

Final Environmental Impact Report

Cordoba Center Project

SCH# 2016122022

Prepared by



In Consultation with



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April 2019

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SECTION 1.0 INTRODUCTION

This response-to-comments document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final Environmental Impact Report (Final EIR) for the Cordoba Center project. This document provides written responses to comments received on the Draft EIR during its public review period (May 30, 2018 through July 30, 2018), including all written comments submitted either by letter or email, and all oral comments presented at the public meeting that was held on July 12, 2018.

Pursuant to Section 15132 of the CEQA Guidelines, a Final EIR shall consist of:

- a) The Draft EIR or a revision of the draft
- b) Comments and recommendations received on the Draft EIR either verbatim or in summary
- c) A list of persons, organizations, and public agencies commenting on the Draft EIR
- d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process
- e) Any other information added by the Lead Agency.

1.1 PURPOSE OF THE FINAL EIR

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this FEIR provides objective information regarding the environmental consequences of the proposed project. The FEIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The FEIR is intended to be used by the County of Santa Clara and any Responsible Agencies in making decisions regarding the project. The CEQA Guidelines advise that, while the information in the FEIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the Draft EIR by making written findings for each of those significant effects.

According to the State Public Resources Code Section 21081, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

- a) The public agency makes one or more of the following findings with respect to each significant effect:
 - 1) Changes or alterations have been required in, or incorporated into, the project which will mitigate or avoid the significant effect on the environment.
 - 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - 3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities of highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
- b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

SECTION 2.0 DRAFT EIR RECIPIENTS

CEQA Guidelines Section 15086 requires that a Lead Agency consult with and request comments on the Draft EIR prepared for a project of this type from Responsible Agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies.

The NOA for the Draft EIR was sent to the following agencies and organizations:

Agencies	Organizations
Bay Area Air Quality Management District	Committee for Green Foothills
California Department of Fish and Wildlife, Region 3	People Preserving Rural Integrity
City of Morgan Hill	San Martin Neighborhood Alliance
Central Coast Regional Water Quality Control Board	Santa Clara Valley Audubon Society
Local Area Formation Commission of Santa Clara County	San Jose State University Environmental Resource Center
Santa Clara Valley Water District	

SECTION 3.0 DRAFT EIR TEXT REVISIONS

This section contains revisions to the text of the Cordoba Center Draft EIR dated May 2018. These revisions include both (1) revisions made in response to comments on the Draft EIR and (2) County staff-initiated text changes to correct minor inconsistencies, to add minor updates to information or clarification related to the project, and to provide updated information where applicable. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Section and Page	Text Revisions
Section 1 – Page 1-6	<p>Mitigation Measure 4.1-2 in Table 1-2 is REVISED as follows to reflect text changes made in Chapter 4.1:</p> <p>Prior to issuance of any grading or building permits <u>a public hearing before the Planning commission</u>, the applicant shall submit to the County Planning Office an updated landscaping plan that conforms to the San Martin Integrated Design Plan and Guidelines and that demonstrates through use of evergreen plantings of sufficient height, depth, and location that all project structures as well as the youth summer camp will be screened from public view at the Key Viewpoint locations on Monterey Road and California Avenue, <u>as demonstrated through visual simulations</u>.</p>
Section 1 – Page 1-10	<p>Mitigation Measure 4.3-1a in Table 1-2 is REVISED as follows to reflect text changes made in Chapter 4.3 and in response to comment <u>CDFW-9 and DB-12C</u>:</p> <p>Mitigation Measure 4.3-1a: Nesting raptor <u>and other bird species</u> preconstruction survey and establishment of protective buffers.</p> <p>The applicant shall implement the following measures to reduce impacts on nesting raptors <u>and other bird species</u>:</p> <ul style="list-style-type: none">• To minimize the potential for loss of nesting raptors <u>and other bird species</u>, tree removal activities will only occur during the nonbreeding season (September 1-January 31). If all suitable nesting habitat is removed during the nonbreeding season, no further mitigation will be required.• <u>Within one week</u> Prior <u>prior</u> to removal of any trees or other vegetation, or ground disturbing activities between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors <u>and other bird species</u>, and shall identify active nests within 500 feet of the site. The surveys will be conducted before the beginning of any construction activities between February 1

Section and Page	Text Revisions
	<p>and August 31. A report of the completed survey shall be provided to the County Planning Office.</p>
	<ul style="list-style-type: none"> Impacts to nesting raptors <u>and other bird species</u> shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. Activity shall not commence within the buffer areas until a qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of a 500-foot buffer for raptors, but the size of the buffer may be adjusted if a qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest. Trees shall not be removed during the breeding season for nesting raptors <u>or other bird species</u> unless a survey by a qualified biologist verifies that there is not an active nest in the tree during the breeding season in which the tree removal would occur.
	<p>Significance after Mitigation Implementation of Mitigation Measure 4.3-1a would reduce significant impacts on nesting raptors <u>and other bird species</u> to a less-than-significant level because active raptor nests would be avoided and protected from construction activities.</p>
Section 1 – Page 1.11	<p>In response to comment DB-12C, the following REVISIONS have been made to the first bullet point of Mitigation Measure 4.3-1b:</p> <p>The applicant shall retain a qualified biologist to conduct focused surveys for burrowing owls in areas of suitable habitat within 500 feet of the project site. Surveys shall be conducted prior to the start of construction activities and in accordance with Appendix D of CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012). <u>A minimum of two surveys shall will be conducted, the first survey occurring within two weeks prior to the initiations of ground-disturbing activities and the second survey occurring within 48 hours prior to the start of such activities.</u> A report of the completed survey shall be provided to the County Planning Office.</p>

Section and Page	Text Revisions
Section 1 – Page 1-16	<p>The heading for Impact 4.4-4 is REVISED in Table 1-2 as follows:</p> <p>Impact 4.4-4: Result in deterioration of groundwater quality <u>for nitrogen concentrations exceeding</u> below drinking water standards due to operation of the cemetery.</p>
Section 1 – Page 1-16	<p>Mitigation Measure 4.4-4 has been REVISED in Table 1-2 as follows:</p> <p>Mitigation Measure 4.4-4: Cemetery phasing and groundwater monitoring.</p> <p>Prior to initiating any burial, the applicant shall submit a cemetery development phasing <u>and monitoring</u> plan for review and approval by the Santa Clara County DEH that includes an established annual limit on the number of burials and a groundwater monitoring plan that includes (at a minimum) the following measures:</p> <ul style="list-style-type: none"> • The burials shall be sequenced to begin in the northeastern corner of the cemetery and proceed down-hill (southerly) on the east side of the proposed driveway, maintaining maximum buffer distance between the graves and the westerly property line. • <u>The monitoring plan shall include the specific location, depth, and screened intervals for the wells, which shall be reviewed and approved by the County Planning Office prior to installation of monitoring wells and commencement of burials.</u> Monitoring wells shall be installed within the cemetery and along the downslope (southerly and westerly) property lines; at a minimum, monitoring shall include quarterly sampling and analysis for nitrate and TDS concentrations to observe water quality changes over time. A minimum of six monitoring wells shall be installed as follows: three within the cemetery area; two along the westerly property line; and one along the southerly property line. <p>Annual burial rate shall be limited to a baseline of 30 burials per year for the first 5 years of operation, subject to adjustment based on the results of groundwater monitoring.</p> <ul style="list-style-type: none"> • Groundwater monitoring data shall be submitted to the County Planning Office annually for ongoing review. If at any time the groundwater nitrate concentration at monitoring wells along the westerly property line exceed

Section and Page	Text Revisions
	<p>7.5 mg-N/L, the monitoring wells shall be re-sampled and burials shall cease until monitoring results show the groundwater nitrate concentrations have dropped below the 7.5 mg-N/L evaluation criterion, at which time the County may authorize continued burials. If monitoring results show exceedance of the 7.5 mg-N/L criterion more than twice in one year, the monitoring frequency shall be increased to monthly sampling and nitrate analysis and continued until the results show at least 4 consecutive months of compliance with the 7.5 mg-N/L criterion. Additionally, repeat exceedances of 7.5 mg-N/L in the groundwater during a given year shall be sufficient cause for the County to require reduction in the annual burial rate, based on recommendations by a qualified groundwater quality specialist and approval by the County, or consideration of other mitigation measures proposed by the Cordoba Center to achieve the same objective of <7.5 mg-N/L.</p> <ul style="list-style-type: none"> • After 5 years of cemetery operation, the groundwater quality data (nitrate and TDS), annual and total number of burials, and recorded rainfall conditions and other factors shall be compared to the expected groundwater quality changes according to the methodology presented in the analysis by Questa (2017a). This recorded data shall be used to confirm or modify the assumptions used in establishing the baseline rate of annual burial (30 per year). The review and analysis shall be conducted by a qualified professional with demonstrated groundwater expertise, and shall form the basis for either: (a) maintaining the baseline annual burial rate; or (b) adjusting the annual burial rate, either higher or lower than the adopted baseline amount. The full report, including any recommended adjustment to the rate of burials, shall be reviewed and approved by the County Planning Office.
Section 1.2.3 – Page 1-2	<p>The last sentence of the 6th paragraph is REVISED as follows, consistent with the change to the project description (see below):</p> <p>The maximum density of graves would be <u>562</u> 1,200 per acre.</p>
Section 3.2.2 – Page 3-4	<p>The figure label for Exhibit 3-3a is revised as follows:</p> <p>Land Use <u>East</u> West of the Project Site.</p> <p>As the change is only to the figure label, no new figure is provided in this FEIR.</p>

Section and Page	Text Revisions
Section 3.3.2 – Page 3-7	Exhibit 3-5, Proposed Cordoba Center Project Site Plan, has been replaced with an updated plan that reorganizes the legend to provide more space for the site plan. Please see page 24 of this FEIR.
Section 1.2.3 – Page 1-2	<p>The 9th paragraph is REVISED as follows:</p> <p>Youth Camp: approximately 0.4 acre on the ridgeline above the cemetery that would be used for a seasonal youth camp. Permanent structures would include two <u>290</u> 390-s.f. bathhouses and 14 wooden tent platforms (canvas tents would be erected on the platforms only when camp is in session).</p>
Section 3.3.3 – Page 3-9	<p>To be consistent with the updated cemetery plan submitted by the applicant in July of 2018 (Appendix C of the Final EIR) that provides new information on build-out capacity and grave density, the last two sentences of the last paragraph on page 3-9 is REVISED as follows:</p> <p>The maximum density of graves would be <u>562</u> 1,000 per acre, for a total capacity of <u>1,996</u> about 3,500 graves. The actual number of grave sites is anticipated to be somewhat less than 3,500 graves accounting for the area covered by the 12 foot wide cemetery and camp access road.</p>
Section 4.1.4 – Page 4.1-21	<p>Mitigation Measure 4.1-2 is REVISED as follows:</p> <p>Prior to issuance of any grading or building permits, the applicant shall submit to the County Planning Office an updated landscaping plan that conforms to the San Martin Integrated Design Plan and Guidelines and that demonstrates through use of evergreen plantings of sufficient height, depth, and location that all project structures as well as the youth summer camp will be screened from public view at the Key Viewpoint locations on Monterey Road and California Avenue, <u>as demonstrated through visual simulations.</u></p>
Section 4.3.4 – Page 4.3-12	<p>In response to comment CDFW-9 and DB-12C, the following REVISIONS have been made to Impact 4.3-1:</p> <p><u>Nesting Raptors and other Bird Species</u></p> <p>The project site contains suitable nesting habitat for raptors <u>and other bird species</u> within the large isolated trees in the center of the project site, within the oak woodland habitat along the northern boundary of the project site, and within the grassland habitat on the project site (for northern harrier specifically). Special-status raptors with potential to occur within the project site include northern</p>

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	<p>harrier (a CDFW species of special concern) and white-tailed kite (fully protected under California Fish and Game code). A large nest was observed within the blue gum tree on the project site that was associated with an unknown raptor (because of presence of pellets beneath the nest). Project implementation would include removal of the isolated trees on the project site and conversion of grassland habitat, which could disturb nesting raptors <u>and other bird species</u> if they are present, potentially resulting in nest abandonment, nest failure, or mortality of chicks or eggs. Additionally, operation of construction equipment and presence of construction crews could result in increased noise and visual disturbance to nesting raptors <u>and other bird species</u>. The potential loss of or disturbance to raptors <u>birds</u> and their nests would be a potentially significant impact.</p>
	<p>Mitigation Measure 4.3-1a: Nesting raptor <u>and other bird species</u> preconstruction survey and establishment of protective buffers.</p>
	<p>The applicant shall implement the following measures to reduce impacts on nesting raptors <u>and other bird species</u>:</p>
	<ul style="list-style-type: none"> • To minimize the potential for loss of nesting raptors <u>and other bird species</u>, tree removal activities will only occur during the nonbreeding season (September 1-January 31). If all suitable nesting habitat is removed during the nonbreeding season, no further mitigation will be required. • <u>One week</u> Prior <u>prior</u> to removal of any trees or other vegetation, or ground disturbing activities between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors <u>and other bird species</u>, and shall identify active nests within 500 feet of the site. The surveys will be conducted before the beginning of any construction activities between February 1 and August 31. A report of the completed survey shall be provided to the County Planning Office. • Impacts to nesting raptors <u>and other bird species</u> shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. Activity shall not commence within the buffer areas until a qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend
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	<p>implementation of a 500-foot buffer for raptors, but the size of the buffer may be adjusted if a qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest.</p> <ul style="list-style-type: none"> • Trees shall not be removed during the breeding season for nesting raptors <u>or other bird species</u> unless a survey by a qualified biologist verifies that there is not an active nest in the tree during the breeding season in which the tree removal would occur.
	<p>Significance after Mitigation</p> <p>Implementation of Mitigation Measure 4.3-1a would reduce significant impacts on nesting raptors <u>and other bird species</u> to a less-than-significant level because active raptor nests would be avoided and protected from construction activities.</p>
Section 4.3.4 – Page 4.3-13	<p>In response to comment DB-12C, the following REVISIONS have been made to the first bullet point of Mitigation Measure 4.3-1b:</p> <p>The applicant shall retain a qualified biologist to conduct focused surveys for burrowing owls in areas of suitable habitat within 500 feet of the project site. Surveys shall be conducted prior to the start of construction activities and in accordance with Appendix D of CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012). <u>A minimum of two surveys shall be conducted, the first survey occurring within two weeks prior to the initiations of ground-disturbing activities and the second survey occurring within 48 hours prior to the start of such activities.</u> A report of the completed survey shall be provided to the County Planning Office.</p>
Section 4.3.4 – Page 4.3-14	<p>In response to comment CDFW-6, the following ADDITIONS have been made to Impact 4.3-1:</p> <p><u>Least Bell’s Vireo</u> <u>Based on a reconnaissance-level survey conducted by Ascent biologists on May 24, 2017, no riparian habitat is present on the site, and therefore no suitable nesting habitat for the riparian-associated least Bell’s vireo is present. This finding (i.e., the absence of suitable riparian nesting habitat) was confirmed by an H. T. Harvey wildlife ecologist during reconnaissance-level surveys/habitat assessments conducted on January 17 and April 6,</u></p>

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	<p><u>2019, as well as observations during prior surveys along Llagas Creek. However, as referenced by the CDFW, the SCVHP maps potentially suitable nesting habitat for least Bell's vireo within the riparian habitat along Llagas Creek immediately adjacent to the northern edge of the site. H.T. Harvey & Associates conducted a habitat assessment and surveys for least Bell's vireo along this reach of Llagas Creek for the Santa Clara Valley Water District's Upper Llagas Creek Flood Protection Project in June 2011, and considered that previous work in evaluating the potential for least Bell's vireo to nest close enough to the Cordoba Center project site that they might be disturbed by project activities. H.T. Harvey also conducted focused surveys for least Bell's vireo along Llagas Creek adjacent to the project site in 2017.</u></p>
	<p><u>On June 28, 2011, H.T. Harvey conducted a least Bell's vireo habitat assessment along approximately 13.6 miles of Llagas Creek from Buena Vista Avenue south of San Martin upstream to a point just above Wright Avenue in northwestern Morgan Hill, including the reach adjacent to the project site. During the survey, habitat conditions were noted with respect to suitability for use by nesting least Bell's vireos, as well as the presence of associate riparian bird species. The reach of Llagas Creek adjacent to the project site supports vegetation having structure similar to that used by least Bell's vireo. Vegetation in much of this area is dominated by red willow (<i>Salix laevigata</i>), with some Fremont cottonwood (<i>Populus fremontii</i>), California sycamore (<i>Platanus racemosa</i>), and coast live oak (<i>Quercus agrifolia</i>) in the canopy and dense Himalayan blackberry (<i>Rubus discolor</i>), poison oak (<i>Rhus diversiloba</i>), and mulefat (<i>Baccharis salicifolia</i>) in the lower strata, providing the dense habitat conditions typical of least Bell's vireo nesting habitat.</u></p>
	<p><u>As noted above, no suitable nesting habitat for least Bell's vireo is present on the project site. Vegetation providing ostensibly suitable conditions for use by breeding least Bell's vireos is present adjacent to the project site. However, the narrow nature of the riparian corridor along this reach and encroachment by developed land uses reduce the likelihood that least Bell's vireos would attempt breeding in this area. Further, surveys conducted in 2017 did not detect least Bell's vireos adjacent to the project site, and there is no evidence in the historical record or in any pattern of recent occurrence of the species that the least Bell's vireo is likely to colonize the project area. Thus, least Bell's vireos are not expected to nest along the project site and nearby reaches of Llagas Creek. Therefore, the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on least Bell's vireo, and this impact would be less than significant.</u></p>

California Red-Legged Frog

A reconnaissance-level survey conducted by Ascent biologists on May 24, 2017, as well as reconnaissance-level surveys/habitat assessments conducted by H. T. Harvey on January 17 and April 6, 2019, determined that no breeding habitat, nor any aquatic habitat, for the California red-legged frog is present on the project site. The only known breeding record of California red-legged frog within potential dispersal distance of the species to the site (i.e., 2.0 miles) is located east of Highway 101 at the Institute Golf Course in Gilroy. California red-legged frogs are not expected to disperse from this location across areas of dense urban development in Gilroy, as well as U.S. Highway 101, to reach the project site. However, a number of seasonal and perennial ponds that provide potentially suitable breeding habitat for California red-legged frogs are present in the hills east of Santa Teresa Boulevard. In addition, suitable breeding, foraging, and dispersal habitat for California red-legged frogs is present along Llagas Creek.

