intended to determine whether an individual project would contribute its "fair share" of actions needed to achieve statewide emissions reductions goals, including AB 1279. BAAQMD has identified necessary design elements for new land use projects that, if incorporated into the design and construction of a project, then the project would contribute its "fair share" and project emissions would not make a cumulatively considerable contribution to global climate change. **Table 6** summarizes the thresholds of significance for operational project-level climate impacts from GHG emissions applicable to a new commercial or retail project. The project's construction and operational impacts are addressed separately below.

Table 6. Greenhouse Gas Emissions Thresholds of Significance

Sector	Required Project Design Elements
Buildings	The project will not include natural gas appliances or natural gas plumbing (in both residential and non-residential development).
	The project will not result in any wasteful, inefficient, or unnecessary energy use as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the CEQA Guidelines.
Transportation	The project will achieve a reduction in project-generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target that reflects the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory: Evaluating Transportation Impacts in CEQA. For retail projects, the standard is no net increase in VMT.
	The project will achieve compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2.

Source: BAAQMD 2023.

Construction

GHG emissions from project construction were quantified using CalEEMod and assumptions consistent with the Air Quality analysis. Construction activities associated with the proposed project would result in short-term GHG emissions from heavy equipment and construction worker vehicles. Construction of the project would generate a total of approximately 350 MT CO_2e. As

described above, these emissions are provided for informational purposes, but there is no applicable numeric threshold for evaluating construction emissions. Similar to fugitive dust emissions, the BAAQMD recommends BMPs that should be incorporated in order for GHG emissions from construction to be less than significant. These BMPs are required in **Mitigation Measure GHG-1**. Therefore, this impact would be less than significant with mitigation.

Operation

Ongoing annual GHG emissions from project operation were also quantified using CalEEMod and assumptions consistent with the Air Quality analysis. Following construction, operation of the proposed project would result in a net increase in GHG emissions associated with vehicle trips, buildings (energy use), water consumption (energy embodied in potable water), solid waste management (including transport and landfill gas generation), and area sources (landscape equipment). Operation of the project would result in annual GHG emissions of approximately 273 MT CO2e from all sources. Similar to construction emissions, emissions are quantified for informational purposes. The BAAQMD has determined certain project features are required to determine whether a project is consistent with the region's fair share contribution to statewide emissions reduction goals. Per BAAQMD, for a new land use project to do its fair share to address the climate crisis and thus for its GHG emissions to be less than significant, a project cannot include features that commit the development to ongoing GHG emissions for decades into the future. A project that includes design features that commit the development to GHG sources, without a clear path to reduce the emissions from those sources, prevents the State from achieving the climate goals. The required design elements applicable to the project are summarized above in **Table 4**.

According to the StorQuest Express Self-Storage Facility Trip Generation and VMT Assessment prepared by Hexagon (2023), the project would have a less than significant impact on VMT because it is a small project that generates minimal new vehicle trips. Additionally, the project would be located in an existing commercial area and, similar to retail, would provide a service to existing Gilroy residents that already drive to the area for other commercial services. Therefore, the project is comparable to retail, for purposes of CEQA analysis. It is not reflective of a large regional retail development, which would attract new trips from outside the general City limits, but rather similar to a local-serving retail use. New local-serving retail developments tends to shorten trips, and consequently reduce VMT, by improving retail destination proximity. As such, it is assumed that the proposed project meets the BAAQMD criteria for no net increase in VMT.

As stated in Section 1, the project would comply with all applicable energy efficiency requirements, including Title 24 Building Energy Efficiency Standards, to obtain building permits, and does not include any usual features that would result in wasteful, inefficient, or unnecessary energy usage. The project would minimize energy use by offering outdoor and drive-up garage units so that climate-control is limited to interior units requiring this service. Climate-control equipment would

be managed to avoid inefficient or unnecessary use. Therefore, the project would comply with the BAAQMD design feature related to wasteful, inefficient, or unnecessary energy use.

However, all-electric development and electrical vehicle chargers have not yet been incorporated into project design. Therefore, these design features are required as **Mitigation Measure GHG-2**. With incorporation of Mitigation Measure GHG-2, the project would not result in significant GHG emissions. This impact would be less than significant with mitigation.

Mitigation Measures

Mitigation Measure GHG-1 would implement BMPs to reduction construction GHG emissions to a less than significant level. Mitigation Measure GHG-2 would implement project design elements required to be consistent with GHG emissions reduction targets and would reduce GHG emissions during operation to a less than significant level.

GHG-1 Construction Best Management Practices to Reduce Greenhouse Gas Emissions. The construction contractor will be required to implement the following Bay Area Air Quality Management best management practices for construction-related greenhouse gas emissions during all phases of construction, as applicable and feasible. These requirements will be documented on construction plans and submitted to the City prior to obtaining a grading permit.

- Use zero-emission and hybrid-powered equipment to the greatest extent possible.
- Use U.S. Environmental Protection Agency Tier 4 Final compliant engines or better for all diesel-fueled off-road construction equipment.
- Require all on-road heavy-duty trucks to be zero emissions or meet the most stringent emissions standard, such as model year (MY) 2024 to 2026, as a condition of contract.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 2 minutes. Provide clear signage that posts this requirement for workers at the entrances to the site and develop an enforceable mechanism to monitor idling time to ensure compliance with this measure.
- Prohibit off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- Use California Air Resources Board–approved renewable diesel fuel in off-road construction equipment and on-road trucks.
- Use U.S. Environmental Protection Agency SmartWay certified trucks for deliveries and equipment transport.
- Require all construction equipment is maintained and properly tuned in accordance with manufacturer's specifications. Equipment should be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Where grid power is available, prohibit portable diesel engines and provide electrical hook ups for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- Where grid power is not available, use alternative fuels, such as propane or solar electrical power, for generators at construction sites.
- Encourage and provide carpools, shuttle vans, transit passes, and/or secure bicycle parking to construction workers and offer meal options on site or shuttles to nearby meal destinations for construction employees.
- Reduce electricity use in the construction office by using LED bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Minimize energy used during site preparation by deconstructing existing structures to the greatest extent feasible.
- Recycle or salvage nonhazardous construction and demolition debris, with a goal of recycling at least 15 percent more by weight than the diversion requirement in Title 24.
- Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products used should be certified through a sustainable forestry program.
- Use low-carbon concrete, minimize the amount of concrete used and produce concrete on site if it is more efficient and lower emitting than transporting ready-mix.
- Develop a plan to efficiently use water for adequate dust control since substantial amounts of energy can be consumed during the pumping of water.
- Include all requirements in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.

GHG-2 Greenhouse Gas Reducing Design Elements. The project applicant will incorporate the following features into the project design. These features will be documented on project plans and submitted to the City for approval prior to issuance of a building permit.

- The project will not include natural gas appliances or natural gas plumbing.
- The project will achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant with Mitigation Incorporated. As described above, the City does not have an adopted plan for the purposes of reducing GHG emissions. As such, the California Air Resources

Board 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan; CARB 2022) is the applicable adopted GHG plan. The 2022 Scoping Plan lays out a path for the state to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by AB 1279. The 2022 Scoping Plan does not include requirements for new development projects, but it does include recommendations for new development that focus on building and transportation electrification and VMT reduction. The BAAQMD threshold was developed to implement the 2022 Scoping Plan recommendations at the project level. As such, a project that is consistent with the BAAQMD threshold for GHG emissions would also be consistent with the 2022 Scoping Plan. As described above under Issue a), requirements related to building electrification and electrical vehicle chargers have not yet been incorporated into project design. Therefore, these design features are required as **Mitigation Measure GHG-2**. With incorporation of Mitigation Measure GHG-2, the project would be consistent with the 2022 Scoping Plan. This impact would be less than significant with mitigation.

2.4.9 Hazards and Hazardous Materials

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

Impact Analysis

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. Construction activities would involve the use of heavy equipment, which would contain fuels and oils, and various other products. Small quantities of potentially toxic substances (e.g., petroleum and other chemicals used to operate and maintain construction equipment) would be used. However, the project construction contractor would be required to comply with California Health and Safety Code, Chapter 6.95, which would minimize risks from routine use, transport, handling, storage, disposal and release of hazardous materials.

b. Would the project 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. The parking of RV, boats, and/or and other vehicles on the site could result in the accidental release of hazardous materials. Additionally, users of the storage units could illicitly store hazardous materials (paints, chemicals, etc.) within various units, potentially exposing the public or the environment to accidental release. The project is required to be compliant with the City of Gilroy Hazardous Materials Ordinance (HMSO) and is subject to inspections from the City's Hazardous Materials on an annual basis. Consistency with the HMSO and inspections will result in a less than significant impact.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d. Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. Construction and operation of the project would not necessitate the need for storage, transport, use, or disposal of hazardous materials. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code, Section 65962.5, and would not emit or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The project site is not located within an airport land use plan area or within 2 miles of a public use airport and would not result in excessive noise or a safety hazard for people residing or working in the project area. The site is not included in an adopted emergency response plan or emergency evacuation area, and construction and operation of the project would not impair implementation of or physically interfere with an emergency or evacuation plan. The project is not within a wildland fire area and would not expose people or structures, either directly or indirectly, to risk of significant loss, injury or death from wildland fire(s).

2.4.10 Hydrology and Water Quality

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

Environmental Setting

The discussion below is based on the Stormwater Control Plan prepared by Balance Hydrologics, Inc. (2023).

The project is located on an undeveloped flat parcel bounded generally by Gilman Road to the north, Camino Arroyo to the west, fields to the east, and the Ronan Channel/Miller Slough to the south. The project is located in the Ulvas-Llagas Watershed and lies within the Central Coast Regional Water Quality Control Board's Watershed Management Zone 1.

The project site is located in the Llagas Subbasin of the Gilroy-Hollister Groundwater Basin. The Regional Llagas Subbasin is monitored and addressed by Valley Water (City of Gilroy 2021).

Impact Analysis

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less Than Significant Impact.

Construction

Construction of the project would require grading and excavation of soils, which would loosen sediment and has the potential to mix with surface water runoff and degrade water quality. Additionally, construction would require the use of heavy equipment and construction-related chemicals, such as concrete, cement, asphalt, fuels, oils, antifreeze, transmission fluid, grease, solvents, and paints. These potentially harmful materials could be accidentally spilled or improperly disposed of during construction and, if mixed with surface water runoff, could wash into and pollute receiving waters.

These types of water quality impacts during construction of the project would be prevented through implementation of a Water Pollution Control Drawing and Erosion Control Plan required by City Municipal Code, Chapter 27C.25, Water Pollution Control. Erosion and sediment control shall meet the minimum standards and specifications of the California Stormwater Quality Association BMPs and would include but are not limited to the following:

- Silt fence, fiber roll, or gravel bag
- Street sweeping and vacuuming
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseeding
- Material delivery and storage
- Stockpile management
- Silt prevention and control
- Solid waste management
- Concrete waste management

In addition, in accordance with the requirements of the most recent NPDES General Construction Activities Permit, a Notice of Intent filed with the State Water Resources Control Board would also be required before project construction begins. These would reduce potential construction impacts on water quality and discharge to a less than significant level. Adherence to the existing requirements and implementation of the appropriate BMPs per the permitting process would ensure that potential water quality degradation associated with construction activities would be minimized. Therefore, the impact would be less than significant, and no mitigation is required.