H.T. Harvey herpetologists conducted protocol-level surveys for California red-legged frogs along the reach of Llagas Creek adjacent to the project site in 2015, for the Upper Llagas Creek Flood Protection Project. The survey area included West Little Llagas Creek from Llagas Creek Drive south to Llagas Creek (near the project site), Llagas Creek from Silveira Lake to just south of Buena Vista Avenue, and East Little Llagas Creek from north of San Martin Avenue to its confluence with Llagas Creek north of Masten Avenue. Eight surveys of each reach of Upper Llagas Creek and Silveira Lake were conducted in accordance with the protocol outlined in the USFWS 2005 *Revised Guidelines on Site Assessments and Field Surveys for the California Red-legged Frog*¹ to determine whether this species was present in these areas. No California red-legged frogs of any life history stage were observed during the surveys. Based on the results of the surveys, it was determined that California red-legged frogs were absent from these reaches of Llagas Creek, including the reach adjacent to the project site, in 2015.

H.T. Harvey herpetologists also conducted focused surveys for California red-legged frogs along the reach of Llagas Creek adjacent to the project site in 2017. The survey area included all reaches of Llagas Creek from Lake Silveira to just south of Buena

¹ U.S. Fish and Wildlife Service. 2005. Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog. Prepared by the Sacramento Office of the U.S. Fish and Wildlife Service. August.

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	<p><u>Vista Avenue. Four surveys were conducted in accordance with the recommendations outlined in the USFWS protocol¹⁰ to determine whether the species was present. The survey did not include eight surveys as prescribed by the protocol; however, all other components of the survey methodology were consistent with the protocol. No California red-legged frogs of any life history stage were observed during the surveys. It was concluded that the four surveys conducted were adequate to determine whether a California red-legged frog breeding population was present within the survey area in 2017, and that the species was likely absent from the reach adjacent to the project site in 2017.</u></p> <p><u>The reach of Llagas Creek along the northern edge of the project site is ostensibly suitable for California red-legged frog breeding in terms of aquatic habitat conditions (i.e., relatively deep [over 3 feet] water with emergent vegetation, present throughout most of the year). However, H.T. Harvey survey efforts, as well as other available evidence regarding the occurrence of the species in the region^{3,2}, suggests that California red-legged frogs do not breed along Llagas Creek in the site vicinity. In addition, the presence of both non-native predatory fish and bullfrogs within Lake Silveira¹¹, as well as bullfrogs observed by H.T. Harvey biologists in the vicinity of this reach, would most likely preclude any successful breeding, or establishment of a population, by California red-legged frogs^{3,4,5}.</u></p> <p><u>Further, there is no expectation that red-legged frogs that might be breeding west of Santa Teresa Boulevard would disperse overland, through rural residential land cover types, to the project site. For the reasons stated above, California red-legged frog are not expected to occur on the project site or to be adversely affected by the project. This impact would be less than significant.</u></p> <p><u>California Tiger Salamander</u></p> <p><u>A reconnaissance-level survey conducted by Ascent biologists on May 24, 2017, as well as reconnaissance-level surveys/habitat</u></p>

² Moore, M. 2012. Upper Llagas Creek Project: Lake Silveira Special Study-Focused Surveys for the Detection of California Red-legged Frog and California Tiger Salamander. Final Report (2012).

³ Kiesecker, J. M. and A. R. Blaustein. 1998. Effects of introduced bullfrogs and smallmouth bass on microhabitat use, growth, and survival of native red-legged frogs (*Rana aurora*). Conservation Biology 12:776-787.

⁴ Lawler, S. P., D. Dritz, T. Strange, and M. Holyoak. 1999. Effects of introduced mosquitofish and bullfrogs on the threatened California red-legged frog. Conservation Biology 13:613-622.

⁵ Cook, D. G. and M. R. Jennings. 2007. Microhabitat use of the California red-legged frog and introduced bullfrog in a seasonal marsh. Herpetologica 63:430-440.

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	<p><u>assessments conducted by H. T. Harvey on January 17 and April 6, 2019, determined that no wetland/aquatic breeding habitat for the California tiger salamander is present on the project site. A known breeding record of California tiger salamanders is present in two seasonal stock ponds located approximately 0.9 mile and 1.3 miles southwest of the project site³. In addition, three perennial ponds were identified by H.T. Harvey approximately 0.9 mile, 1.0 mile, and 1.1 miles southwest of the project site along West San Martin Avenue. These three ponds may also provide suitable breeding habitat for California tiger salamanders (albeit of lower quality, as bullfrogs [<i>Lithobates catesbeianus</i>] and other predators of tiger salamanders are likely to be present in perennial ponds). One additional pond that appears perennial in most years is present approximately 0.7 mile southwest of the site, immediately west of Santa Teresa Boulevard.</u></p>
	<p><u>Ponds located within 1.3 miles of the project site are within potential dispersal distance for California tiger salamanders.</u></p>
	<p><u>H.T. Harvey herpetologists assessed the potential for occurrence of California tiger salamanders in the San Martin area in 2012. The assessment focused closely on barriers to dispersal, so that potentially suitable habitat separated from known occurrences or potential breeding habitat by impassable barriers was excluded from the species' mapped distribution. Natural lands, such as woodlands and grasslands, as well as some agricultural habitats (aside from extensive areas of intensively and frequently cultivated lands, which typically lack refugia for dispersing tiger salamanders) were assumed to provide potentially suitable dispersal habitat in the absence of any barriers to dispersal. Thus, only those areas west of San Martin that provide even moderate amounts of grassland, pasture, or crops such as hay and alfalfa that do not involve regular disking and where burrowing mammals are relatively numerous, providing refugia for tiger salamanders, were considered potential habitat. Areas that, based on expert experience and review of aerial photos over multiple years, are intensively cultivated year after year were excluded.</u></p>
	<p><u>On the west side of San Martin, Santa Teresa Boulevard provides a clear “break” between such land uses. California tiger salamanders are not expected to disperse very far eastward of Santa Teresa Boulevard onto the valley floor, and the species is not expected to occur on the Cordoba Center project site due to the presence of rural development and high-intensity agricultural uses in between the project site and suitable habitat for the species located west of Santa Teresa Boulevard. Thus, California tiger salamanders are not</u></p>

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	<p><u>expected to occur on the project site. Therefore, the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on California tiger salamander, and this impact would be a less than significant.</u></p>
<p>Section 4.4.3 – Page 4.4-11</p>	<p>In response to comment SCVWD-22, the 4th paragraph is REVISED as follows:</p> <p>Well Ordinance Program</p> <p>The SCVWD Well Ordinance Program is responsible for issuing well permits and inspecting all well construction activities and well maintenance in Santa Clara County to help keep wells from endangering the public or threatening local groundwater resources. Under the Well Ordinance Program, SCVWD enforces violations against the District Well Ordinance and state well standards. These requirements help to ensure that groundwater <u>is protected from the impacts of improperly constructed or abandoned wells</u> usage does not result in adverse hydrologic and water quality effects.</p>
<p>Section 4.4.4 – Page 4.4-14</p>	<p>The title of the 4th paragraph is REVISED as follows:</p> <p>Adequacy of soils to support <u>an on-site wastewater treatment system</u> a cemetery use</p>
<p>Section 4.4.4 – Page 4.4-15</p>	<p>In response to comment SCVWD-5, the last paragraph is REVISED as follows:</p> <p>Cause any exceedance of groundwater nitrate-nitrogen concentration in the local groundwater basin above 5 mg-N/L, which is the Contra Costa <u>Central Coast</u> RWQCB target for groundwater quality in the Llagas subbasin (cumulative impact analysis).</p>
<p>Section 4.4.4 – Page 4.4-16</p>	<p>In response to comment 3-LAFCO-2, under “Issues or Potential Impacts Not Discussed Further”, the text of the 3rd paragraph is REVISED as follows:</p> <p>Water for fire protection and potable purposes would be procured from the West San Martin Water Works, which supplies all of its water from three groundwater wells located in the Llagas Subbasin. As described further on pages 2-3 in Appendix A of the Final EIR, the project’s annual water demand for domestic use is estimated at <u>3.4</u> 5 to 8 acre-feet, which would constitute a relatively small increase in demand (<u>0.08</u> between 0.01 and 0.02 percent of total groundwater pumping in the subbasin). Therefore, impacts on groundwater supply will not be evaluated further in this Draft EIR.</p>

Section and Page	Text Revisions
Section 4.4.4 – Page 4.4-16	<p>In response to comment SCVWD-2, under “Issues or Potential Impacts Not Discussed Further”, the text of the 5th paragraph is REVISED as follows:</p> <p>Drainage Patterns</p> <p>The IS (Appendix A) also concludes that the proposed project would not alter the drainage pattern of the site in a manner that would result in erosion or siltation that could cause flooding or exceed drainage system capacity. Construction of the proposed project could alter surface flows by regrading contours within the project area and by increasing the amount of impervious surface area in the project area. However, consistent with the stormwater management requirements for projects in South Santa Clara County, the applicant would limit disturbance of natural drainage features and limit grading and clearing of native vegetation. Project design features also include a biofiltration swale and connected retention pond <u>that has been designed to detain stormwater and release runoff at a rate equal to the predevelopment flowrates for the 10- and 100-year design storms, which is consistent with the requirements of the County Drainage Manual</u> that have been designed to maintain off-site drainage discharges at pre-development rates for up to a 10-year storm event. Terracing associated with the cemetery design would also likely slow stormwater runoff, which would reduce erosion potential. The impact will not be evaluated further in the Draft EIR.</p>
Section 4.4.4 – Page 4.4-17	<p>In response to comment SCVWD-3, the 1st paragraph on page 4.4-17 is REVISED as follows:</p> <p>Stormwater Drainage</p> <p>The project has been designed to limit disturbance of natural drainage features, limit grading and clearing of native vegetation, direct stormwater runoff away from building foundations and towards vegetated areas, and use permeable surfaces on walkways and patios consistent with the stormwater management requirements for projects in South Santa Clara County. As described above, a biofiltration swale and connected retention pond <u>has been designed to detain stormwater and release runoff at a rate equal to the predevelopment flowrates for the 10- and 100-year design storms, which is consistent with the requirements of the County Drainage Manual</u> would maintain off-site drainage discharges at pre-development rates for up to a 10-year storm event. Therefore, any runoff water created by the project would be</p>

Section and Page	Text Revisions
	within the capacity of existing stormwater drainage systems. This impact will not be evaluated further in the Draft EIR.
Section 4.4.4 – Page 4.4-17	<p data-bbox="557 296 1421 363">The title of the 4th paragraph on page 4.4-17 is REVISED as follows:</p> <p data-bbox="557 411 1421 485"><u>Adequacy of soils to support an on-site wastewater treatment system</u> Adequacy of soils to support a cemetery use</p>
Section 4.4.4 – Page 4.4-23	<p data-bbox="557 527 1421 552">The heading for Impact 4.4-4 is REVISED as follows:</p> <p data-bbox="557 600 1421 716">Impact 4.4-4: Result in deterioration of groundwater quality <u>nitrogen concentrations exceeding</u> below drinking water standards due to operation of the cemetery.</p>
Section 4.4.4 – Page 4.4-27	<p data-bbox="557 758 1421 783">Mitigation Measure 4.4-4 is REVISED as follows:</p> <p data-bbox="557 835 1421 909">Mitigation Measure 4.4-4: Cemetery phasing and groundwater monitoring.</p> <p data-bbox="557 951 1421 1140">Prior to initiating any burial, the applicant shall submit a cemetery development phasing <u>and monitoring</u> plan for review and approval by the Santa Clara County DEH that includes an established annual limit on the number of burials and a groundwater monitoring plan that includes (at a minimum) the following measures:</p> <ul data-bbox="557 1182 1421 1906" style="list-style-type: none"> <li data-bbox="557 1182 1421 1371">• The burials shall by sequenced to begin in the northeastern corner of the cemetery and proceed down-hill (southerly) on the east side of the proposed driveway, maintaining maximum buffer distance between the graves and the westerly property line. <li data-bbox="557 1413 1421 1906">• <u>The monitoring plan shall include the specific location, depth, and screened intervals for the wells, which shall be reviewed and approved by the County Planning Office prior to installation of monitoring wells and commencement of burials.</u> Monitoring wells shall be installed within the cemetery and along the downslope (southerly and westerly) property lines; at a minimum, monitoring shall include quarterly sampling and analysis for nitrate and TDS concentrations to observe water quality changes over time. A minimum of six monitoring wells shall be installed as follows: three within the cemetery area; two along the westerly property line; and one along the southerly property line.

Section and Page	Text Revisions
	<p>Annual burial rate shall be limited to a baseline of 30 burials per year for the first 5 years of operation, subject to adjustment based on the results of groundwater monitoring.</p> <ul style="list-style-type: none"> Groundwater monitoring data shall be submitted to the County Planning Office annually for ongoing review. If at any time the groundwater nitrate concentration at monitoring wells along the westerly property line exceed 7.5 mg-N/L, the monitoring wells shall be re-sampled and burials shall cease until monitoring results show the groundwater nitrate concentrations have dropped below the 7.5 mg-N/L evaluation criterion, at which time the County may authorize continued burials. If monitoring results show exceedance of the 7.5 mg-N/L criterion more than twice in one year, the monitoring frequency shall be increased to monthly sampling and nitrate analysis and continued until the results show at least 4 consecutive months of compliance with the 7.5 mg-N/L criterion. Additionally, repeat exceedances of 7.5 mg-N/L in the groundwater during a given year shall be sufficient cause for the County to require reduction in the annual burial rate, based on recommendations by a qualified groundwater quality specialist and approval by the County, or consideration of other mitigation measures proposed by the Cordoba Center to achieve the same objective of <7.5 mg-N/L. After 5 years of cemetery operation, the groundwater quality data (nitrate and TDS), annual and total number of burials, and recorded rainfall conditions and other factors shall be compared to the expected groundwater quality changes according to the methodology presented in the analysis by Questa (2017a). This recorded data shall be used to confirm or modify the assumptions used in establishing the baseline rate of annual burial (30 per year). The review and analysis shall be conducted by a qualified professional with demonstrated groundwater expertise, and shall form the basis for either: (a) maintaining the baseline annual burial rate; or (b) adjusting the annual burial rate, either higher or lower than the adopted baseline amount. The full report, including any recommended adjustment to the rate of burials, shall be reviewed and approved by the County Planning Office.

Section 4.5.4 – Page 4.5-19 The heading for Impact 4.4-6 is **REVISED** as follows:

Impact 4.54-6: Contribution to cumulative long-term operational noise levels.

Section and Page	Text Revisions
Section 4.6.4 – Page 4.6-8	<p>The bullets under Impact 4.6-3 (p. 4.6-8) is REVISED as follows:</p> <ul style="list-style-type: none"> • The existing median is inadequate to support northbound vehicles to turn left at the proposed driveway location. In addition, left turns out of the project driveway cannot be made safely due to the curvature of the road and its significant width. • Right turns into the project driveway by southbound traffic can be accommodated; however, deceleration in the right-hand travel lane could impede following vehicles traveling at the speed limit. • Right turns from the project site could be accommodated. However, vehicles turning right from the proposed driveway would enter the travel lane at a lower speed than southbound vehicles moving at posted or higher speeds. This situation could potentially be exacerbated if drivers are unable to assess when it is safe to exit the site as a result of inadequate sight distance of oncoming traffic or because of obstructions to visibility, due to required landscaping. • Northbound vehicles, when turning right onto Monterey Road, could potentially make a U-turn at California Avenue to travel north if a U-turn pocket is created out of the existing median. While there is adequate room to accommodate a U-turn pocket at California Avenue for north bound traffic, the length of this lane has not been evaluated.
Section 4.6.4 – Page 4.6-10	<p>The first paragraph is DELETED as follows:</p> <p>As noted above, right turns from the project site would be allowed, and northbound vehicles could potentially make a U-turn at California Avenue to travel north if a U-turn pocket is created out of the existing median. The linear extent of the existing median between the proposed project driveway and California Avenue is more than 600 feet; however, a queuing analysis would be required to determine the length of the left turn pocket needed to accommodate the number of northbound vehicles exiting the project site during peak traffic flows.</p>
Section 4.6.4 – Page 4.6-10	<p>Mitigation Measure 4.6-3 is REVISED as follows:</p> <p>Mitigation Measure 4.6-3: Traffic safety improvements to site plans Prior to building and grading permit approval, the following amendments shall be made to the final designs of the project and approved by the County Department of Roads and Airports:</p> <ul style="list-style-type: none"> ➤ The project applicant shall demonstrate that landscaping, as detailed on landscape plans for Planning approval, does not encroach into the sight distance triangle (a triangle formed between the location where the driver makes the decision to exit the driveway [decision point], the location of the

Section and Page	Text Revisions
	approaching vehicle on Monterey Road, and the location where the two vehicles would intersect).
	<ul style="list-style-type: none"> ➤ The project applicant shall construct a deceleration lane on the southbound side of Monterey Road leading to the project driveway. ➤ The project applicant shall construct, an acceleration lane on the southbound side Monterey Road leading from project driveway. ➤ <u>The project driveway/entrance shall be designed to allow only right-in, right-out operation from and to Monterey Road. The applicant shall submit the project driveway/entrance design to the County Department of Roads and Airports for review and approval prior to issuance of any grading or building permits. The project applicant shall submit a queuing analysis to determine the length of the left turn pocket at California Avenue needed to accommodate the number of northbound vehicles exiting the project site during peak hours. The applicant shall construct this improvement.</u> ➤ A stop sign shall be required where the driveway intersects with Monterey Road.

Significance after Mitigation

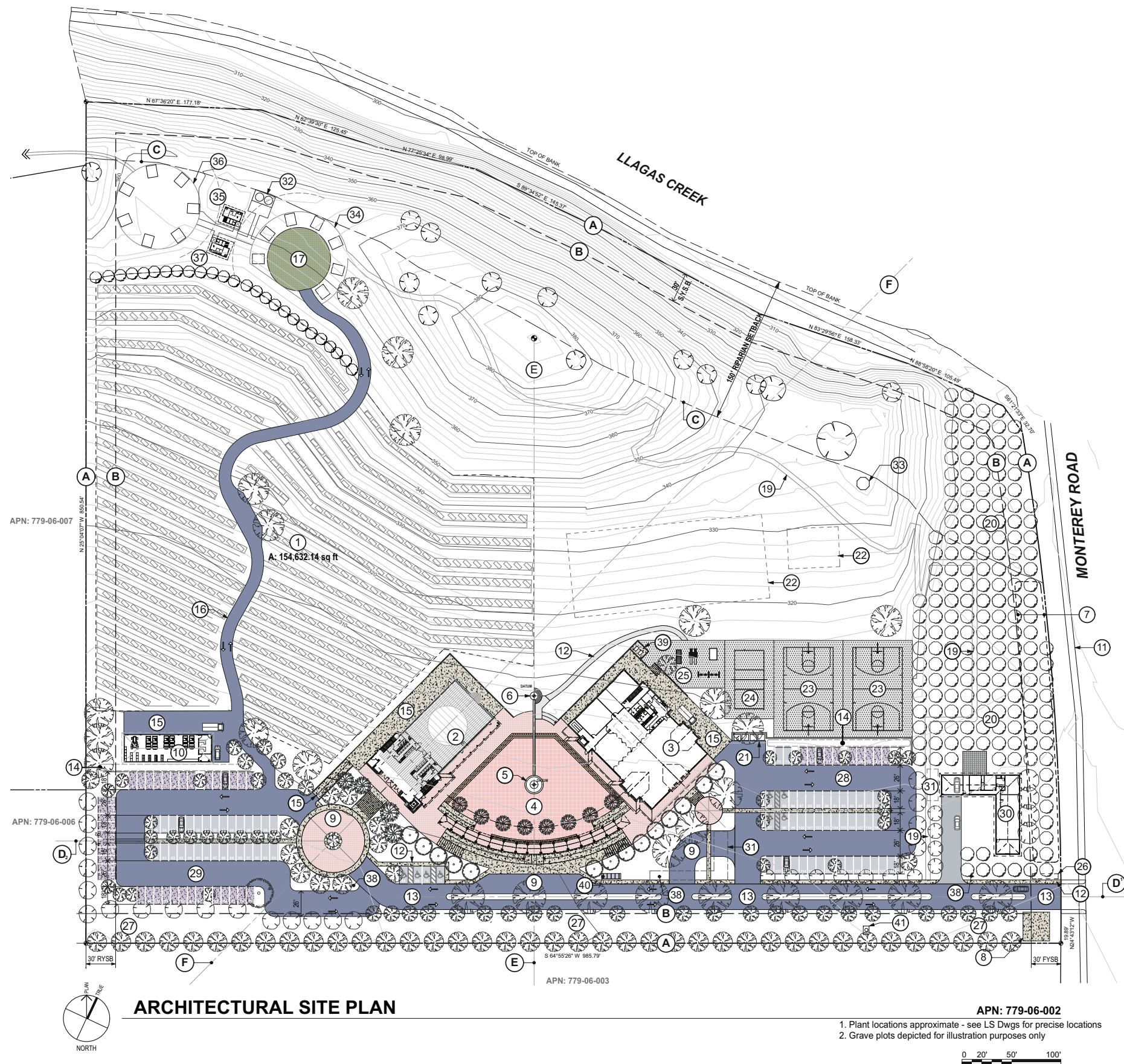
Implementation of Mitigation Measure 4.6-3 would avoid risks of traffic hazards that are conceivable based on current concept plans. At the project driveway, installing landscaping with an appropriate setback would avoid interfering with the existing sight triangle, so driver response time would be adequate and potential hazards to motorists would be avoided. Adding a deceleration lane for southbound traffic turning into the site would also avoid a potential traffic hazard caused by vehicles slowing abruptly to enter the project. This deceleration lane would allow vehicles to transition from the southbound through traffic travel lanes to a turning lane and slow safely in preparation for a right turn into the project driveway. This reduces the chance of southbound through-moving vehicles needing to slow and queue behind turning vehicles. Similarly, an acceleration lane would allow exiting traffic to merge safely with the oncoming southbound traffic. Adding an adequate left turn pocket at California Avenue would allow U-turns, which allows right in, right out only operation at the project driveway. Limiting the turning movements from and to the project driveway to right-in and right-out turns from and to Monterey Road would avoid traffic hazards associated with left-hand turns from and to the site. Facility users would be able to make U-turns south of the facility at E. San Martin Avenue. The stop sign at the project driveway would slow traffic leaving the site and would reduce potential traffic hazards. With the implementation of Mitigation

Section and Page	Text Revisions
	Measure 4.6-3, the project’s impact to traffic safety and emergency vehicle access would be less than significant.
Section 4.7.4 – Page 4.7-12	<p>The 3rd sentence under “Operational Greenhouse Gas Emissions” is REVISED as follows:</p> <p>Operational mobile-source GHG emissions were modeled based on the estimated daily VMT, <u>which is comprised of the trip distance and number of trips generated by attendees, employees and residents, to and from the project site</u> to the mosque by visitors (Fehr and Peers 2017).</p>
Section 6.2.2 – Page 6-2	<p>The 5th sentence of the last paragraph is REVISED as follows:</p> <p>Substantial tree planting would, once trees are mature (at least after <u>approximately 10 years</u>), generally screen views of the new structures from roadways.</p>
Section 6.3.1 – Page 6-5	<p>Section 6.3.1 is REVISED as follows:</p> <p>The possibility of an off-site location was considered as an alternative to the project; however, the applicant does not currently hold vacant property that could be feasibly developed with a project that would meet the primary project objectives. <u>In addition, siting the proposed project to different location in the San Martin Area would not have eliminated or reduced the significant and unavoidable impact of greenhouse gas emissions because this impact is not related to location. Other sites in the San Martin area would also likely have similar impacts—</u>aesthetics and visual resources, biological and cultural resources, hydrology and water quality, noise, and transportation<u>—that would need to be mitigated.</u> This alternative is infeasible and is dismissed from further consideration in this Draft EIR.</p>
Section 6.3.3 – Page 6-5	<p>Section 6.3.3 has been added to address why an alternative in which the proposed cemetery was not included is added as follows:</p> <p><u>6.3.3 No-Cemetery Alternative</u></p> <p><u>An alternative eliminating the proposed cemetery was considered. However, Impact 4.4-4 concluded that the one impact of the cemetery—deterioration of groundwater quality—could be mitigated to a less-than-significant level through cemetery phasing and through groundwater monitoring. In addition, this alternative would not meet two of the six basic objectives (Nos. 1 and 3) of the proposed project. The proposed cemetery is a major component of first objective because it would contribute revenue toward making the facility financially self-sustaining. The cemetery is also a component of the third project objective and is considered by the</u></p>

Section and Page	Text Revisions
	<p><u>project proponent as critical to their religious practice. This alternative is infeasible and is dismissed from further consideration in this Draft EIR.</u></p>
<p>Section 6.4.1 – Page 6-6</p>	<p>The 3rd paragraph is REVISED as follows:</p> <p>In this case, there are no other applications submitted that would result in development of the project site; therefore, the No Project Alternative assumes that no development would occur on the project site and that it would remain in an undeveloped state into the foreseeable future. (It should be noted, although not assumed in this alternative, that the project site is zoned Rural Residential and thus a single-family house could be developed on the project site in the future. <u>Other uses allowed in the Rural Residential zoning district include by-right agricultural uses; limited community care; agriculture-related uses that are not permitted by right but may be permitted through the applicable discretionary review process if deemed compatible with residential uses; and commercial, industrial and institutional uses that may be permitted through the applicable discretionary review process only where they are sized to be local-serving in nature. (County Zoning Ordinance, § 2.30.020). The property is also within the San Martin Industrial Use Permit area, therefore light industrial uses may also be established, provided they are consistent with the General Plan policies and development standards for the area.</u></p>
<p>Initial Study – Page A-44</p>	<p>In response to comment SCVWD-2, the 2nd paragraph under Question b is REVISED as follows:</p> <p><u>West San Martin Water Works, which would supply water for domestic uses of the proposed project, has estimated demand or the Cordoba project at 12,000 cu. ft./month. This usage translates to approximately 400 cu. ft./day (12,000 cu. ft ÷ 30 days = 400 cu. ft./day) or 2,992 gallons per day (gpd) (400 ft.³ X 7.4805 = 2,992 gal.) This estimate is based on a daily maximum usage by of 300 people on-site for 8 hours/day. This is a conservative estimate for the highest potential water use because the 300 parishioners would be on-site for significantly less time than 8 hours/day, and this number of people is only anticipated one day/week, with other days having fewer visitors. Water usage during special events may be higher than 400 cu. ft./day because these could be attended by up to 500 people. However, because these events would only occur four times per year, they would represent just 1 percent of the days of the year. Therefore, special events would not significantly change the estimated average of 2,992 gpd, or 3.4 acre-foot/year. Based on projected wastewater flows, the project's estimated water demand</u></p>

Section and Page	Text Revisions
	<p>for domestic uses would range from 4,200 to 6,020 gallons per day (5 to 8 acre feet per year). Water for fire protection and potable purposes would be procured from the West San Martin Water Works. West San Martin Water Works serves the area of San Martín west of Monterey Road, which is divided into three geographic pressure zones. The project site is located in Pressure Zone 1 (the valley floor). According to West San Martin Water Works, the estimated water demand for Cordoba is higher than the average customer demand in Zone 1, but would only be equal to 1.3% of the existing average water demand in the zone (12,000 ft.³ ÷ 938,148 ft.³ = 0.01279). Therefore, the projected daily use of 400 cu. ft. (2,992 gal.) would not generate a substantial draw on the wells or storage capacity of the tank serving Zone 1. Based on this analysis, the West San Martin Water Works has determined that it has adequate production and storage capacity to serve the Cordoba project, supplies all of its water from three groundwater wells located in the Llagas Subbasin.</p> <p>According to the Santa Clara Valley Water District, the Llagas Subbasin from which this water is pumped is not in overdraft (SCVWD 2015). Groundwater pumping in the Llagas Subbasin has averaged 44,000-acre feet during the period of 2003–2012 (SCVWD 2016b). Annual water use by the proposed project would constitute between 0.081 percent and 0.02 percent of total groundwater pumping in the subbasin. Given the project’s small overall domestic water demand in relation to groundwater supply and compliance with the County’s Sustainable Landscape Ordinance, it would not substantially deplete water supply.</p>
Initial Study – Page A-45	<p>In response to comment SCVWD-3, the paragraph under Question c is REVISED as follows:</p> <p><i>Less-than-Significant Impact.</i> The proposed project would not alter the course of a stream or river. Construction of the proposed project could alter surface flows by regrading contours within the project area and by increasing the amount of impervious surface area in the project area. However, consistent with the stormwater management requirements for projects in South Santa Clara County, the applicant would limit disturbance of natural drainage features and limit grading and clearing of native vegetation. Project design features also include a biofiltration swale and <u>above- and below-ground retention areas to store stormwater</u> connected retention pond. <u>The proposed drainage system for the project has been designed to detain stormwater and release runoff at a rate equal to the predevelopment flowrates for the 10- and 100-year design storms, which is consistent with the requirements of the</u></p>

Section and Page	Text Revisions
	<p>County Drainage Manuals that have been designed to maintain off-site drainage discharges at pre-development rates for up to a 10-year storm event. Terracing associated with the cemetery design would also likely slow stormwater runoff, which would reduce erosion potential. Therefore, the project would not result in substantial on- or offsite erosion or siltation. The impact is less than significant and will not be evaluated further in the Draft EIR.</p>
Initial Study – Page A-63	<p>The 2nd paragraph is REVISED as follows:</p> <p><u>The County of Santa Clara</u>County sent letters to the tribes who <u>were identified by the Native American Heritage Commission based on a February 2017 request by the County for a CEQA Tribal Consultation List (AB 52).</u>requested notification of projects within their traditionally and culturally affiliated area. Letters were mailed to the following representatives on March 7, 2017:</p> <ul style="list-style-type: none"> • Valetin Lopez, Amah Mutsun Tribal Band • Irenne Zwierlein, Amah Mutsun Tribal Band of Mission San Juan Bautista • Katherine Erolinda Perez, North Valley Yokuts Tribe • Rosemary Cambra, Muwekma Ohlone Indian Tribe of the SF Bay Area • Andrew Galvan, The Ohlone Indian Tribe • Ann Marie Sayers, Indian Canyon Mutsun Band Costanoan



LEGEND

- 1 Cemetery
- 2 Mosque of The Cordoba Center
- 3 Community Building
- 4 Community Plaza
- 5 Fountain of the Community
- 6 Fountain of Memory
- 7 Landscape Berm
- 8 Utility/ service entry
- 9 Drop Off Area
- 10 Maintenance Building
- 11 Proposed Public Sidewalk
- 12 Site Accessible Path
- 13 Public Vehicular Access
- 14 Biofiltration Swale
- 15 Service Driveway
- 16 Cemetery Driveway/ Fireroad
- 17 Hearse/ Firetruck Turnaround
- 18 Path to Atherton Pond (existing)
- 19 Hiking Trail
- 20 Orchard
- 21 Solid Waste Service Area
- 22 Wastewater Treatment Area
- 23 Basketball Court
- 24 Volleyball Court
- 25 Playground
- 26 Stormwater Ret. Chamber
- 27 Biofiltration & Retention Swale
- 28 Parking Lot 'A'
- 29 Parking Lot 'B'
- 30 Caretaker Residence
- 31 Wastewater Processing System
- 32 Water Storage Tanks
- 33 Ramada
- 34 Girl's Tent Camp
- 35 Girl's Bathhouse
- 36 Boy's Tent Camp
- 37 Boy's Bathhouse
- 38 Fire Hydrant
- 39 HVAC Vault
- 40 Bicycle Racks
- 41 (E) abandoned/ (N) irrig well

REGULATING LINES

- A Property line
- B Setback line
- C Riparian Setback line
- D Line of the Ordinary
- E Line of Nature
- F Line of the Qiblah

MATERIALS KEY

- CONCRETE
- AGGREGATE BASE (AB) SURFACING
- ASPHALTIC CONCRETE
- OPEN-GRADED (PERMEABLE) ASPHALTIC CONC
- TURF BLOCK
- STAMPED CONCRETE
- PERMEABLE PAVERS
- ALL-WEATHER ATHLETIC SURFACING

PARKING TABULATION

Type	No. of Spaces
Standard Parking:	117
Accessible spaces:	8
TOTAL:	125

SECTION 4.0 RESPONSES TO DRAFT EIR COMMENTS

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received by the County on the Draft EIR, as well as oral comments from the public meeting (based on the meeting transcript). Comments are organized under headings containing the source of the letter. Each letter received during the comment period is reproduced here in its entirety, with corresponding responses following each letter.