Operation

The project would develop a storage facility on the project site, which would introduce the potential for pollutants such as chemicals from household cleaners, nutrients from fertilizer, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. These pollutants could potentially discharge into surface waters and result in degradation of water quality.

As stated in Section 1, the project incorporates two bioretention ponds and a stormwater basin that were designed and sized to meet the requirements outlined in the Stormwater Management Guidance Manual for Low Impact Development and Post Construction Requirements for the City of Gilroy, Morgan Hill and County of Santa Clara (2015) and the Santa Clara County Drainage Manual (2007) to treat runoff before it leaves the project site. In addition, the project proposes source control BMPs to minimize the introduction of pollutants to the drain system as identified in **Table 1**.

With implementation of the operational treatment control biofiltrations and source control BMPs potential pollutants would be reduced to the maximum extent feasible. Therefore, implementation of the proposed project would not violate any water quality standards or waste discharge requirements, including but not limited to increasing pollutant discharges to receiving waters. The impact would be less than significant, and no mitigation is required.

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

Less Than Significant Impact. The proposed project is consistent with the Industrial land use designation assumed in the City's Urban Water Master Plan (City of Gilroy 2021); therefore, the minor amount of water required to serve the site (e.g., restroom in the leasing office) is planned and would not substantially decrease groundwater supplies. Although development of the site would increase the amount of impervious surface, 25 percent of the site would remain pervious, and the project would include two bioretention ponds and a stormwater basin to collect and absorb runoff from the project site, which could result in some potential recharge of groundwater. Because the project would be consistent with the City's Water Master Plan, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. The impacts would be less than significant, and no mitigation is required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

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

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

iv. Impede or redirect flood flows?

Less Than Significant Impact. The following discussion addresses the project's potential to substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner which would result in following on or off site, create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage system or impede or redirect flood flows during construction and operation. An existing drainage ditch runs along the eastern bounds of the project parcel within the agricultural setback. Implementation of the proposed project would not disturb the existing drainage feature. Thus, impacts related to alteration of the course of a stream or river would not occur.

Construction

Construction of the proposed project would require grading and excavation of 4,059 cy of soil, which would loosen sediment and could result in erosion or siltation. However, as discussed under question "a" and in Section 2.4.7, Geology and Soils, construction of the proposed project requires City approval of an erosion control plan and implementation BMPs during construction to manage runoff and reduce erosion or siltation. Therefore, the impact would be less than significant, and no mitigation is required.

Operation

Development of the project site would convert much of the project site from softscape to hardscape, increasing runoff. Currently the entire site contains no impervious surfaces. Implementation of the proposed project would increase impervious surfaces to 75 percent of the project site. Under existing conditions, runoff generally drains southeast via sheet flow and enters the drainage ditch along the eastern boundary of the property before flowing into City storm drain infrastructure at the southeast corner of the parcel. Post construction, the project site would be divided into three drainage management areas (DMAs). DMA 1 and 2, each drain via surface drainage and gravity-flow storm drainpipes to two bioretention ponds (SCM 1 and 2). DMA 3 represents the area of the stormwater facilities (SCM1, SCM2, and the stormwater basin). Runoff is then routed to a stormwater basin. Excess runoff is conveyed to the existing drainage ditch before flowing into the City's storm drain system. The biofiltration basins would be adequately sized to collect and treat the on-site flow prior to discharge.

As shown in **Table 7**, peak stormwater runoff volumes would be reduced compared to existing conditions, directing a lower amount of stormwater going into the City's storm drain system.

Table 7. Existing and Peak Stormwater Runoff

Drainage Basin	Existing Condition (cfs)			Proposed Condition (cfs)		
	2yr	10yr	25yr	2yr	10yr	25yr
DM1	0.46	0.38	0.54	0.46	0.78	0.98
DM2	0.55	2.31	3.33	2.35	4.01	5.04
DM3	0.09	0.01	0.01	0.36	0.16	0.16
Total Project Flows	**1.10**	**2.69**	**3.88**	**1.07**	**1.41**	**1.62**

Source: Balance Hydrologics 2023.
Notes: CFS = cubic feet per seconds

Therefore, implementation of the proposed project would not cause any changes in existing drainage patterns which would substantially increase the rate or amount of surface runoff, 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. Therefore, the impact would be less than significant, and no mitigation is required.

d. Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. The project site is located on FEMA Flood Insurance Rate Map (FIRM) Panel 06085C0643H effective May 18, 2009 (Balance Hydrologics 2023). The proposed development is in both a Shaded Zone X, areas with the 0.2 percent annual chance floodplain, and Zone AE, areas of 1 percent annual chance of flood with base flood elevations. The proposed project will encroach into the floodplain, but only along the fringe of the mapped inundation area where flood depths are minimal. The Flood Impact Analysis determined that implementation of the project would not result in significant impacts to base flood elevations in the Llagas Creek overbank area along the entire reach bounding the project site. As discussed in under question "a" above, the project include source control BMPs, as well as construction-related BMPs, to minimize the introduction of pollutants. Therefore, the project would not result in the release of pollutants due to project inundation.

The project site is located approximately 30 miles east of the Pacific Ocean and would not be subject to the tsunami flood zone. In addition, the closest enclosed body of water is San Felipe Lake, which is located approximately 6 miles from the project site. Therefore, the project site is not located in a tsunami or seiche flood zone and would not risk release of pollutants due to project inundation. Therefore, the impact would be less than significant, and no mitigation is required.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. The project site is located in the Uvas-Llagas Watershed covered by the Central Coast Basin Plan. The project is located in the Llagas Subbasin of the Gilroy-Hollister

Groundwater Basin. Valley Water prepared a Groundwater Management Plan report published in 2016 as an alternative to the Groundwater Sustainability Plan (Santa Clara Water District 2016).

As discussed under question "a," construction and operation activities associated with the project could result in an increase in potential discharge of pollutants to receiving waters, including waters designated as impaired for certain contaminates of concern. However, the project would comply with the applicable regulations and measures to reduce potential water quality impacts during construction and operation, and the proposed bioretention ponds and stormwater basin would provide control for pollutants.

As discussed under question "b,", the project the project would be consistent with the City's Water Master Plan and would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge.

Therefore, the project would not conflict with implementation of the Central Coast Basin Plan, which establishes water quality objectives and implementation measures. The project would not impact a Sustainable Groundwater Management Plan or propose the use of groundwater. The impact would be less than significant, and no mitigation is required.

2.4.11 Land Use and Planning

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

Environmental Setting

The project site is zoned M2 (General Industrial). According to Gilroy City Code (GCC), Chapter 30, Section 30.21.10, the intent of the M2 General Industrial district is to provide areas in the City suitable for the large-scale manufacturing, assembly, storage, distribution and wholesaling of materials. According to GCC Section 30.23.10, Industrial Use Table, mini storage, and locker storage is a Conditional Use within the M2 Zoning designation.

Impact Analysis

a. Would the project physically divide an established community?

No Impact. The project would not physically divide an existing community. The site is a vacant/undeveloped lot, zoned General Industrial (M2), located at the corner of Camino Arroyo and Gilman Road in eastern Gilroy. To the north and east of the site outside City limits, there are existing agricultural lands. To the west of the site within the City limits, there is existing development, including medical facilities on similarly zoned M2 land. To the south of the site within City limits, there is an existing pedestrian/bike path, which fronts a drainage canal (Miller Slough). Across the drainage, existing retail shopping has been developed within C3 (Shopping Center Commercial) zoning designations. The project would not divide any of these existing developments, nor disrupt the existing pedestrian/bike path which provides a community connection. Further, the project includes sidewalk and frontage improvements which would improve community connection by supporting pedestrian circulation between the adjacent developments. Therefore, there would be no impact.

b. Would the project 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?

Less Than Significant Impact. As proposed, the project is consistent with the City's land use and zoning designations for the project site; and, with implementation of identified regulatory requirements and mitigation, the project would not otherwise cause a significant environmental impact.

The project is consistent with the land use zoning of General Industrial (M2) in accordance with applicable conditional uses and/or development standards. The project would be subject to regulations and policies outlined in GCC Section 30.23.10 (Industrial Use Table). The project is consistent with conditionally permitted uses for the "M2" district. The project includes the development of nine one-story self-storage buildings totaling approximately 57,671 square feet of building area. Development standards for the "M2" district are identified in GCC Section 30.23.20 (Industrial Site and Building Requirement Table). The maximum allowed height in the M2 Zoning district is 75 feet or 6 stories. The tallest proposed building would be 22 feet in height, and all buildings would be single-story. The site coverage maximum in the M2 district (i.e., building or structural) is 60 percent. The property is 5.37 acres (233,940 square feet) which would allow site coverage of 140,364 square feet. As proposed, the development would result in site coverage of 57,671 square feet (24.7 percent).

The project is consistent with GCC Section 30.38.70, Industrial Zone Landscape Standards, which requires developments to have a minimum of five-foot landscape buffers along the perimeter of the site and a 21-foot buffer along adjacent street rights-of-way. The proposed landscaping plan includes a buffer of 21 feet on each side of the development, including along the adjacent streets of Camino Arroyo and Gilman Road. The proposed project would include 98,595 square feet of landscaping, equivalent to 42.15 percent of the developed site area. Additionally, the project includes 74,203 square feet of hardscape coverage (31.72 percent) and 3,471 square feet of parking lot coverage (1.48 percent).

Therefore, the project is consistent by design with all applicable land use regulations for the M2, General Industrial, zone. The impact would be less than significant, and no mitigation is required.

2.4.12 Mineral Resources

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

Impact Analysis

See Section 2.2.

2.4.13 Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Environmental Setting

The project site is currently undeveloped and does not include any existing noise sources. The existing noise environment surrounding the project site is dominated by vehicular traffic, primarily from U.S. Route 101, located west of the project site. According to the noise analysis for the General Plan, noise levels from U.S. Route 101 exceed 80 dBA LDN at 75 feet from the roadway centerline (City of Gilroy 2020a).

The City of Gilroy 2040 General Plan establishes noise and vibration standards for the City in the Potential Hazards Element (City of Gilroy 2020b). Goal PH 6 of the element is to protect Gilroy residents from exposure to excessive noise, especially in regard to noise-sensitive land uses such as schools, hospitals, and housing for seniors. The closest sensitive receptors to the project site are the residences located approximately 0.25 mile west of the project site.

The Potential Hazards Element establishes maximum outdoor and indoor noise levels by land use type, as summarized in **Table 8**.

Table 8. City of Gilroy Maximum Permitted Outdoor and Indoor Noise Levels

Land Use Category	Maximum Outdoor L_{DN} (dBA)	Maximum Indoor L_{DN} (dBA)
Residential	60	45
Commercial	65	61
Industrial	76	See Note 2

Source: City of Gilroy 2020b.

Notes:

[1] L_{DN} - The Day/Night Average Sound Level. Day-night average sound level-the 24 hour A-weighted equivalent sound level, with a 10 decibel penalty applied to nighttime levels.