Table 4.1: Public Agencies Commenting on the Draft EIR

Commenter Code	Name of Agency Submitting Comments	Comment Format	Comment Date
1-CDFW	California Department of Fish and Wildlife	Letter	7.27.18
2-SCPR	County of Santa Clara Parks and Recreation	Letter	7.26.18
3-LAFCO	Local Agency Formation Commission of Santa Clara County	Email	7.13.18
4-LAFCO	Local Agency Formation Commission of Santa Clara County	Letter	7.30.18
5-SCVWD	Santa Clara Valley Water District	Letter	7.27.18

Table 4.2: Organizations Commenting on the Draft EIR

Commenter Code	Name of Organization Submitting Comments	Comment Format	Comment Date
1-CGF	Committee for Green Foothills	Letter	7.30.18
2-DB	Downey Brand	Letter	7.30.18
DB-A	Downey Brand Attachment A – Ramboll	Letter	7.30.18
DB-B	Downey Brand Attachment B – Pinnacle Traffic Engineering	Letter	7.30.18
DB-C	Downey Brand Attachment C – Cypress Environmental and Land Use Planning	Letter	7.30.18
3-PPRI	People Preserving Rural Integrity		
4-SCVAS	Santa Clara Valley Audubon Society	Letter	7.30.18
5-SMNA	San Martin Neighborhood Alliance	Letter	7.30.18
6-SCDC	South County Democratic Club	Letter	7.21.18

Table 4.3: Individuals Commenting on the Draft EIR

Commenter Code	Name of Person Submitting Comments	Comment Format	Comment Date
1-Abels	Gemma Abels	Email	7.8.18
2-Afzal	Honna Afzal	Email	7.29.18
3-Afzal	Naeem Afzal	Email	7.29.18
4-Afzal	Noshaba Afzal	Comment Card	7.30.18
5-Afzal	Sana Afzal	Email	7.29.18
6-Akhter	Nadi Akhter	Email	7.30.18
7-Alavi	Nuzhut Alavi	Email	7.30.18
8-Alavi	Nuzhut Alavi	Email	7.30.18
9-Alavi	Nuzi Alavi	Email	7.30.18

Table 4.3: Individuals Commenting on the Draft EIR			
Commenter Code	Name of Person Submitting Comments	Comment Format	Comment Date
10-Aliberti	Carla Aliberti	Email	7.30.18
11-And	Peter Anderson	Email	7.28.18
12-Anon	Anonymous	Email	7.22.18
13-Arm	Rebeca Armendariz	Email	7.21.18
14-Baameur	Aziz Baameur	Comment Card	7.30.18
15-Baameur	Aziz Baameur	Comment Card	7.30.18
16-Baameur	Kathy Baameur	Email	7.29.18
17-Basso	Melisse Basso	Email	7.2.18
18-Berta	Jeff Berta	Email	7.30.18
19-Blod	Claudia Blodgett	Comment Card	7.30.18
20-Camb	Linda Cambareri	Email	7.29.18
21-Camb	Linda Cambareri	Email	7.29.18
22-Carp	Nichola Carpendale	Email	7.23.18
23-Chan	Laura Changaran-Quemada	Email	7.30.18
24-Chivo	K. Chivo	Email	7.30.18
25-Clark	Gabriel Clark	Email	7.20.18
26-Coop	Phillip Coop	Email	8.24.18
27-Davis	Von Davis	Comment Card	7.30.18
28-Decker	Mari Decker	Email	7.10.18
29-Diegnan	Michael Diegnan	Email	5.30.18
30-Diegnan	Michael Diegnan	Email	7.18.18
31-Diven	Diven	Letter	No date
32-Eby	David Eby	Email	7.29.18
33-Edes	Tim Edes	Email	7.30.18
34-Edwards	Swanee Edwards	Email	7.11.18
35-Fletcher	Susan Fletcher	Email	7.30.18
36-Garcia	Julia Garcia	Email	7.20.18
37-Groen	Martin Groen	Email	7.30.18
38-H	John H	Email	7.30.18
39-Habing	Jim Habing	Letter	No date
40-Hamed	Salah Hamed	Email	7.29.18
41-Hern	Rose Hernandez	Email	6.18.18
42-Hineser	Trina Hineser	Email	7.20.18
43-Hinn	Richard Hinnenkamp	Email	7.30.18
44-Hoskin	Sandra Hoskin	Email	7.30.18
45-Howell	James Howell	Comment Card	7.30.18
46-Hussain	Malka Hussain	Email	7.30.18
47-Hussain	Mohammed Hussain	Email	7.30.18
48-Ikram	Hazakat Ikram	Email	7.30.18
49-Irvin	Katja Irvin	Email	7.30.18
50-Israel	Debbie Israel	Email	7.30.18
51-Jal	Wajid Jalaldin	Comment Card	7.30.18
52-Jamil	Rafia Jamil	Comment Card	7.30.18
53-Jarson	MariaElena Jarson	Email	8.1.18
54-King	Julia King	Email	7.19.18
55-Khair	Abizer Khairullah	Comment Card	7.30.18
56-Khalil	Aisha Khalil	Email	7.29.18

Table 4.3: Individuals Commenting on the Draft EIR

Commenter Code	Name of Person Submitting Comments	Comment Format	Comment Date
57-Lanes	Rick Lanes	Email	7.28.18
58-LeFaver	Scott LeFaver	Letter	7.13.18
59-Lemkin	Phillip and Linda Lemkin	Email	7.23.18
60-Lillie	Allen Lillie	Email	7.30.18
61-Lillig	Carol Lillig	Email	7.30.18
62-Lim	Sandra Lim	Email	7.17.18
63-Lude	Connie Ludewig	Email	7.23.18
64-Lude	Connie Ludewig	Email	7.30.18
65-Lude	Steve Ludewig	Email	7.30.18
66-Mach	Machado	Email	7.20.18
67-Macl	Vanessa MacLaren-Wray	Email	7.12.18
68-Mahm	Khalid Mahmood	Comment Card	7.30.18
69-Mant	Sousan Manteghi-Safakish	Email	7.30.18
70-Mant	Sousan Manteghi-Safakish	Email	7.30.18
71-Mattu	Muhammad Mattu	Email	7.30.18
72-Mattu	Rabia Mattu	Email	7.30.18
73-Maveda	Kathy Maveda	Email	7.10.18
74-Mccon	Burke McConkie	Email	7.30.18
75-Meyers	Susan Meyers	Email	7.29.18
76-Miller	Gaguth Miller	Email	7.29.18
77-Mister	Susan Mister	Email	7.30.18
78-Mokhti	Zulhazmi Mokhti	Email	7.30.18
79-Munir	Humaira Munir	Comment Card	7.30.18
80-Neal	Carol Neal	Email	7.12.18
81-Palmeri	Diane Palmeri	Email	7.29.18
82-Peru	Dawn Peru	Email	7.11.18
83-Pittam	Jason and Su Pittam	Email	7.30.18
84-Quen	Leah Quenelle	Email	7.30.18
85-Rashid	Emily Rashid	Email	7.30.18
86-Rashid	Humayun Rashid	Email	7.30.18
87-Rasner	Michele Rasner	Comment Card	7.30.18
88-Razz	Sharif Razzaqul	Email	7.28.18
89-Rose	Jordan Rosenfeld	Email	7.22.18
90-Rose	Anne Rosenzweig	Email	7.30.18
91-Rosso	Jaime Rosso	Email	7.30.18
92-Schmidt	Kathryn Schmidt	Email	7.30.18
93-Scott	Georgine Scott-Codiga	Email	7.5.18
94-Scott	Georgine Scott-Codiga	Email	7.16.18
95-Scott	Georgine Scott-Codiga	Email	7.17.18
96-Semi	Cindy Seminatore	Email	5.31.18
97-Shaw	Deanna Shaw	Email	7.30.18
98-Shaw	Victoria Shaw	Email	7.3.18
99-Sheikh	Khalil Sheikh	Comment Card	7.30.18
100-Sidhu	Yudhvir Sidhu	Email	7.20.18
101-Sielert	MM Sielert	Email	7.18.19
102-Sotelo	Linda Sotelo	Email	7.23.18
103-Spohn	Rick Spohn	Email	7.17.18

Table 4.3: Individuals Commenting on the Draft EIR			
Commenter Code	Name of Person Submitting Comments	Comment Format	Comment Date
104-Steve	Steve	Email	7.19.18
105-Sufi	Bilal Sufi	Email	7.30.18
106-Taira	Star Taira	Comment Card	7.30.18
107-Thor	Donna Thorbjornsen	Email	7.23.18
108-Trum	Leonard Trumbull	Email	7.29.18
109-Werner	Harriet Werner	Email	7.30.18
110-Will	Alan Williamson	Email	7.30.18
111-Wind	Monica Winders	Email	7.29.18
112-Wyman	Beth Wyman	Email	7.30.18
113-Z	Clint Z	Email	7.30.18
114-Zill	Kim Zilliox	Email	7.12.18
115-Zill	Kim Zilliox	Email	7.23.18
116-Zill	Kim Zilliox	Email	7.24.18
117-Zill	Kim Zilliox	Email	7.30.18
118-PM	Public Meeting Transcript	Oral Comments	7.12.18
118-PM-Edwards	Swanee Edwards		
118-PM-Cerutti	Robert Cerutti		
118-PM-Nuno	Diane Nuno		
118-PM-Sotelo	Linda Sotelo		
118-PM-S	Deanna S		
118-PM-Khan	Faizo Khan		
118-PM-NicoA	Arnim Nicolson		
118-PM-Merrill	Ed Merrill		
118-PM-Subaugh	Eric Subaugh		
118-PM-NicoS	Susan Nicolson		
118-PM-Amina	Amina		
118-PM-Owen	Annie Owen		
118-PM-Z	Kim Z		
118-PM-Ahmed	Raihan Ahmed		
118-PM-Bruner	Thomas Bruner		
118-PM-Seward	Ben Seward		
118-PM-Asghar	Farhad Asghar		
118-PM-Lude	Connie Ludewig		
118-PM-Moreni	Mike Moreni		
118-PM-Moore	Jeffrey Moore		
118-PM-Hamseh	Hamseh		
118-PM-HoskinS	Sandy Hoskin		
118-PM-HoskinD	Don Hoskin		
118-PM-Hern	Rose Hernandez		
118-PM-Delgado	Kimberly Delgado		
118-PM-Luna	Sharon Luna		
118-PM-McHenry	Steven McHenry		
118-PM-Sanders	John Sanders		
118-PM-MusaB	Bakri Musa		
118-PM-Lasoria	Steve Lasordi		
118-PM-Cordga	Georgine Scott-Cordega		

Table 4.3: Individuals Commenting on the Draft EIR			
Commenter Code	Name of Person Submitting Comments	Comment Format	Comment Date
118-PM-Mimona	Mimona		
118-PM-Tschantz	Kim Kanos Chance		
118-PM-Yanes	Rick Yanes		
118-PM-Shoba	Shoba		
118-PM-Habib	Habib		
118-PM-McElroy	Amy McElroy		
118-PM-Peder	Dale Pedersen		
118-PM-Akhter	Sal Akhter		
118-PM-Yous	Youssef		
118-PM-Myers	Susan Myers		
118-PM-MusaK	Karen Musa		
118-PM-Trum	Leonard Trumble		
118-PM-Pyle	Christopher Pyle		
118-PM-Mont	Stephen Montgomery		
118-PM-Mister	Susan Mister		
118-PM-Wolf	Margaret Wolford		
118-PM-Napoli	Kathy Napoli		
118-PM-Warner	Anita Warner		
118-PM-McLaren	Vanessa McLaren		
118-PM-Rude	Paul Rude		
118-PM-McEnery	Shari McEnery		
118-PM-Elkasal	Musafa Elkasal		
118-PM-Rubio	Jose Rubio		
118-PM-Klein	Dana Klein		
118-PM-Leach	Sora Leach		
118-PM-Masam	Masam		
118-PM-Rasner	Michelle Rasner		
118-PM-Hannah	Hannah		
118-PM-Orozco	Jaime Orozco		

4.1 AGENCY RESPONSES



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



July 27, 2018

Mr. Chris Hoem
Santa Clara County Planning Office
County Government Center
70W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

Dear Mr. Hoem:

Subject: Cordoba Center Project, Draft Environmental Impact Report, SCH #2016122022,
Santa Clara County

The California Department of Fish and Wildlife (CDFW) received the draft Environmental Impact Report (EIR) from Santa Clara County (County) for the Cordoba Center Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ The deadline to submit comments on the draft EIR is July 30, 2018.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife resources. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the state. [Fish and Game Code, §§ 711.7, subd. (a) and 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as the California Endangered Species Act (CESA) Permit, the Native Plant Protection Act, the Lake and Streambed Alteration Agreement (LSAA) and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: South Valley Islamic Center

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Project Site: Most of the Project site is grassland with several scattered oak trees. There is a ridgeline running west to east along the northern half of the property, with a height of 360 feet. The terrain is otherwise relatively flat. The northern end of the Project is located 150 feet from Llagas Creek top of bank.

Objective: Development within 46% of the 15.8-acre site includes a 155,000-square foot cemetery, 53,200-square foot parking area and access road, a 16,500-acre camping area, 15,000-square foot plaza (concrete and landscaping), 10,100-square foot community building, 7,100-square foot mosque, and other development totaling 309,800 square feet. Open space areas on 54% of the 15.8-acre site include stormwater swale and pond, leach field, and open space totaling 367,100 square feet.

Location: 14065 Monterey Road, San Martin, Santa Clara County, CA 95046; APN# 779-06-002.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Table 4.3-1 Special-Status Wildlife Known to Occur in the Project Region and their Potential for Occurrence in the Project Area, Page 4.3-4

This table in the draft EIR provides a list of the special-status wildlife species that have been documented on the Project site or through a California Natural Diversity Database (CNDDDB) five-mile search area. The Least Bell's Vireo (*Vireo bellii pusillus*), listed as Endangered under CESA, is not included in the list of species reviewed. Please be advised that the CNDDDB is a positive-occurrence database. The CNDDDB source should not be solely relied upon to assess potential occurrence of special-status species. A CEQA document should also include a thorough review and analysis of potentially suitable habitat for special-status species located within and adjacent to a Project site.

Least Bell's Vireo breeding and foraging habitat includes riparian woodland dominated by willow shrubs and other thick understory vegetation. The section of Llagas Creek located adjacent to the Project site is modeled as primary habitat for the Least Bell's Vireo under the Santa Clara Valley Habitat Plan (SCVHP, Appendix D, Species Accounts). This primary habitat could include potential breeding habitat, as the Least Bell's Vireo is known to have nested near the Project site. Based on known records, one to two individuals were observed and a nest was found during a May 1997 survey along Llagas Creek between Highway 152 and the Pajaro River confluence. The corresponding CNDDDB occurrence is located approximately 7.7 miles from the Project site.

To reduce potential impacts of the Project to less-than-significant levels, CDFW recommends that the EIR include additional mitigation measures, including but not limited to, the following:

1. Least Bell's Vireo Nest Surveys: Nest surveys should be conducted by a qualified biologist if suitable riparian land cover types are within 250 feet of the Project site and if construction activities are proposed to take place during the breeding season (March 15–July 31). Riparian land cover types include willow riparian forest and scrub, Central

California sycamore alluvial woodland, and mixed riparian forest and woodland (as listed within the SCVHP, Table 4-2, page 4-119). CDFW recommends that a qualified biologist conduct two surveys for active nests within 14 days prior to the beginning of Project construction, with a final survey conducted within 48 hours prior to construction. Surveys results should be submitted to CDFW prior to the start of construction.

2. Least Bell's Vireo Nest Buffer: If nests are found, a 250-foot buffer should be established surrounding each nest in which no Project activity will occur. The buffer should be clearly marked, and maintained until the young have fledged and are foraging independently. If monitoring indicates that construction outside of the buffer is affecting the active nest, the buffer should be increased to avoid disturbance. In consultation with CDFW, the buffer may be reduced in areas where there are sufficient barriers or topographic relief between the nest and the Project activities.
3. Take Authorization: If impacts to Least Bell's Vireo cannot be completely avoided, the Project proponent should obtain take authorization from CDFW and the U.S. Fish and Wildlife Service (USFWS). Although the Project site is located within the area defined as "rural development not covered" by the SCVHP, the Project proponent may be able to obtain SCVHP coverage upon coordination with and approval by the Santa Clara Valley Habitat Agency (SCVHA). Alternatively, take authorization may be obtained through CDFW issuance of an Incidental Take Permit and a separate permit from USFWS. Further information on CESA permits can be found at <https://www.wildlife.ca.gov/Conservation/CESA/ITP-Review-Standards>

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The California tiger salamander (CTS, *Ambystoma californiense*), listed as Threatened under CESA, is included in Table 4.3-1 as "Not expected to occur". The table states, in summary, that this is due to the nearest known CNDDDB occurrence being one mile away and that connectivity between this occurrence and the Project site is limited due to agricultural and residential use. As stated above, CNDDDB is a positive-occurrence database. The CNDDDB source should not be solely relied upon to assess potential occurrence of special-status species. The closest CTS CNDDDB location is approximately 1.02 miles southwest of the Project site, and there are several other known CTS breeding occurrences within the mountainous oak woodland/grassland of that area. CTS has been recorded in this area periodically since 1995 and as recently as 2010 and 2011, and the habitat within this area has been relatively unchanged since 2011, as reviewed using aerial imagery. Furthermore, north of the CNDDDB occurrences, ponds are present within this oak woodland/grassland that may be potential breeding habitat for CTS. These ponds are located approximately 0.89 miles from the Project site.