[2] The indoor standards for industrial land uses have been set by the Occupational Safety and Health Administration. The maximum level to be exceeded no more than 10 percent of the time (L10) is 65 dBA, while the maximum level to be exceeded no more than 50 percent of the time (L50) is 60 dBA.

Additionally, Policy 6.11 limits the hours of construction and maintenance activities to the less sensitive hours of the day (7:00am to 7:00pm Monday through Friday and 9:00am to 7:00 pm on Saturdays). Policy 6.12 requires a vibration impact assessment for proposed development projects in which heavy-duty construction equipment would be used within 200 feet of an existing structure or sensitive receptor. If applicable, the policy requires all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures or sensitive receptors would occur.

Section 30.41 of the City's Zoning Ordinance also includes a performance standard for non-residential development. Section 30.41.31 states that noise emanating from properties that are zoned for uses other than residential is limited to a maximum of 70 dBA (L_{10}) measured at the residential property line.[2] Such noise is limited to the hours of 7:00 a.m. to 10:00 p.m., and prohibited between the hours of 10:00 p.m. and 7:00 a.m.

Impact Analysis

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact. Potential noise impacts associated with the proposed project would primarily be related to operation of heavy equipment during construction of the project. Potential operational noise associated with the proposed project would include operation of mechanical equipment, including heating, ventilation, and air conditioning (HVAC) systems and gates. Potential impacts from construction and operation are discussed separately below.

Construction

A detailed construction schedule is not available at this time. However, CalEEMod default assumptions used for the Air Quality analysis estimate project construction would take

[2] L_{10} means the maximum noise level to be exceeded no more than 10 percent of the time.

approximately 13 months. The initial site preparation and grading is anticipated to take approximately one month, and the remainder of the schedule is anticipated to be the building construction phase, including paving and architectural coating. Typical construction equipment would include loaders and backhoes, bulldozers, graders, excavators, cranes, forklifts, generators, cement mixers, paving equipment, rollers and water trucks.

Typical construction equipment noise levels are provided in **Table 7**. Construction equipment is mobile and would be moving across the site throughout the construction period. A grader and a backhoe may be working on the site simultaneously, but would not likely be working within proximity to one another at a given time due to the nature of their respective operations. Furthermore, construction equipment would not be in constant use during the day. As shown in **Table 9**, large pieces of earthmoving equipment, such as graders, backhoes, and dozers, generate maximum noise levels (Lmax) of 80 to 85 dBA Lmax at a distance of 50 feet.

Table 9. Typical Noise Levels for Common Construction Equipment (at 50 feet)

Construction Equipment	Lmax (dBA)
Air Compressor	80
Backhoe	80
Chain Saw	85
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Crane	83
Dozer	85
Dump Truck	84
Excavator	85
Flat Bed Truck	84
Fork Lift	75
Generator	82
Grader	85
Jack Hammer	88
Loader	80
Paver	85
Pick-up Truck	55
Pneumatic Tool	85
Roller	85
Truck	84

Source: Federal Transit Authority 2018.

The nearest residential properties are located approximately 0.25-mile (1,370 feet) west of the project site. At this distance, noise levels from the noisiest construction equipment, such as a

jackhammer (88 dbA), would be reduced to below 60 dBA. Additionally, the receptors are separated from the project site by U.S. Route 101, and project construction is unlikely to be audible above ambient freeway noise. Construction would only occur during the hours allowed by the City's General Plan (7:00am to 7:00pm Monday through Friday and 9:00am to 7:00 pm on Saturdays). Temporary noise from project construction would be less than significant.

Operation

Operation of the project would result in a permanent noise impact if it would result in daytime noise levels that exceed 70 dBA L10, or audible nighttime noise, and the nearest residential properties; or result in ambient noise levels incompatible with surrounding commercial uses (65 dBA Ldn).

Based on the most recent City-wide traffic counts available (2008), the ADT on Camino Arroyo and Gilman Road in the project vicinity were 23,600 ADT (Camino Arroyo from Renz Lane to Pacheco Pass) and 1,500 ADT (Gilman Road east of Arroyo Circle. The project would result in approximately 100 average trips per day (ADT) (Hexagon 2023). The doubling of a noise source usually results in a 3 dba increase, which is generally the smallest incremental change in noise level perceivable to the average ear (Caltrans 2013). Therefore, a doubling of vehicle trips would generally be required in order to increase traffic noise by 3 dBA compared to existing conditions (Caltrans 2013). The 100 ADT generated by the project would not result a more than 3 dBA increase in noise level on area roadways and would therefore not result in a noticeable increase in ambient noise levels in the project area.

Long-term operation of the project would not involve activities that are typically associated with excessive or nuisance noise such as animals, music, or heavy machinery. However, the project would include the use of an HVAC unit and operation of gate access would be available at all hours. The specifications of the HVAC unit and access gate are currently unknown. The HVAC system required for a similar facility in the County of San Diego was calculated to have a sound power level of 72 dBA (Helix 2015). The proposed County of San Diego facility was larger than the proposed project (124,560 sf); therefore, this estimate is likely conservative for the project. Noise levels would be reduced to below 70 dBA L_{10} and 65 dBA L_{dn} within the project property (within approximately 2 meters). HVAC noise would not be audible at the residences west of U.S. Route 101. Newer model access gates generate minimal noise, 56 dBA or below, that would generally not be noticeable to surrounding development (Consumer Mentor 2019). Based upon these findings, no permanent exterior noise mitigation would be necessary in order to comply with the City's noise standards.

Therefore, the impact from construction and operation would be less than significant, and no mitigation is required.

b. Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The use of construction and grading equipment would potentially generate periodic vibration in the project area. General Plan Policy 6.12 requires a vibration impact assessment for proposed development projects in which heavy-duty construction equipment would be used within 200 feet of an existing structure or sensitive receptor. The nearest existing structures to the project site are medical and dental facilities located northwest and southeast of the project site. Both of these receptors are potentially vibration sensitive but are located more than 200 feet from the construction area. As such, there are no receptors located within the screening distances for potential vibration impacts, and temporary vibration during construction would be less than significant. Operation of the project does not include heavy equipment or other components that would generate substantial vibration. Therefore, the impact from construction and operation would be less than significant, and no mitigation is required.

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 or air strip is San Martin Airport located approximately 6 miles north, and Frazier Lake Airpark located approximately 6 miles south of the project site. Both airports are outside the two-mile screening distance and are far enough away that implementation of the proposed project would not expose people working at the project site to excessive noise levels related to aircraft. Therefore, no noise impact would occur.

2.4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (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?	☐	☐	☐	☒

Impact Analysis

See Section 2.2.

2.4.15 Public Services

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Impact Analysis

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection? Police protection? Schools? Parks? Other public facilities?

Less Than Significant Impact. The proposed project would involve the construction of a new 57,671 SF mini storage facility. The project site is located within the City limits, near the intersection of Gillman Road and Camino Arroyo and is served by City fire, police and emergency services. The project would not create substantial new demand for public services that would result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services. The project would have no measurable effect on existing public services in that the project would not result in a significant increase in demand and would not require expansion of services to serve the project. City departments and service providers reviewed the project application and did not identify any impacts. Therefore, the proposed project would not result in impacts related to public services.

2.4.16 Recreation

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

Impact Analysis

See Section 2.2.

2.4.17 Transportation

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

Environmental Setting

The information in this section is based on the "Trip Generation Study and VMT Assessment for the Proposed StorQuest Express Self-Storage" prepared by Hexagon Transportation Consultants, Inc. (2023).

The project site is located at the southeast corner of the Camino Arroyo and Sixth Street/Gilman Road intersection in the City of Gilroy, California. The project site is currently undeveloped and has little to no existing daily traffic volume. The project as proposed would develop the site with an approximately 57,671 SF self-storage facility that would include a variety of self-storge units including exterior accessed drive-up garage type units, interior climate-controlled storage units,

and a leasing office. In addition, the project would include a total of 41 outdoor RV storage spaces, a 5-space parking area located next to the leasing office (and outside the gated area), and 7 additional standard parking spaces within the gated area. The leasing office hours of operation are proposed to be from 9:00 AM to 6:00 PM Monday through Sunday. Access to the proposed facility would be provided via a driveway along Gilman Road. The project site is surrounded by agricultural land to the north and east and urban development and roadways to the south and west, as well as Miller Slough and pedestrian/bike path to the south.

Impact Analysis

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities based on a review of the Gilroy 2040 General Plan, Mobility Element (Chapter 3).

Access to the project site would be provided via a single driveway along Gilman Road located approximately 300 feet east of Camino Arroyo. Gilman Road extends from Camino Arroyo eastward to Holsclaw Road where it terminates. Currently, Gilman Road is a two-lane undivided rural roadway with unpaved shoulders and a speed limit of 35 miles per hour (mph). Existing bike lanes extending from Sixth Street to Gilman Road currently terminate at the project site frontage. Available traffic count data from November 2020 show that Gilman Road currently carries approximately 100 and 200 vehicles (both directions combined) during the AM and PM peak hours, respectively. Gilman Road is classified in the City's 2040 General Plan as a collector roadway. The project driveway is proposed to be 35 feet wide, which is the minimum width requirement for commercial driveways in Gilroy according to the General Guidelines document dated August 18, 2014. The site plan by MCG Architecture, dated August 21, 2023, notes the project driveway as right-in and right-out access only. Due to the proximity of the project driveway to the intersection of Camino Arroyo and Sixth Street/Gilman Road, providing right-in/right-out access only at the project driveway would minimize conflict between the project traffic and traffic traveling on Gilman Road. With the proposed access restriction, all inbound project traffic would use the intersection of Camino Arroyo and Sixth Street/Gilman Road to access the site while all outbound traffic would travel eastbound on Gilman Road to Holsclaw Road to either Leavesley Road or Pacheco Pass Highway (SR 152). It should be noted that the City's 2040 General Plan includes a roadway improvement that would extend Cameron Boulevard from its existing intersection with SR 152 northward to connect to Gilman Road, between Camino Arroyo and Holsclaw Road, and Leavesley Road, at Marcella Avenue, providing a new north/south arterial roadway serving Gilroy and the project area.

Currently, there are no sidewalks along Gilman Road. Sidewalks are available along both sides of Camino Arroyo, south of Sixth Street/ Gilman Road. Pedestrian crosswalks and curb ramps are available along the west and south legs of the Camino Arroyo and Sixth Street/Gilman Road intersection. The project is required to implement full site frontage improvements, including driveways, curb ramps, planned bike lanes, and sidewalks. City guidelines require development projects to install (or upgrade existing) pedestrian crossings and Americans with Disabilities Act (ADA)-compliant curb ramps at intersections. By implementing these requirements, additional pedestrian facilities are provided to improve the pedestrian network as part of the City's normal growth process. With implementation of the proposed frontage improvements along Gilman Road, including a pedestrian access to the project site from the proposed sidewalks on Gilman Road, a pedestrian connection would be provided between the project site and the surrounding commercial areas.

The impact would be less than significant, and no mitigation is required.