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Following metamorphosis, CTS are terrestrial animals which spend the majority of their life cycle in terrestrial upland habitat, within underground in subterranean refuge sites. CTS are known to travel up to 1.3 miles of a breeding pond (Orloff 2011); therefore, CDFW asserts that the Project site is within dispersal distance of breeding habitat located within the oak woodland/grassland area, as discussed above. Draft EIR Table 4.3-1 states that there is insufficient connectivity between the CNDDDB occurrences and the Project site due to agricultural, residential and industrial properties, and roads. However, in review of aerials, the roads are small, the residential housing in the area is sparse, and grassland is present between housing units. These existing features do not present a complete barrier to CTS dispersal, as could dense residential development and major highways. Additionally, some of the land located between

the breeding habitat within the oak woodland/grassland areas and the Project site is modeled non-breeding habitat for CTS under the SCVHP (SCVHP, Appendix D, Species Accounts).

Small-mammal burrows provide important habitat for cover during the non-breeding season and during migration to and from aquatic breeding sites. Underground retreats are usually California ground squirrel (*Spermophilus beechyii*) or pocket gopher (*Thomomys bottae*) burrows (SCVHP, Appendix D, Species Accounts). Appendix A of the draft EIR, the Initial Study, states that evidence of burrowing mammals was observed throughout the Project site, and that most burrows observed were attributed to pocket gophers, however, there were several larger burrows likely attributed to California ground squirrels.

The proximity of known CTS breeding habitat, the absence of complete barriers and the presence of burrows within the Project site, as described above, presents strong evidence of the likelihood of CTS to be present within the Project area.

CDFW recommends that the EIR include a thorough analysis of the suitability of habitat for CTS within the Project area and surrounding areas, and evaluate the potential for take of this CESA-listed species. If implementation of the proposed Project cannot completely avoid take, take authorization should be obtained.

Although the Project site is located within the area defined as "rural development not covered" by the SCVHP, the Project proponent may be able to obtain SCVHP coverage upon coordination with and approval by the Santa Clara Valley Habitat Agency (SCVHA). Alternatively, take authorization may be obtained through potential CDFW issuance of an Incidental Take Permit. Further information can be found at <https://www.wildlife.ca.gov/Conservation/CESA/ITP-Review-Standards>

The California red-legged frog (CRLF, *Rana draytonii*), a Species of Special Concern, is included in Table 4.3-1 as "Not expected to occur". The table states, in summary, that this is due to the nearest known CNDDDB occurrences being 2 miles to 4 miles from the Project site and that CRLF is highly aquatic species rarely strays from streamside habitat.

Breeding CRLF adults are commonly found in deep (more than 2 feet) still or slow-moving water with dense, shrubby riparian or emergent vegetation. Adult frogs have also been observed in shallow sections of streams that are not shrouded by riparian vegetation (SCVHP, Appendix D, Species Accounts). These habitats are adjacent to the Project site, within the Llagas Creek riparian area. Additionally, the SCVHP identifies this section of Llagas Creek as modeled breeding habitat. Although the Project site has a 150-foot setback from the Llagas Creek top of bank, there is a potential to impact CRLF within the adjacent upland areas.

During summer, CRLF often disperse from their breeding habitat to forage and seek summer habitat if water is not available. Dispersing frogs have been recorded to cover distances up to 2.8 km (approximately 1.74 miles, Bulger et al. 2003). CRLF has been found to disperse without apparent regard to topography, vegetation type, or riparian corridors (Bulger et al. 2003) and through heavily grazed pastures or oak-grassland savannas. Upland movement activities have been associated with a variety of refugia including grass thatch, crevices, cow hoof prints, ground squirrel burrows at the base of trees or rocks, logs, and under man-made structures;

others were associated with upland sites lacking refugia (Tatarian 2008). The SCVHP identifies the northern portion of the Project site as modeled refugia and dispersal habitat.

CDFW recommends that the EIR include a revised habitat assessment for CRLF and an analysis of potential impacts of the Project on the species.

To reduce impacts to less-than-significant levels, the EIR should include additional mitigation measures, including but not limited to, the following:

1. Pre-Construction CRLF Surveys. Within 48 hours prior to construction work within the Project area, a qualified biologist shall conduct pre-construction surveys for presence of CRLF within all construction areas, staging areas, and access routes. Surveys should include the habitat and features as described in the paragraph above.
2. Exclusion Fence and Monitoring. When the qualified biologist has determined that there are not any special-status species present within the Project area, an exclusion fence should be installed to prevent re-entry of CRLF within the Project area. The qualified biologist shall conduct a daily inspection within the exclusion fence prior to the start of construction activities. Exclusion fencing shall be inspected for holes and gaps and repaired immediately after detection.

If the proposed Project cannot completely avoid take of the CRLF, the Project proponent should consult with the USFWS for guidance on how to obtain take authorization for CRLF.

Measure 4.3-1a: Nesting Raptor Pre-construction Survey and Establishment of Protective Buffers, Page 4.3-13

This section of the draft EIR includes raptor measures; however, measures for other nesting birds are not included. Please be advised that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird (Fish and Game Code §§ 3503). It is also unlawful to take or possess a fully protected bird species (Fish and Game Code §§ 3511) and to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act (Fish and Game Code, Section 3513).

To reduce impacts to less-than-significant levels, CDFW recommends that measures within Measure 4.3-1a be modified to include all potential species of nesting birds.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, will have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089).

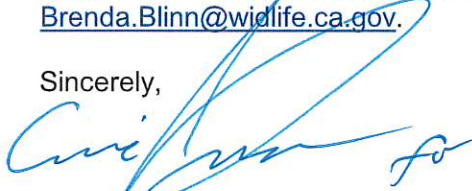
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CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist Santa Clara County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Kristin Garrison, Environmental Scientist, at (707) 944-5534 or Kristin.Garrison@wildlife.ca.gov; or Ms. Brenda Blinn, Senior Environmental Scientist (Supervisory), at (707) 944-5541 or Brenda.Blinn@wildlife.ca.gov.

Sincerely,



Gregg Erickson
Regional Manager
Bay Delta Region

ec:

Office of Planning and Research, State Clearinghouse – state.clearinghouse@opr.ca.gov
Edmund Sullivan, Santa Clara Valley Habitat Agency – Edmund.sullivan@scv-habitatagency.org
Joseph Terry, U.S. Fish and Wildlife Service – joseph.terry@fws.gov

REFERENCES

- Bulger, J.B., N.J. Scott Jr., and R.B. Seymour. 2003. Terrestrial Activity and Conservation of Adult California Red-legged Frogs (*Rana aurora draytonii*) in Coastal Forests and Grasslands. *Biological Conservation* 110:85-95.
- Orloff, S. 2011. Movement Patterns and Migration Distances in an Upland Population of California Tiger Salamander (*Ambystoma californiense*). *Herpetological Conservation and Biology* 6(2):266–276
- Tatarian, P.J. 2008. Movement Patterns of California Red-legged Frogs (*Rana aurora draytonii*) in an Inland California Environment. *Herpetological Conservation and Biology* 3(2):155-169.

4.1.1 Response to Comments from California Department of Fish and Wildlife

- 1-CDFW-1: The comments are acknowledged. Specific comments on the Draft EIR are responded to below.
- 1-CDFW-2: The comments regarding CDFW's roles as a trustee agency and a responsible agency are acknowledged. CDFW permitting requirements are discussed in Section 4.3.3 of the Draft EIR.
- 1-CDFW-3: The comment is a summary of the project description, which is located in Chapter 3 of the Draft EIR.
- 1-CDFW-4: Specific comments on the Draft EIR are responded to below.
- 1-CDFW-5: To supplement the information in Table 4.3-1 in the Draft EIR, H.T. Harvey conducted a background review and identified several special-status animal species with potential to occur on the site or in the project vicinity, or for which habitat is mapped by the Santa Clara Valley Habitat Plan (SCVHP) in the vicinity. These include the least Bell's vireo, tricolored blackbird (*Agelaius tricolor*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Setophaga petechia*), and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*).
- 3-CDFW-6: Based on a reconnaissance-level survey conducted by Ascent biologists on May 24, 2017, no riparian habitat is present on the site, and therefore no suitable nesting habitat for the riparian-associated least Bell's vireo is present. This finding (i.e., the absence of suitable riparian nesting habitat) was confirmed by an H. T. Harvey wildlife ecologist during reconnaissance-level surveys/habitat assessments conducted on January 17 and April 6, 2019, as well as observations during prior surveys along Llagas Creek. However, as referenced by the CDFW, the SCVHP maps potentially suitable nesting habitat for least Bell's vireos within the riparian habitat along Llagas Creek immediately adjacent to the northern edge of the site. H. T. Harvey & Associates conducted a habitat assessment and surveys for least Bell's vireos along this reach of Llagas Creek for the Santa Clara Valley Water District's Upper Llagas Creek Flood Protection Project, and relied on that previous work in evaluating the potential for least Bell's vireos to nest close enough to the Cordoba Center project site that they might be disturbed by project activities.

On June 28, 2011, H.T. Harvey conducted a least Bell's vireo habitat assessment along approximately 13.6 miles of Llagas Creek from Buena Vista Avenue south of San Martin upstream to a point just above Wright Avenue in northwestern Morgan Hill, including the reach adjacent to the project site. During the survey, habitat conditions were noted with respect to suitability for use by nesting least Bell's vireos, as well as the presence of associate riparian bird species. The reach of Llagas Creek adjacent to the project site supports vegetation having structure similar to that used by least Bell's vireos. Vegetation in much of this area is dominated by red willow (*Salix laevigata*), with some Fremont cottonwood (*Populus fremontii*), California sycamore (*Platanus racemosa*), and coast live oak (*Quercus agrifolia*) in the canopy and dense

Himalayan blackberry (*Rubus discolor*), poison oak (*Rhus diversiloba*), and mulefat (*Baccharis salicifolia*) in the lower strata, providing the dense habitat conditions typical of least Bell's vireo nesting habitat.

As noted above, no suitable nesting habitat for least Bell's vireo is present on the project site. Vegetation providing ostensibly suitable conditions for use by breeding least Bell's vireos is present adjacent to the project site. However, the narrow nature of the riparian corridor along this reach and encroachment by developed land uses reduce the likelihood that least Bell's vireos would attempt breeding in this area. Further, surveys conducted in 2017 did not detect least Bell's vireos adjacent to the project site, and there is no evidence in the historical record or in any pattern of recent occurrence of the species that the least Bell's vireo is likely to colonize the project area. Thus, least Bell's vireos are not expected to nest along the project site and nearby reaches of Llagas Creek. Nevertheless, in an abundance of caution, the additional mitigation measures recommended by CDFW have been included in the Final EIR (see text changes in Section 3.0).

- 3-CDFW-7: A reconnaissance-level survey conducted by Ascent biologists on May 24, 2017, as well as reconnaissance-level surveys/habitat assessments conducted by H. T. Harvey on January 17 and April 6, 2019, determined that no wetland/aquatic breeding habitat for the California tiger salamander is present on the project site. A known breeding record of California tiger salamanders is present in two seasonal stock ponds located approximately 0.9 mile and 1.3 miles southwest of the project site³. In addition, we identified three perennial ponds approximately 0.9 mile, 1.0 mile, and 1.1 miles southwest of the project site along West San Martin Avenue, and these ponds may also provide suitable breeding habitat for California tiger salamanders (albeit of lower quality, as bullfrogs [*Lithobates catesbeianus*] and other predators of tiger salamanders are likely to be present in perennial ponds). One additional pond that appears perennial in most years is present approximately 0.7 mile southwest of the site, immediately west of Santa Teresa Boulevard.

Ponds located within 1.3 miles of the project site are within potential dispersal distance for California tiger salamanders.

H.T. Harvey & Associates herpetologists assessed the potential for occurrence of California tiger salamander in the San Martin area in 2012, incorporating the results of surveys and site assessments at numerous locations in Santa Clara County, in the context of CNDDDB records. The assessment focused closely on barriers to dispersal, so that potentially suitable habitat separated from known occurrences or potential breeding habitat by impassable barriers was excluded from the species' mapped distribution. H.T. Harvey assumed that relatively natural lands, such as woodlands and grasslands, as well as some agricultural habitats (aside from extensive areas of intensively and frequently cultivated lands, which typically lack refugia for dispersing tiger salamanders), provided potentially suitable dispersal habitat in the absence of any barriers to dispersal. Thus, only those areas west of San Martin that provide even moderate amounts of grassland, pasture, or crops such as hay and alfalfa that do not involve regular disking and where burrowing mammals are relatively

numerous, providing refugia for tiger salamanders, were considered potential habitat. H.T. Harvey generally excluded areas that, based on its experience and review of aerial photos over multiple years, are intensively cultivated year after year.

On the west side of San Martin, Santa Teresa Boulevard provides a clear “break” between such land uses. California tiger salamanders are not expected to disperse very far eastward of Santa Teresa Boulevard onto the valley floor, and the species is not expected to occur on the Cordoba Center project site due to the presence of rural development and high-intensity agricultural uses in between the project site and suitable habitat for the species located west of Santa Teresa Boulevard. Thus, there is substantial evidence to support the conclusion in the Draft EIR that California tiger salamanders are not present at the project site.

- 3-CDFW-8: A reconnaissance-level survey conducted by Ascent biologists on May 24, 2017, as well as reconnaissance-level surveys/habitat assessments conducted by H. T. Harvey on January 17 and April 6, 2019, determined that no breeding habitat, nor any aquatic habitat, for the California red-legged frog is present on the project site. The only known breeding record of California red-legged frog within potential dispersal distance of the species to the site (i.e., 2.0 miles) is located east of Highway 101 at the Institute Golf Course in Gilroy. California red-legged frogs are not expected to disperse from this location across areas of dense urban development in Gilroy, as well as U.S. Highway 101, to reach the project site. However, as discussed above for the California tiger salamander, a number of seasonal and perennial ponds that provide potentially suitable breeding habitat for California red-legged frogs are present in the hills east of Santa Teresa Boulevard. In addition, suitable breeding, foraging, and dispersal habitat for California red-legged frogs is present along Llagas Creek.

H.T. Harvey & Associates herpetologists conducted protocol-level surveys for California red-legged frogs along the reach of Llagas Creek adjacent to the project site in 2015, for the Upper Llagas Creek Flood Protection Project. The survey area included West Little Llagas Creek from Llagas Creek Drive south to Llagas Creek (near the project site), Llagas Creek from Silveira Lake to just south of Buena Vista Avenue, and East Little Llagas Creek from north of San Martin Avenue to its confluence with Llagas Creek north of Masten Avenue. Eight surveys of each reach of Upper Llagas Creek and Silveira Lake were conducted in accordance with the protocol outlined in the USFWS 2005 *Revised Guidelines on Site Assessments and Field Surveys for the California Red-legged Frog*⁶ to determine whether this species was present in these areas. The survey effort included two daytime and four nighttime site visits during the breeding season (January 1 to June 30), and one day and one night survey in July (during the non-breeding season). No California red-legged frogs of any life history stage were observed during the surveys. Based on the results of the surveys, it was determined that California red-legged frogs were absent from these reaches of Llagas Creek, including the reach adjacent to the project site, in 2015.

⁶ U.S. Fish and Wildlife Service. 2005. Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog. Prepared by the Sacramento Office of the U.S. Fish and Wildlife Service. August.

H.T. Harvey & Associates herpetologists also conducted focused surveys for California red-legged frogs along the reach of Llagas Creek adjacent to the project site in 2017. The survey area included all reaches of Llagas Creek from Lake Silveira to just south of Buena Vista Avenue. Four surveys were conducted in accordance with the recommendations outlined in the USFWS protocol¹⁰ to determine whether the species was present. The survey did not include eight surveys as prescribed by the protocol; however, all other components of the survey methodology were consistent with the protocol. The survey effort included one daytime and one nighttime site visit during the breeding season (January 1 to June 30), and two nighttime surveys in July (during the non-breeding season). No California red-legged frogs of any life history stage were observed during the surveys. H.T. Harvey concluded that the four surveys conducted were adequate to provide a high degree of confidence in determining whether California red-legged frogs were present within the survey area in 2017, and that the species was likely absent from the reach adjacent to the project site in 2017.

The reach of Llagas Creek along the northern edge of the project site is ostensibly suitable for California red-legged frog breeding in terms of aquatic habitat conditions (i.e., relatively deep [over 3 feet] water with emergent vegetation, present throughout most of the year). However, H.T. Harvey & Associates survey efforts, as well as other available evidence regarding the occurrence of the species in the region^{3,7}, suggests that California red-legged frogs do not breed along Llagas Creek in the site vicinity. In addition, the presence of both non-native predatory fish and bullfrogs within Lake Silveira¹¹, as well as bullfrogs observed by H.T. Harvey & Associates biologists in the vicinity of this reach, would most likely preclude any successful breeding, or establishment of a population, by California red-legged frogs^{8,9,10}.

Further, for the reasons discussed for the California tiger salamander above, there is no expectation that red-legged frogs that might be breeding west of Santa Teresa Boulevard would disperse overland, through rural residential land cover types, to the project site. Therefore, California red-legged frog are not expected to occur on the project site or to be impacted by the project. Nevertheless, in an abundance of caution, the Final EIR has been revised to include the mitigation measures requested by CDFW. See text changes in Section 3.0.

- 3-CDFW-9: Several common (i.e., non-special-status) species of birds that are protected under the MBTA and California Fish and Game Code nest on the project site in trees and shrubs, or on the ground. These may include the California quail (*Callipepla californica*), acorn woodpecker (*Melanerpes formicivorus*), California scrub-jay

⁷ Moore, M. 2012. Upper Llagas Creek Project: Lake Silveira Special Study-Focused Surveys for the Detection of California Red-legged Frog and California Tiger Salamander. Final Report (2012).