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. Historically, traffic impact analysis has focused on the identification of traffic impacts based on delay as its metric. However, with the adoption of Senate Bill (SB) 743 legislation, the CEQA 2019 Update Guidelines, Section 15064.3(b), states that VMT will be the metric in analyzing transportation impacts for land use projects for CEQA purposes. The change in measurement is intended to better evaluate the effects on the state's goals for climate change and multimodal transportation. VMT is the total miles of travel by personal motorized vehicles a project is expected to generate in a day. VMT measures the full distance of personal motorized vehicle trips with one end on the project site. Typically, development projects that are farther from other complementary land uses (such as a business park far from housing) and in areas without transit or active transportation infrastructure (bike lanes, sidewalks, etc.) generate more driving than development near complementary land uses with more robust transportation options. Therefore, developments located in a central business district with high density and diversity of complementary land uses and frequent transit services are expected to internalize trips and generate shorter and fewer vehicle trips than developments located in a suburban area with low density of residential developments and no transit service in the project vicinity. Local-serving retail projects also would result in shorter vehicle trips as new local-serving retail development typically diverts/shortens existing shopping trips, rather than generating new retail trips.

In accordance with CEQA, all proposed projects are required to analyze transportation as a component of environmental review using average trip length per resident and/or per employee as metrics. The daily VMT per resident accounts for trips that start or end at the home. Daily VMT per employee is calculated based on trips made by people driving to and from work. However, commercial projects and other non-residential and non-commercial projects include both trips made by residents and employees. Thus, for commercial projects, total project VMT is evaluated. To adhere to the state's legislation, the City of Gilroy is currently developing the framework for

new transportation policies based on the implementation of VMT as the primary measure of transportation impacts for CEQA purposes. The new policies will supplement the City's current transportation policies that are based on levels of service. However, since the City has not formally adopted its own City-specific VMT policies, the City relies on VMT analysis methodology and impact thresholds recommended in the Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018. While OPR emphasizes that a lead agency has the discretionary authority to establish thresholds of significance, the Technical Advisory suggests criteria that indicate when a project may have a significant, or less than significant, transportation impact on the environment. Therefore, the assessment of the project's VMT is based on OPR guidelines and impact thresholds.

The 2018 OPR CEQA Technical Advisory identifies screening thresholds to determine whether a CEQA transportation analysis would be required for specific development projects. The screening thresholds are based on the project size, map-based screening (areas with low VMT), transit availability, and/or provision of affordable housing. If a project meets the screening thresholds, it is then presumed that the project, or the component of the project, would result in less than significant VMT impacts and a detailed CEQA VMT analysis is not required. Screening thresholds applicable to the proposed project include the following:

Office of Planning and Research Screening Threshold for Small Projects

As described in the OPR guidelines, it is reasonable to assume that, absent of substantial evidence indicating that a project would generate a potentially significant level of VMT or indicating inconsistency with the General Plan, a project that generates fewer than 110 daily trips generally may be assumed to result in a less than significant impact on VMT.

Local Serving Retail Comparison

The proposed project would be located in a primarily commercial area and, similar to retail, would provide a service to Gilroy residents. Therefore, the project is comparable to retail, for purposes of CEQA analysis. It is not reflective of a large regional retail development, which would attract new trips from outside the general City limits, but rather similar to a local-serving retail use. Although the OPR Technical Advisory does not specify screening criteria for the presumption of less than significant VMT impact for retail projects, it recognizes that the addition of new local-serving retail development tends to shorten trips, and consequently reduce VMT, by improving retail destination proximity. That is, new local-serving retail projects would provide an alternative to other similar uses located farther away. OPR specifies that, generally, retail development less than 50,000 square feet in size might be considered local-serving and should be considered to have a less than significant VMT impact. In order to verify if the proposed project has trip-making characteristics equivalent to a 50,000-square-foot or less retail project, the proposed project

needs to be converted into an equivalent amount of retail space, based on their daily trip generation estimates and trip generation rates published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11th Edition (2021).

Since the City of Gilroy does not currently have adopted VMT policies and impact criteria, the determination of project impacts on VMT must rely on the OPR's CEQA Guidelines. Per OPR's small project screening threshold, since the daily trips estimated to be generated by the proposed project would be less than 110 trips, it may be presumed to be a small project and would therefore have a less than significant impact on VMT. Additionally, based on the ITE daily trip rate, the proposed project is estimated to generate a total of 100 daily trips, which are equivalent to the trips estimated to be generated by approximately 3,000 s.f. of retail space. Based on OPR's less than 50,000 square feet of retail space threshold, the proposed project would have a less than significant VMT impact.

The impact would be less than significant, and no mitigation is required.

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

Less Than Significant Impact. Adequate sight distance is available at the project site driveway. Outbound traffic at the driveway must be able to see opposing traffic (in this case eastbound traffic) in order to safely complete a turn, out of the site. According to the Caltrans Highway Design Manual, the minimum required stopping sight distance for a roadway with a posted speed limit of 35 mph is 250 feet. From the project site driveway, there is a clear line of sight that extends to the Camino Arroyo/Gilman Road intersection, or approximately 300 feet. Therefore, the available sight distance from the project driveway is greater than the 250 feet minimum distance requirement for a roadway with 35 mph travel speeds.

Project site driveways and drive aisles are designed with adequate width to allow larger vehicles (including emergency vehicles, garbage collector trucks, and RV/trucks with trailers) access in and out of the site. Per City design guidelines, a fire access roadway greater than or equal to 20 feet in width is applicable to all commercial, industrial, and residential buildings. The fire access roadway should be provided within 150 feet of structures. The site plan shows all drive aisles on the project site to be 26 to 35 feet wide, providing the minimum width requirement for emergency vehicle access and circulation. Additionally, fire truck circulation plans were prepared and showed a 40-foot fire truck adequately accessing, circulating, and exiting the site. Forty feet is also the maximum dimension of the RV storage spaces.

The impact would be less than significant, and no mitigation is required.

d. Would the project result in inadequate emergency access?

No Impact. As discussed above, the project access is designed to provide adequate driveway/access site distance and is designed to provide adequate circulation and movement for large vehicles. Therefore, the project provides adequate emergency access, and there would be no impact.

2.4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
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), or	☐	☐	☒	☐
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Environmental Setting

The project site is an undeveloped fallow agricultural field and is bordered to the north by agricultural fields and ground-mounted solar panels, to the east by an orchard, to the south by retail shopping and Miller Slough, and to the west by access points for East 6th Street and Camino Arroyo, and U.S. Route 101. The site topography is flat at approximately 200 feet elevation (amsl). There are no structures on the property, nor trees or bushes. Vegetation consists of non-native weedy plants, and the site is mowed or tilled regularly for fire control. A drainage runs north-south east of the project site. Powerline poles exist are present at the northwest corner outside the project site.

The project site is located within a low to moderate sensitivity area and an archaeological survey is required as identified on Figure 3.5-1 of the General Plan EIR (City of Gilroy 2020a). Donna Beddow, senior archaeologist with Harris & Associates, conducted the survey on August 17, 2023. The goal of this survey was to provide a constraints-level survey to identify the location of any cultural resource that may be present on site. The survey was conducted in 5- to 10-meter segments. The project site is undeveloped and covered in disturbed habitat. Dumping on site is evident, and visibility was fair due to dense vegetation. The survey area was relatively level and greater assessment was focused on open areas.

Historical topographic maps and historical aerials were reviewed from 1952 to 2020 (1952, 1953, 1956, 1968, 1980, 1981, 1982, 1987, 1993, 1998, 2005, 2009, 2010, 2012, 2014, 2016, 2018, and 2020). From 1952 through 1993, the project site was in agricultural use; however, by 1998 it was fallowed.

Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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), or

Less Than Significant Impact. The project site is not listed on or eligible for listing on the California Register of Historical Resources or a local register of historical resources as defined in Public Resources Code, Section 5020.1(k). Therefore, the impact would be less than significant, and no mitigation is required.

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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant with Mitigation Incorporated. No tribal cultural resources were identified during the cultural survey, and previously recorded resources were not located within the APE. The APE has been disturbed and used as agricultural lands/use from 1952 through 1993 and has been fallowed with routine mowing and tilling since 1998.

However, the project proposes excavation to a depth of approximately 1-5 feet below ground surface. Therefore, construction activities associated with the Project could have the potential to significantly impact unknown tribal cultural resources. Impacts would be considered less than significant with the implementation of **Mitigation Measure TCR-1**.

Mitigation Measures

TCR-1 Implement Protocol for Unanticipated Discovery of Tribal Cultural Resources. If cultural resources of Native American origin are identified during project construction the construction contractor shall cease all earth-disturbing work within 50 feet of the find and desist until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. Staking of the area of discovery shall be implemented with stakes no more than 10 feet

apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the City, in consultation with local Native American Tribes, determines that the resource is a tribal cultural resource and thus significant under the California Environmental Quality Act, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American groups. The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist.

2.4.19 Utilities and Service Systems

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

Impact Analysis

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

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

c. Would the project 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. The project would include the construction of a 57,671 square self-storage facility. The project will connect to City water and sewer connections, as there is one restroom within the office building. Electricity will be provided by Pacific Gas & Electric (PG&E), to power the exterior and interior lighting, access gate, and accessory uses. The project will not require the relocation of or expanded water, sewer, electricity, natural gas or telecommunication distribution lines. The project will not require extensive amounts water supply, as only one restroom

is being developed and landscaping will not require water usage above the prior agricultural uses (now fallow) of the project site. Therefore, any potential impact will be less than significant.

d. Would the project 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. Would the project Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Solid waste disposal would be provided by Waste Management, and the operational component of the project would not result in a substantial increase of solid waste production over the previously permitted use of the site. Any excess construction materials from the proposed project would be hauled to landfill, and the amount of construction waste produced would not affect the permitted landfill capacity. Therefore, the project would not result substantial impacts to solid waste, and will comply with all applicable federal, state, and local management regulations pertaining to solid waste; therefore any potential impacts will be less than significant.

2.4.20 Wildfire

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

Impact Analysis

See Section 2.2.

2.4.21 Mandatory Findings of Significance

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

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino,(1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Impact Analysis

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. As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to the environmental factors or topics addressed. Regarding biological resources, potential impacts to sensitive plant and/or wildlife species could occur as a result of this proposed project yet would be reduced to a less than significant level by implementing the mitigation measure as described in Section 2.4.4, Biological Resources.

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

Less Than Significant Impact. As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to the environmental factors or topics addressed. While the proposed development could result in minor impacts which inherently contribute to cumulative impacts in some instances, the project would not result in substantial long-term environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. Further, potential impacts of the project would be less than significant or mitigated to less than significant and thus would not be cumulatively considerable.

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

Less Than Significant with Mitigation Incorporated. Effects on human beings are generally associated with impacts related to issue areas such as aesthetics, air quality, geology and soils, noise, hazards and hazardous materials, traffic, and wildfire. As discussed in Section VI., Environmental Checklist, of this Initial Study, the project would have less than significant impacts related to aesthetics, air quality, geology and soils, noise, hazards and hazardous materials, traffic and wildfire. Therefore, as proposed, analyzed, and mitigated in this Initial Study, the project would not cause substantial adverse effects on human beings, either directly or indirectly.

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Section 3 List of Preparers

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