⁸ Kiesecker, J. M. and A. R. Blaustein. 1998. Effects of introduced bullfrogs and smallmouth bass on microhabitat use, growth, and survival of native red-legged frogs (*Rana aurora*). Conservation Biology 12:776-787.

⁹ Lawler, S. P., D. Dritz, T. Strange, and M. Holyoak. 1999. Effects of introduced mosquitofish and bullfrogs on the threatened California red-legged frog. Conservation Biology 13:613-622.

¹⁰ Cook, D. G. and M. R. Jennings. 2007. Microhabitat use of the California red-legged frog and introduced bullfrog in a seasonal marsh. Herpetologica 63:430-440.

(*Aphelocoma californica*), American robin (*Turdus migratorius*), California towhee (*Melospiza crissalis*), northern mockingbird (*Mimus polyglottos*), bushtit (*Psaltiriparus minimus*), lesser goldfinch (*Spinus psaltria*), and others. In addition, as discussed under comment 5, suitable nesting habitat for up to one pair of loggerhead shrikes is present in trees and shrubs on the site, and this species is also protected under the MBTA and California Fish and Game Code. During our site visit, we did not observe any evidence that the site supports large populations of any individual species of common nesting birds (e.g., a large colony of cliff swallows [*Petrochelidon pyrrhonota*]). The majority of construction for the project would occur in grassland providing habitat for very low numbers of nesting birds.

H.T. Harvey concluded that impacts on at most one pair of nesting loggerhead shrikes would not be considered significant under CEQA, as such an impact would represent a small proportion of the regional population of this species. Furthermore, because there was no evidence that the site supports a large population of common nesting birds, the number of nests/pairs of any bird species that may be impacted by the project would represent a very small proportion of regional populations. As a result, impacts on active nests of common nesting birds are not considered significant under CEQA. Nevertheless, the text of Mitigation Measure 4.3-1a has been revised to include all potential species of nesting birds (see text changes in Section 3.0). The applicant would be required to implement any measures necessary to comply with the MBTA and California Fish and Game Code with regard to nesting birds.

3-CDFW-10: There are no special-status species or sensitive natural communities that were observed during the project surveys that would need to be reported to the CNDDB. In addition, H.T. Harvey did not observe any special-status species or sensitive natural communities during the January 17, 2019 site visit. Thus, no submission of project data is needed.

3-CDFW-11: All applicable fees will be paid as required.

County of Santa Clara

Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032-7669
(408) 355-2200 FAX 355-2290
Reservations (408) 355-2201
www.parkhere.org



June 26, 2018

Mr. Chris Hoem
Santa Clara County Planning Office
County Government Center
70 West Hedding Street
7th Floor, East Wing
San Jose, CA 95110

Subject: Notice of Availability of a Draft Environmental Impact Report for the Cordoba Center Project (2145-16P)

Dear Mr. Hoem:

The County of Santa Clara Parks and Recreation Department (“County Parks Department”) is in receipt of the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Cordoba Center project. Per the application, the project facilities include a two-story, approximately 9,000 square foot mosque; a two-story, approximately 14,500 square foot community center building; a four-acre Islamic cemetery; a campground, caretaker’s residence, and orchard; and additional supportive and ancillary structures on an approximately 16-acre parcel. Potential impacts related to the *Santa Clara County Countywide Trails Master Plan Update* (“*Countywide Trails Plan*”), an element of the Parks and Recreation Section of the County General Plan adopted by the Board of Supervisors on November 14, 1995, are the primary focus of the County Parks Department’s comments.

As noted in the County Parks Department’s comments on the Notice of Preparation, the DEIR should include analyses related to the *Countywide Trails Plan* relative to countywide trail routes, public access, and regional parks. Specifically, the *Countywide Trails Plan* indicates a planned trail route, the Benito-Clara Trail (which will connect the proposed Juan Bautista de Anza National Historic Trail (NHT) bicycle route along Santa Teresa Boulevard with the proposed Juan Bautista de Anza NHT/Coyote Creek-Llagas Creek Trail) adjacent to the subject property. The DEIR neglects to describe the route and the potential the trail has in achieving Caltrans,

1

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Valley Transit Authority (VTA), and/or County goals for promoting active transportation, reducing greenhouse gas (GHG) emissions, and reducing vehicle miles traveled (VMT).

1. Participation in the construction of the Benito-Clara Trail supports the Caltrans initiative for innovative travel demand reduction strategies and multimodal improvements. In their comments on the NOP, Caltrans states their support of mitigating increases in Vehicle Mile Traveled (VMT) through the use of transit and active transportation modes.
2. VTA recommends including an analysis of Pedestrian Accommodations, including access and connectivity within and near the project area, in the DEIR. Usage of the Benito-Clara Trail will help meet the recommendations made by VTA through their Transportation Demand Management/Trip Reduction Program.

Employees and parishioners' usage of the trail should be incorporated in the first on-site operational GHG emission reduction measure, listed on page 4.7-16 in the Initial Study and page 1-22 in the DEIR. This mitigation measure lists the implementation of a travel demand management program to increase carpool options and transit use to decrease GHG emissions from vehicle trips. The final mitigation measure states other GHG reduction measures that the applicant deems feasible and are approved by County staff (page 4.7-17) can be included.

Additional analysis to be included in the DEIR (e.g., water quality of Llagas Creek, noise from the proposed project, aesthetic/visual impact to public views, and pollution associated with grading and construction activities) have been thoroughly documented and assigned appropriate mitigation measures.

Thank you for the opportunity to comment on the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Cordoba Center Project. If you have any questions regarding these comments, please feel free to contact me at (408) 355-2362 or via email at Michael.Hettenhausen@prk.sccgov.org.

Sincerely,

Michael Hettenhausen

Michael Hettenhausen,
Associate Planner

4.1.2 Response to Comments from County of Santa Clara Parks and Recreation

- 2-SCPR-1: The comment is a summary of the project description, which is located in Chapter 3 of the Draft EIR.
- 2-SCPR-2: The purpose of the environmental analysis in the Draft EIR is to evaluate the extent to which the project causes significant physical impacts on the environment, which includes GHG emissions, and to propose feasible mitigation to eliminate or reduce these impacts. Mitigation Measure 4.7-1 lists potential GHG emissions reduction measures, including travel demand management. The mitigation measure is designed to provide flexibility to reduce GHG emissions through a variety of feasible means. As noted on page 4.6-3 of the Draft EIR, VMT was not evaluated as an environmental impact because VMT requirements will not go in effect until July 1, 2020.
- 2-SCPR-3: The County acknowledges the general comments regarding other impact analysis and mitigation measures.

From: [Hoem, Christopher](#)
To: [Rajagopalan, Lakshmi](#); [CordobaEIRComments](#)
Cc: [Noel, Dunia](#)
Subject: RE: Questions on the Cordoba Center EIR re: Groundwater Supply
Date: Tuesday, July 17, 2018 1:38:25 PM

Lakshmi,

Thank you. I will forward your email to CordobaEIRComments@pln.sccgov.org so your comments and/or questions regarding the Cordoba Center will be addressed in the Final EIR.

Christopher Hoem, AICP
Santa Clara County Senior Planner
408-299-5784

From: Rajagopalan, Lakshmi
Sent: Friday, July 13, 2018 1:07 PM
To: Hoem, Christopher <christopher.hoem@pln.sccgov.org>
Cc: Noel, Dunia <Dunia.Noel@ceo.sccgov.org>
Subject: Questions on the Cordoba Center EIR re: Groundwater Supply

Hi Christopher,

I am reviewing the EIR for the Cordoba Center and had a few questions regarding the analysis done for hydrology and water quality: groundwater supply. | 1

Page 4.4-16 of the Draft EIR and A-44 of the initial study states that based on projected wastewater flows, the project's estimated water demand for domestic water use is estimated at 4,200 to 6,020 gallons per day (5 to 8 acre-feet per year), constituting a relatively small increase in demand in relation to groundwater supply. | 2

Q1. Appendix F provides the estimated wastewater flows for both non-residential and residential (caretaker residence) facilities (4,200 gallons (non-camp season) to 6,020 (summer camp season) but both the EIR and the initial study categorizes the water demand as domestic use. Other than the caretaker residence, all the other facilities are non-residential/institutional so what was the rationale behind grouping these together as domestic? | 3

Q2. The onsite well that is used for landscape irrigation is also part of the Llagas Subbasin , was the water drawn from the well considered as part of the total project demand? | 4

Looking forward to your response.
Thanks
Lakshmi

The LAFCO Office has moved! Please note the new address.

Lakshmi Rajagopalan, Analyst

LAFCO of Santa Clara County
777 North First Street, Suite 410
San Jose, CA 95112
(408) 993-4709
www.santaclaralafco.org

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4.1.3 Response to Comments from LAFCO

- 3-LAFCO-1: Specific questions on the Draft EIR are responded to below.
- 3-LAFCO-2: The applicant has provided additional information on the project's water demand (see Appendix A of this Final EIR, pages 2-3). Based on this information, revisions have been made to the last paragraph on page A44 in the Initial Study (see Section 3.0 for the text changes). The revised estimate for water demand is 2,992 gpd or 3.4 acre-foot/year.
- 3-LAFCO-3: The project includes two separate wastewater treatment systems: a non-residential/institutional system for the mosque and community building; and a residential system for the caretaker's residence. For purposes of evaluating potential groundwater impacts, these systems are considered physically separate and distinct from each other by usage type. At the time the Draft EIR was being prepared, project site water demand was estimated by deriving it from the separate wastewater flows of the two distinct systems. It is true that separate uses of water would exist (e.g., non-residential/institutional vs. domestic). However, because the impact being evaluated on page A-44 of the Initial Study is depletion of groundwater supplies, no distinction was made between the two systems because the supply would come from a single source, West San Martin Water Works (although it should be noted that water for landscape irrigation would come from an existing on-site well). Since release of the Draft EIR, and as discussed under Response 3-LAFCO-2 above, West San Martin Water Works has provided its own estimate for domestic water demand, which also does not make a distinction between the separate uses of the Mosque/Community center and the caretaker's residence.
- 3-LAFCO-4: Because the original water demand estimate was derived from wastewater flows, it did not include water pumped from the existing on-site well for irrigation. The new estimate discussed under Response 3-LAFCO-2 also does not include demand for landscaping.



July 30, 2018

VIA E-MAIL [CordobaEIRComments@pln.sccgov.org]

Chris Hoem, Senior Planner
Santa Clara County Planning Office
County Government Center
70 W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

RE: Draft Environmental Impact Report – Cordoba Center Project

Dear Mr. Hoem:

Thank you for providing the Local Agency Formation Commission (LAFCO) of Santa Clara County with an opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Cordoba Center Project within the unincorporated community of San Martin and located outside of the City of Morgan Hill's Urban Service Area.

We understand that the project applicant, South Valley Islamic Center (SVIC), proposes to develop the Cordoba Center, a multiuse religious and cultural center to serve the Muslim community of South Santa Clara Valley. The proposed project, on a 15.9-acre site on Monterey Road, would include a mosque, multi-purpose community building, community plaza, a maintenance building, caretaker's dwelling, cemetery, youth camp with restroom facilities, playfield and playground, orchard, site infrastructure for stormwater runoff, sewage disposal and landscape irrigation, and two parking lots for up to 125 vehicles.

LAFCO offers the following comments for the County's consideration:

PROPOSED PROJECT RAISES GENERAL PLAN CONSISTENCY QUESTIONS/CONCERNS

The proposed Cordoba Center appears to be a development that is more urban than rural in nature, given the amount of development proposed, anticipated size of population to be served by the proposed use, and the stated need for the extension of water service to the project site. The DEIR notes that water for fire protection and

potable purposes for the proposed Cordoba Center, will be procured from West San Martin Water Works. An existing water main belonging to the West San Martin Water Works (WSMWW), located on California Avenue will be extended to the project site on Monterey Road. The County has adopted several General Plan policies which are applicable to the proposed Cordoba Center and are intended to help the County avoid or mitigate certain environmental effects, including the following:

- As stated in the County General Plan (Page K-1: Background), the major provisions of the “joint urban development policies” of the county include,
 - “Urban development only within cities’ Urban Service Areas (USAs) under cities’ jurisdiction.
 - Expansion of urbanized areas, only in a timely, efficient manner, as cities are capable and willing to provide needed urban services without undermining service levels to existing development.”
- Per County General Plan Policy R-GD 2, “For lands outside cities’ Urban Service Areas (USAs) under the County’s land use jurisdiction, only non-urban, low density uses shall be allowed.”
- Per County General Plan Policy R-GD 6, “Urban types and levels of services shall not be available outside of cities’ Urban Service Areas from either public or private service providers.”
- Per the County General Plan (Page K-3: Control of Special Districts), “Land use policies should take into account the constraints of a given area and not allow development densities which will predictably result in the need for utility extensions.”

It appears that the proposed Cordoba Center is inconsistent with key County General Plan policies which are “intended to preserve the natural resources and preserve the rural character of lands not suitable or intended for urban development.” (Page K-2: Strategy #1: Preserve the Resources and Character Rural Lands).

COUNTY SHOULD ENSURE THAT THE PROPOSED PROJECT WILL HAVE A RELIABLE LONG-TERM SOURCE OF WATER FOR FIRE PROTECTION AND POTABLE PURPOSES

As you know, the County does not provide urban services, including water service. Consistent with the “joint urban development policies of the county,” development proposed in the unincorporated area, outside of cities’ Urban Service Areas, is expected to rely on onsite services (i.e. waste water treatment systems and wells). Therefore it is incumbent on the County to ensure that the proposed Cordoba Center will have a

reliable long-term source of water for fire protection and potable purposes and that the proposed source be one that is consistent with County General Plan policies.

As noted above, it is anticipated that water for fire protection and potable purposes for the proposed Cordoba Center will be procured from WSMWW, through the extension of an existing water main belonging to the WSMWW.

As stated in the DEIR (p. 4.4-16) and the Initial Study (p. A-44), the project's estimated water demand for domestic water use (based on the projected wastewater flows) constitutes a relatively small increase in demand in relation to groundwater supply and is a less-than-significant impact. Please specify what the estimated water demand is for the proposed domestic uses. Furthermore, with the exception of the caretaker residence, all other facilities in the proposed project such as the youth camp, community building etc. appear to be institutional uses and not domestic uses. Therefore, please clarify what the estimated water demand is for these uses.

Please include analysis to demonstrate that WSWW has sufficient water supplies available to serve the proposed project in addition to WSWW's existing needs.

The DEIR also identifies an existing well on the site that will be rehabilitated and used for landscape irrigation. The onsite well is part of the Llagas Subbasin. The County should consider and ensure the long-term reliability of the onsite well for landscape irrigation needs.

PROPOSED PROJECT WILL RESULT IN THE LOSS OF AGRICULTURAL SOILS AND COUNTY GENERAL PLAN CALLS FOR PRESERVATION OF SUCH SOILS

The Initial Study (IS) for the proposed project identifies the project site as grazing land as per the California Department of Conservation Farmland Mapping and Monitoring Program's (FMMP) Important Farmland Maps in Appendix A: Exhibit 2-1 (p. A-9). The IS concludes (p. A-10-A-11) that the project would have (1) no potential impact to Prime Farmland conversion or Farmland of Statewide Importance or conflict with existing zoning for agricultural use; and (2) less than significant impacts in the existing environment related to the conversion of farmland to non-agricultural uses. Based on the analysis in the IS, the DEIR (p. 2-2) concludes that the project would not result in significant environmental effects associated with agricultural resources.

Per County General Plan Policy R-RC 57, "Agriculture shall be encouraged, and prime agricultural lands retained for their value to the overall economy and quality of life of Santa Clara County, including: a.) local food production; b.) productive use of lands not intended or suitable for urban development; and c.) preservation of a diminishing natural resource, prime agricultural soils."

While the project site has not been actively farmed since 1987 (p. 3-6), the neighboring sites south and west of the project site are currently being or have recently been farmed,

as stated in the Project Description (Section 3.2.1, p. 3-1) and documented in DEIR Exhibits 3-3b (p. 3-4) and 3-4b (p. 3-5). In addition, the project site and neighboring sites contain soils that are classified as (1) prime farmland soils; and (2) soils of statewide importance (**Attachment A**) as per the "California FMMP Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance in Santa Clara County" (sources: State Department of Conservation 2016 and County of Santa Clara Planning GIS 2018).

4

The EIR should acknowledge the presence of such soils and evaluate the impacts of the loss of such soils due to the proposed project.

CONCLUSION

We respectfully request that the County consider the concerns presented in this letter. If you have any questions regarding these comments, please contact me at (408) 993-4713. Thank you again for providing us with the opportunity to comment on this project.

5

Sincerely,



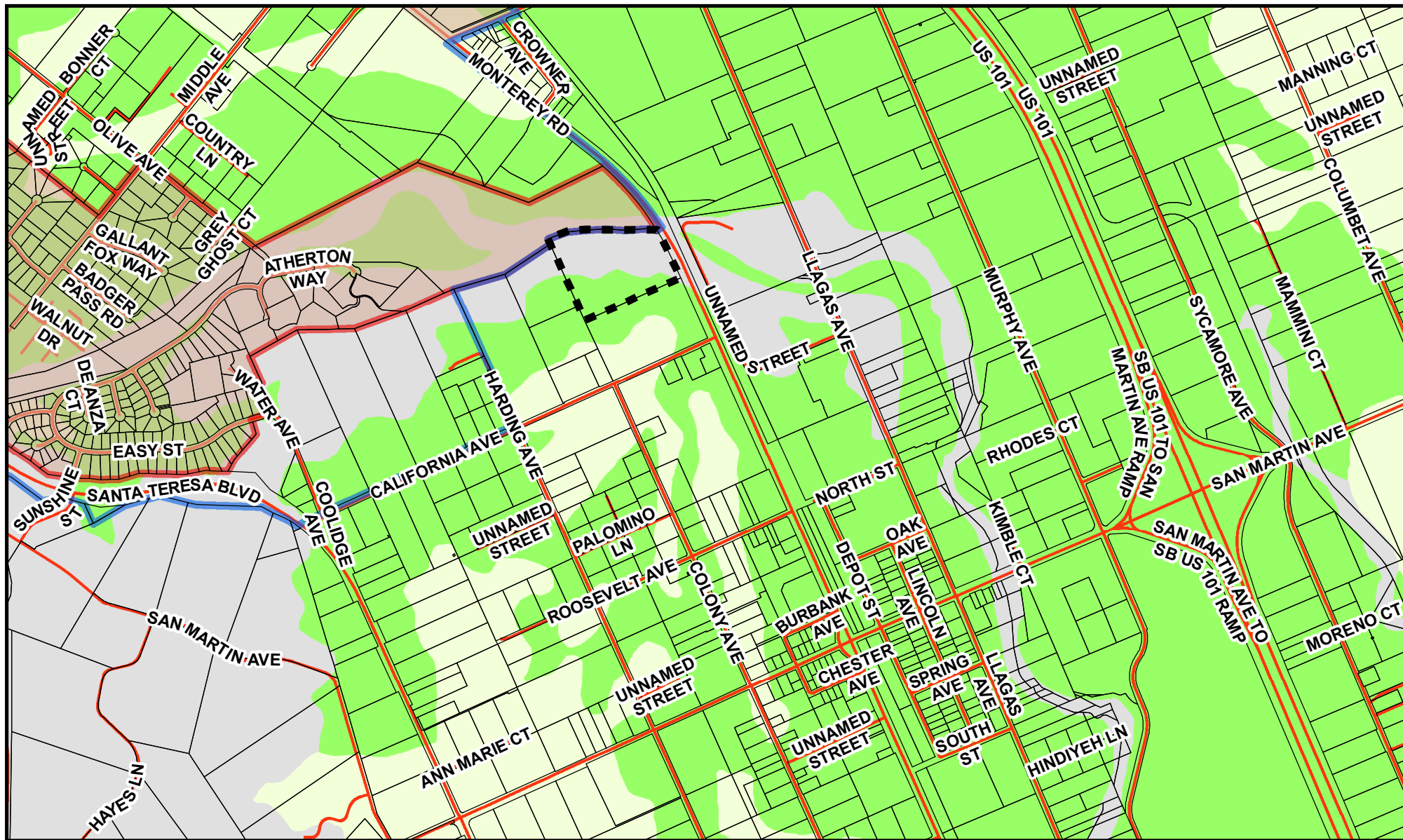
Neelima Palacherla
LAFCO Executive Officer

Cc: LAFCO Members

Rob Eastwood, Planning Manager, Santa Clara County Planning Office
Manira Sandhir, Principal Planner, Santa Clara County Planning Office

Enclosure:

Attachment A: Map of Farmland Soil Classification for Project Site & Vicinity



Local Agency Formation Commission of Santa Clara County

777 North First Street, Suite 410

San Jose, CA 95112

www.santaclaralafco.org

FARMLAND SOIL CLASSIFICATION

Source: Data downloaded from Santa Clara County Planning GIS 2018

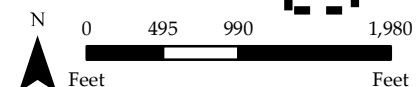
LEGEND:

Farmland Classification (CA FMMP)

- Prime Farmland Soils
- Statewide Importance Soils
- Not rated or not available

Attachment A

- Morgan Hill City Limit
- Morgan Hill USA
- Morgan Hill SOI
- Project Site



4.1.4 Response to Comments from LAFCO

4-LAFCO-1: The comment is a summary of the project description, which is located in Chapter 3 of the Draft EIR. Specific comments on the Draft EIR are responded to below.

4-LAFCO-2: Expansion of the Morgan Hill urban service area is not required for development of the proposed project because wastewater treatment will be provided by an on-site system, and water is available from West San Martin Water Works as well as an on-site well. Therefore, the proposed project would not involve expansion of urban services.

Regarding compliance with the County General Plan and Zoning Ordinance – the project site has a General Plan designation of Rural Residential and is zoned RR-5ac-d1-sm (Rural Residential, with a combining district of 5 acre minimum lot size, design review (-d1 Santa Clara Valley Viewshed), and the San Martin Industrial Use Permit area (-sm)). General Plan Policy R-LU 57 and Zoning Ordinance section 2.20.010(D) allow institutional uses that “are sized to be local-serving in nature.” An analysis of the project’s conformity with General Plan policies will be provided in the staff report to the Planning Commission. The proposed buildings would cover only approximately 4 percent of the project site. Counting all proposed development (including the cemetery), approximately 73 percent of the site would be improved, while 37% of the project site would remain open space. Staff will make a recommendation regarding whether the project is consistent with General Plan policies as part of its report to the Planning Commission, which will make the ultimate determination. No such inconsistencies with General Plan policies adopting for avoiding or mitigating an environmental effect were identified during preparation of the Draft EIR.

4-LAFCO-3: See Response 3-LAFCO-2.

4-LAFCO-4: The project site contains approximately 5.6 acres of prime farmland soils, of which approximately 98 percent would be developed under the proposed project. However, the significance criteria under CEQA (page A-8 of the Initial Study) is not conversion of prime farmland soils, but conversion of prime farmland to a non-agricultural use. This impact was evaluated under Section 2.2a) of the Initial Study, and no impact was found. No further impact evaluation is required.

4-LAFCO-5: Responses to the concerns presented in the letter are provided above.

File: 32932
Llagas Creek

July 27, 2018

County of Santa Clara
Department of Planning and Development
Attention: Chris Hoem
70 West Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

Subject: Cordoba Center—Draft Environmental Impact Report

Dear Mr. Hoem:

Santa Clara Valley Water District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the Cordoba Center. The District is a special district with jurisdiction throughout Santa Clara County. The District acts as the county's groundwater management agency, principal water resources manager, flood protection agency and is the steward for its watersheds, streams and creeks, and underground aquifers.

1

We appreciate the opportunity to comment on the DEIR. This letter transmits comments that focus on the areas of interest and expertise of the District. This letter is organized to provide comments related to Groundwater separately in the latter portion of the letter.

1. Page 4.4-16, Issues or Potential Impacts Not Discussed Further, Drainage Patterns: The DEIR concludes that the addition of 135, 590 square feet of impervious surface area will not alter the drainage pattern of the site in a manner that would exceed drainage system capacity because the project is designed to maintain off-site drainage discharges at pre-development rates up to a 10-year storm event. It is not clear where this design criteria originated. The County Drainage Manual design guidelines for detention basins use 10-year and 100-year existing conditions as a basis for limiting post-development discharges and volumes. The District recommends the DEIR include a discussion and/or analysis on how it was determined that the increased runoff from the new impervious surface areas will not increase flooding on neighboring properties during the 100-year flood event or exacerbate existing flood conditions on West Branch Llagas Creek which does not have 100-year flood capacity upstream of Day Road.
2. Page 4.4-17, Issues or Potential Impacts Not Discussed Further, Stormwater Drainage: This section states that any runoff water created by the project would be within the capacity of existing stormwater drainage systems because the retention pond would maintain off-site drainage discharges at pre-development rates for up to a 10-year storm event. The District uses the 100-year flood event as a standard for flood protection. The County Drainage Manual provides that existing storm drain facilities be adequate for the 10-year runoff and flows in excess of the 10-year flood up to the 100-year flood be contained in the street right of way. Additionally, West Branch Llagas Creek is not

2

3

adequate to contain the 100-year flood. The District recommends the DEIR include a section describing the post-project increased runoff leaving the site up to a 100-year event and how that runoff will be mitigated or demonstrate how it will not adversely affect neighboring properties or West Branch Llagas Creek.

3

Groundwater

The District is the Groundwater Sustainability Agency (GSA) for the Llagas Subbasin. As the GSA, the District is responsible for sustainable groundwater management in the subbasin, including the prevention of undesirable results such as significant and unreasonable degradation of groundwater quality.

4

Based on the review of the DEIR, the District is concerned about potential impacts of the project on groundwater quality, particularly in respect to the wastewater system and potential nitrate loading to the groundwater subbasin. The mitigation for potential groundwater quality impacts from the cemetery operations provided a good approach to monitoring for impacts and specified specific actions that would be taken if impacts are detected. This approach was lacking in the discussion of the wastewater system. Additionally, the DEIR states that supplemental treatment of the waste water is needed to meet its effluent goals. However, with no information on the supplemental treatment system provided, the adequacy of the system cannot be properly evaluated. The District's specific comments are presented below.

5

Regional Groundwater Quality, Goals, and Standards

1. The discussion on groundwater quality on page 4.4-6 states, "As shown on Exhibit 4.4-3, with few exceptions, SCVWD well water monitoring data show nitrate and TDS concentrations compliant with drinking water standards and evidence of either stable conditions or a decreasing trend in nitrate and TDS levels over the past 15 years of monitoring (SCVWD 2016). Current SCVWD data show only one well, about 3,000 feet west of the project site, with reported nitrate concentrations in excess of the drinking water MCL of 10 mg-N/L." Although in general, nitrate concentration trends are stable to decreasing over the last 15 years, approximately 30% of domestic wells tested in the Llagas Subbasin exceed the MCL for nitrate.

6

The District sampled 72 wells and performed 130 nitrate analyses within 1-mile of the project site between October 2011 and December 2017. Nitrate (as N) concentrations ranged from non-detect (< 0.4 mg/L) to 24.17 mg/L, averaging 6.85 mg/L. 20 of the 72 wells (28%) had nitrate concentrations exceeding the drinking water standard of 10/mg/L. The well closest to the project site that exceeded the drinking water standard is approximately 2,100 feet to the south; the nearest well to the site, approximately 1,000 feet southwest was just below the drinking water standard.

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2. Impact 4.4-5: Cumulative nitrate loading, states, "Analysis of cumulative groundwater effects indicate that nitrate concentrations would be below the MWQB value of 5 mg/L groundwater quality target established by the Central Coast RWQCB for the Llagas Subbasin. The cumulative impact would be less than considerable." As discussed in the previous comment, District sampling within 1-mile of the project site indicate the average nitrate concentration already exceeds the MWQB. The use of the MWQB for the project-specific goal should be re-evaluated. The conclusion that the cumulative impact is "less

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than considerable” should also be re-evaluated based on this goal and issues related to the wastewater treatment (discussed below).

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Cemetery Impacts

1. Mitigation Measure 4.4-4 calls for monitoring wells to be installed in the cemetery area and sampled quarterly for nitrate and Total dissolved Solids. Monitoring results are proposed to be submitted to the County, and if the 7.5 mg/L goal for nitrate is exceeded, burials will cease until concentrations fall back below the goal. The District supports the proposed mitigation measure and contingency planning. The District recommends that the County require submittal of a proposed groundwater monitoring plan to include the specific location, depth, and screened intervals for the wells. The potential to sample downgradient residential wells should also be considered to evaluate potential effects. The District recommends the collection of baseline nitrate and TDS concentrations prior to the initiation of burial activity. We also request that the groundwater monitoring results be provided to the District.
2. Mitigation Measure 4.4-4 calls for a report to be completed after five years of monitoring to evaluate results, potential impacts from burials, and recommend changes to the cemetery operations if warranted; the report will be submitted to the County for approval. The District asks to be copied on this report and be provided the opportunity to comment.
3. According to the analyses methodology on page 4.4-14, leaching of nitrogen and TDS from each grave site is driven only by seasonal rainfall percolation, without any assistance from a regular supply of percolating wastewater or other applied water flow. The DEIR references drought-tolerant landscaping, however it is unclear whether landscaping at the cemetery will require irrigation. If irrigation is required in the cemetery, related infiltration should be accounted for.
4. The discussion on salt loading on page 4.4-26 states, “For 30 to 50 annual burials, calculations indicate resultant TDS concentration in the affected recharge area to be in range of 316 to 327 mg/L, respectively, which would amount to an approximate increase of 5 to 9 percent over the assumed background concentration of 300 mg/L (Questa 2017a). The salt loading impacts of the proposed cemetery would be localized, with resultant concentrations similar to existing conditions in the area.” Although the impact would be localized in the near-term, the cemetery operations will be occurring over a longer term. The District recommends further clarification of the long-term impacts of cemetery operations on salt loading.

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Wastewater System

1. The discussion of salt loading on page 4.4-22 states, “Domestic water supply for the project would be provided by West San Martin Water Works, Inc., which has reported TDS values of 290 to 340 mg/L. An average TDS addition of 200 mg/L was assumed to reflect the salt loading from residential sewage for average wastewater flow conditions. Dissolved solids are not removed to any appreciable degree through on-site treatment systems (septic tanks or supplement treatment systems) or by passage through the soil. The proposed wastewater disposal system would contribute to a localized incremental increase in percolate TDS concentration of about 100 mg/L.” The assumption of 200 mg/L addition of TDS should be further explained and supported given that dissolved solids are not removed by septic systems.
2. The discussion of Mitigation Measure 4.4-3 on page 4.4-23 states, “Coordinate with Santa Clara County DEH to establish wastewater effluent monitoring requirements to

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| <p>provide on-going assurance that the system performs adequately. Compliance with these requirements shall be considered conditions of the operating permit for the project." The District concurs that wastewater effluent monitoring and compliance are critical to ensure groundwater quality is protected and supports this as a condition of the operating permit.</p> | <p>14</p> |
| <p>3. The discussion of Mitigation Measure 4.4-3 on page 4.4-23 states, "The recommended 20 mg/L effluent nitrogen limit is achievable (to meet the 7.5 mg/L standard at the nearest well location) with available practicable technology, but it is not assured with the Multi-Flo wastewater system currently proposed. Use of a supplemental treatment system and subsequent monitoring would assure compliance with these effluent limits. With implementation of Mitigation Measure 4.4-3, this impact would be less than significant." The mitigation measure does not include any description of a supplemental treatment system; therefore, the adequacy of the wastewater system cannot be fully evaluated without information on the supplemental system. Absent this information, the conclusion that there would be a "less than significant" impact does not appear to be supported.</p> | <p>15</p> |
| <p>4. Similar to the requirements for the cemetery, mitigation for the wastewater system should include a plan to identify in advance what measures will be taken if the installed system is not adequately removing nitrogen or other contaminants. As it is possible that treatment modifications may become necessary, the design should accommodate additional future treatment for improved nitrate removal, such as space for expansion, plumbed-in flanges for future expansion, and any other features that may be needed.</p> | <p>16</p> |
| <p>5. The discussion on cumulative nitrate loading on page 4.4-28 concludes that there is a "less than significant" risk. Given that no information is provided on the supplemental treatment system that is required for the wastewater system to meet its goals, and the system as presented cannot assure the goal is met, this conclusion does not appear to be supported.</p> | <p>17</p> |
| <p>6. Table C-2 in Appendix F presents the nitrate loading calculations. The scenario for the 20 mg/L effluent concentration and 20% denitrification is incorrectly labeled as compliant. While it is nearly compliant, it exceeds 7.5 mg/L and should be considered non-compliant. The only two scenarios using the 20 mg/L effluent concentration that are compliant assume 25% to 30% denitrification. The District recommends assuming 15% denitrification (the value used in the Llagas Subbasin Salt and Nutrient Management Plan), which would mean the effluent concentration goal should be 15 mg/L.</p> | <p>18</p> |

General Comments

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| <p>1. On Page 4.4-23, the heading for Impact 4.4-4, "Result in deterioration of groundwater quality below drinking water standards due to operation of the cemetery" should be reworded as the impact would be that cemetery operation cause groundwater quality to be above the drinking water standard. The District recommends rephrasing to: "Result in deterioration of groundwater quality to concentrations exceeding drinking water standards due to operation of the cemetery"</p> | <p>19</p> |
| <p>2. On page 3-20 of the DEIR it states that the existing inactive well at the site may be used for irrigation of the orchard. It should be noted if the well is put into use for irrigation it will be subject to District groundwater production charges.</p> | <p>20</p> |
| <p>3. On page 4.4-11, the DEIR states that the District's 2016 Groundwater Management Plan meets the requirements of an alternative to a groundwater sustainability plan and meets the intent of SGMA. While the District concurs with this statement, it should be noted that</p> | <p>21</p> |

- the 2016 GWMP is currently under review by DWR. DWR's review is expected to be complete by the end of 2018. 21
4. On page 4.4-11 the discussion on the District's Well Ordinance states, "These requirements help to ensure that groundwater usage does not result in adverse hydrologic and water quality effects." The District's well ordinance program regulates the construction and destruction of wells in Santa Clara County, it does not regulate usage of groundwater. The District recommends rephrasing this sentence as follows: "These requirements help to ensure that groundwater is protected from the impacts of improperly constructed or abandoned wells." 22
5. On Page 4.4-15, a reference is made to the "Contra Costa RWQCB". This reference should be the Central Coast RWQCB. 23
6. On page 4.4-16, the DEIR states, "Although not a recharge area managed by the SCVWD, some percolation of rainfall to groundwater occurs on the project site. The project would result in the addition of 135,590 square feet of impervious surfaces...". The conclusion of the DEIR was that the project would not substantially impact groundwater recharge and no further discussion would be included. The project site is in the recharge area of the Llagas Subbasin for which the District is the Groundwater Sustainability Agency. The District encourages the uses of Low Impact Development (LID) techniques where appropriate to minimize the additional impervious area. 24
7. Both reports in Appendix F state, "The project site lies on the western edge of the Llagas Subbasin of the Santa Clara Valley Groundwater Basin." The associated figures label the Llagas Subbasin as DWR subbasin 3-3.07. The Llagas Subbasin is in the Gilroy-Hollister Valley Groundwater Basin and the DWR subbasin number is 3-3.01. 25

We appreciate the opportunity to comment on the DEIR. We look forward to reviewing the Final Environmental Impact Report when it is prepared. If you have any questions, you may contact me at (408) 630-2319, or by e-mail at yarroyo@valleywater.org. Please reference District File No. 32932 on future correspondence regarding this project. 26

Sincerely,



Yvonne Arroyo
Associate Engineer
Community Projects Review Unit

Cc: M. Richardson, G. Hall, U. Chatwani, S. Tippetts, Y. Arroyo, V. De La Piedra, G. Cook,
File

4.1.5 Response to Comments from Santa Clara Valley Water District

- 5-SCVWD-1: The comment describes the role of the Santa Clara Valley Water District (SCVWD). Specific responses to comments on the Draft EIR are responded to below.
- 5-SCVWD-2: Text changes have been made to page 4.4-16 and page A-45 of the Initial Study (See text changes in Section 3.0) to reflect that the proposed drainage system for the project has been designed to detain stormwater and release runoff at a rate equal to the predevelopment flow rates for both the 10- and 100-year design storms. The design is discussed in more detail in (Appendix B of this Final EIR). The proposed drainage system has been reviewed by the County of Santa Clara's Land Development Engineering section, which has preliminarily determined that the system can comply with the requirements of the County Drainage Manual. LDE would review and approve the final design of the drainage system prior to issuance of a grading permit. The assertion that the West Branch of Llagas Creek is not adequate to contain the 100-year flood regards an existing condition rather than an impact of the project. Stormwater from the proposed project would be released at predevelopment flow rates, including for 100-year design storms. Therefore, the project's contribution would be less than cumulatively considerable, and would not be significant.
- 5-SCVWD-3: Text changes have been made to page 4.4-17 and page A-45 of the Initial Study (See text changes in Section 3.0) to reflect that the proposed drainage system for the project has been designed to detain stormwater and release runoff at a rate equal to the predevelopment flow rates for both the 10- and 100-year design storms. See Response 5-SCVWD-2.
- 5-SCVWD-4: The comment describes the role of the SCVWD in terms of groundwater management. Specific responses to comments on groundwater are responded to below.
- 5-SCVWD-5: Ongoing monitoring of the wastewater system to verify compliance with effluent discharge limits and proper wastewater system performance would be required through the conditions of the operating permit that will be issued by the County Department of Environmental Health. This is addressed in Mitigation Measure 4.4-3.

In response to the requirements of Mitigation Measure 4.4-3 in the Draft EIR, the applicant has provided information describing changes in the proposed wastewater treatment system to meet the recommended nitrogen effluent limit of 20 mg-N/L. The information is contained in the letter of December 3, 2018 (and accompanying documents) submitted by Cypress Environmental and Land Use Planning on behalf of the applicant. The information and supporting literature for the revised wastewater treatment system has been reviewed by Questa Engineering and found to be appropriate and sufficient to meet the nitrogen removal requirements of Mitigation Measure 4.4-3. See Appendices A and C of this Final EIR.

- 5-SCVWD-6: The comment is acknowledged. The comment provides additional information about well water monitoring data in the San Martin area. This information does not alter the analysis of groundwater impacts presented in the Draft EIR.
- 5-SCVWD-7: The comment is acknowledged. This comment provides additional information about well water monitoring data collected by the SCVWD within a 1-mile radius of the project site for the period of 2011-2017. The groundwater quality impact studies by Questa Engineering (Appendix F of the Draft EIR) included review and summary of water well monitoring data supplied by the SCVWD for wells located within a 0.5-mile radius of the project site for the period of 1998-2016, along with information from the 2015 Annual Groundwater Report. The additional water quality information provided in this comment does not alter the analysis of groundwater impacts presented in the Draft EIR.
- 5-SCVWD-8: This comment questions the validity of the cumulative nitrogen water quality impact evaluation, citing the fact that SCVWD water well sampling data within a radius of 1-mile around the project site indicates a mean concentration of 6.85 mg-N/L, which is above the target MWQB value of 5 mg-N/L for the Llagas Subbasin. No explanation is offered as to why a 1-mile radius should be used for the cumulative impact analysis. A 1-mile radius extends north and west into the City of Morgan Hill, across to the east side of Highway 101, and south of San Martin Avenue, encompassing a large area with varied land use activities and hydrological conditions unrelated to the project site and vicinity. For reasons explained in the supporting groundwater studies by Questa (Appendix F of the Draft EIR), the cumulative water quality impact analysis focused specifically on the adjacent and down-gradient groundwater region immediately south and southwest of the project site where the effects of the proposed project activities would be of most significance. The project's contribution to the cumulative impacts to these areas was determined to be less-than-significant with mitigation.
- 5-SCVWD-9: Text has been added to the 3rd bullet of Mitigation Measure 4.4-4 to address the recommendation that the County require submittal of a proposed groundwater monitoring plan to include the specific location, depth, and screen intervals for the monitoring wells (see text changes in Section 3.0). The impact analysis (page 4.4-26) concluded that annual burial rates of 30 per year or fewer would be safely within the 7.5 mg/L criterion based on a conservative estimate of 25 percent soil nitrogen removal. Under Mitigation Measure 4.4-4, if at any time the groundwater nitrate concentration at monitoring wells along the westerly property line exceed 7.5 mg-N/L, the monitoring wells shall be re-sampled and burials shall cease until monitoring results show the groundwater nitrate concentrations have dropped below the 7.5 mg-N/L evaluation criterion, at which time the County may authorize continued burials. Therefore, monitoring of down-gradient wells is not necessary to mitigate the impact of deterioration of groundwater quality below drinking water standards due to operation of the cemetery. As a referral agency, SCVWD would receive the monitoring report after it is submitted to the Planning Office as part of post-approval project monitoring.

5-SCVWD-10: In reference to Mitigation Measure 4.4-4, this comment requests that the SCVWD be provided a copy of the required assessment report regarding water quality impacts of the first five years of cemetery operation, as well as the opportunity to provide comments to the County on the report. As a referral agency, SCVWD would receive the monitoring report for review and comment after it has been submitted to the Planning Office as part of post-approval project monitoring. No change to Mitigation Measure 4.4-4 is required.

5-SCVWD-11: This comment questions whether or not the cemetery will be irrigated, and states that, if it will be irrigated, the cemetery water quality cumulative impact analysis should be amended to include effects of irrigation water. As noted in the cemetery water quality study by Questa (Appendix F of the Draft EIR), the cemetery is planned to be landscaped to resemble native grassland, rather than traditional turf grass. The cemetery would not require irrigation, and the project proponent's landscape plan does not include irrigation for this part of the project site. No change in the water quality cumulative impact analysis is necessary.

5-SCVWD-12: This comment asks for further clarification of the projected long-term impacts of the cemetery on groundwater salt loading. This issue is addressed in the cemetery water quality study by Questa (Appendix F of the Draft EIR), which includes description of the methodology, calculations and graphical plot (Figure 14 in the Questa report) of projected salt loading effects of the cemetery over time. Adherence to the annual burial rate limitations at the cemetery will result in equilibrium groundwater quality conditions being reached within the decomposition/leaching time for a buried body, which is estimated to be approximately 10 years. The long-term salt loading analysis is based on the following rationale: (1) each burial adds a one-time finite amount of salts (TDS) to the cemetery ground; (2) the salts slowly leave the interred body (through leaching) and disperse with percolating water over a period of time as the body decomposes; (3) for an estimated 10-yr decomposition time, the annual leaching of salts from each burial is estimated to be approximately 10% per year; (4) when fully decomposed, a given burial (or year of burials) will cease being a source of any further salt addition. By adhering to a consistent annual burial rate, maximum steady state (equilibrium) salt loading conditions will be reached when the first year of burials has fully decomposed (i.e., approximately 10 years). Beyond that, each additional year of burials will begin a new cycle of leaching at the same time as the salt leaching from a prior year of burials comes to an end.

5-SCVWD-13: Crites and Tchobanoglous (cited in Questa's report, Appendix F of the Draft EIR) report typical salt (TDS) additions to septic systems to be in the range of about 200 to 400 mg/L. The discharge from water softeners (where used) is noted to be one of the most significant sources of TDS in rural areas and septic system discharges. The

other significant source of salts is laundry products, common to most households.¹¹ Since the mineral content of the groundwater in the project vicinity does not necessitate the use of water softeners, it is assumed that the proposed project will not have water softener(s) and will have limited laundry activities (caretaker residence and incidental washing), the use of the low-end value of 200 mg/L TDS addition was deemed an appropriate assumption for the salt loading analysis.

5-SCVWD-14: This comment indicating SCVWD concurrence with Mitigation Measure 4.4-3, requiring ongoing compliance monitoring of wastewater effluent water quality, is acknowledged.

5-SCVWD-15: Mitigation Measure 4.4-3, regarding supplemental treatment for nitrogen removal to meet a 20 mg-N/L effluent limit, was deemed feasible by Questa (Appendix F of the Draft EIR) with the use of available practicable technology. The applicant has subsequently provided information describing and outlining changes in the proposed wastewater treatment system to comply with the mitigation measure. Questa reviewed the information provided by the applicant and concluded that the applicant's proposed AdvanTex treatment system would be suitable for the project and capable of meeting the recommended 20 mg-N/L effluent limitation. Please refer to Appendix C of this Final EIR. No changes to the Draft EIR analysis and mitigations regarding this issue are warranted.

5-SCVWD-16: Unlike for cemeteries, the County has applicable ordinance requirements pertaining to the design, construction and ongoing monitoring and oversight of on-site wastewater treatment systems, such as that proposed for the project. As explained in the Draft EIR and Questa report (Appendix F of the Draft EIR), the wastewater facilities would require construction permitting as well as an ongoing (renewable) operating permit. In accordance with the County Ordinance Code (Article I of Chapter IV of Division B11) and the County Department of Environmental Health's Onsite Systems Manual, the proposed wastewater facilities would be required to operate in accordance with an approved operations and maintenance manual and performance monitoring specifications included in the County operating permit. The County's established regulatory programs and procedures for on-site wastewater treatment system permitting and oversight are the appropriate mechanisms for identifying and implementing future contingency measures related to wastewater facilities performance. The County has the ability and authority to engage third-party consultant(s) or Regional Water Board staff for additional input on technical matters. Through the operating permit, the County has the ability to require changes to the wastewater system or limitations on wastewater discharges if deemed necessary. Therefore, no changes to the Draft EIR analysis and mitigations are warranted.

5-SCVWD-17: See Response 5-SCVWD-15 regarding wastewater treatment system requirements for nitrogen removal and the additional information supplied by the applicant consistent

¹¹ SWRCB, "Groundwater Information Sheet – Salinity", https://www.waterboards.ca.gov/gama/docs/coc_salinity.pdf

with the requirement identified in Mitigation Measure 4.4-3, on which the analysis of cumulative groundwater quality impacts is based.

5-SCVWD-18: The labeling of the 20 percent effluent concentration-20% denitrification scenario in Table C-2 (Appendix F of the Draft EIR) is accurate. The calculated resultant nitrogen loading value of 7.51 mg-N/L is correctly labeled as compliant with the reference standard of 7.5 mg-N/L consistent with rules regarding rounding and significant figures, as applied commonly by water quality regulatory bodies, including the California State and Regional Water Boards. Regarding the recommendation to assume a 15 percent denitrification rate for percolating wastewater (as used in the Llagas Subbasin and Nutrient Management Plan), this assumption is appropriate with respect to standard septic tank leachfield systems, which are the predominant method of on-site wastewater disposal in the Llagas Subbasin. However, as explained on page 18 of Questa's wastewater facilities review (Appendix F of the Draft EIR), the use of shallow drip dispersal methods supports a higher denitrification assumption (potentially 30 to 70 percent) for the proposed wastewater system. Questa's conclusions and recommendations based on an assumption of 20 percent denitrification are therefore reasonable and conservative.

5-SCVWD-19: See the text revision in Section 3.0 to the heading for Impact 4.4-4.

5-SCVWD-20: The comment regarding the applicability of SCVWD groundwater production charges to the well that is intended for landscape water supply is acknowledged.

5-SCVWD-21: The comment regarding the status of Department of Water Resources review of the 2016 GWMP is acknowledged.

5-SCVWD-22: See the text revision in Section 3.0 which makes the suggested re-phrasing on page 4.4-11 regarding SCVWD Well Ordinance.

5-SCVWD-23: Regarding the incorrect reference to Central Coast RWQCB, see the text revision in Section 3.0.

5-SCVWD-24: The comment is acknowledged. It should be noted that permeable pavers are shown on Exhibit 3-5 of the Draft EIR, and only 17% of the project site would be covered with impervious surfaces.

5-SCVWD-25: The references to the Llagas Subbasin in the Questa reports (Appendix F of the Draft EIR) have been corrected to indicate DWR subbasin number 3-3.01 in the Gilroy-Hollister Groundwater Basin. See updated Questa reports in Appendix G of this Final EIR.

5-SCVWD-26: The County of Santa Clara will notify SCVWD when the Final EIR is available.



**COMMITTEE FOR
GREEN FOOTHILLS**

Monday, July 30, 2018

Chris Hoem
Santa Clara County Planning Office
County Government Center
70 W. Hedding Street
7th Floor, East Wing
San Jose, CA 95110

Re: Draft Environmental Impact Report Cordoba Center (County File #214516P)

Dear Mr. Hoem,

Thank you for the opportunity to comment on the draft Environmental Impact Report (DEIR) for the proposed Cordoba Center project (Project). The Project includes:

- a two-story ~9,000 square foot (sq ft) mosque
- a two-story ~14,500 sq ft multi-use community building
- a 15,000 sq ft plaza connecting the mosque and community building
- a ~0.5 acre rubberized-surface playfield and adjoining children's playground
- a 3,380 sq ft caretaker's dwelling
- a 2,500 sq ft maintenance building
- 53,200 sq ft of parking and access road
- a terraced cemetery on 3.55 acres with ~1,200 graves per acre¹
- a 0.4 acre youth camp with 780 sq ft of bathhouses² and 14 - 12'x12' wooden tent platforms
- a 0.6 acre orchard
- and site infrastructure including a well, a bioretention swale, a retention pond, and a sewage disposal field.

¹ Per Project Description - DEIR at p. 1-2. However, DEIR at p. 3-9 claims maximum density at 1,000 graves per acre for a total capacity of 3,500 graves.

² Per Project Description - DEIR at p. 1-2. However, DEIR at p. 3-10 claims each bathhouse would be 290 sq ft for a total of 580 sq ft.

This proposal reflects a significant increase in the original Cordoba Center project that the County Planning Commission approved in August 2012. In this 2018 version of the Project:

- the mosque is almost double in size (from 5,000 sq ft to ~9,000 sq ft)
- the community building is 5 times that which was originally approved (from 2,800 sq ft to ~14,500 sq ft)
- the cemetery is 1.5 acres larger (from 2 acres to 3.55 acres)
- two bathhouses totaling 780 sq ft on the ridgeline have replaced the two outdoor restrooms totaling 450 sq ft on the valley floor
- a caretaker's dwelling, maintenance building, 14 tent platforms, formal rubberized playfield and children's playground are now additional Project components
- the site infrastructure and landscaping have increased to serve the expanded development footprint

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In addition, the new version of the Project will include overnight accommodations for the 9 weeks of youth summer camps whereas the Planning Commission's Conditions of Approval in 2012 explicitly did not permit overnight accommodations.

The DEIR for this Project concludes that *significant and unavoidable impacts* would occur due to Project generated greenhouse gas emissions. Per the Initial Study of the project approved in 2012, greenhouse gas emissions generated would have been *less than significant*.

2

After careful review of the DEIR, we submit the following comments.

Agricultural Resources

Agricultural resources need to be recognized and the impact of the loss analyzed. The Santa Clara Valley Agricultural Plan generally recognizes the project site as a farmland resource on Map 2-1: The Santa Clara Valley Agricultural Resource Area (p. 10) and on Map 4-1: What Success Looks Like (p. 39). The County Planning Department's online geographical information system (GIS) mapping includes a Soils of Santa Clara County map.³ According to the Farmland

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³<https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=39cca200bb4743eeaab0e15838ab85d2>

Classification (CA FMMP) layer, the project site includes prime farmland, and the California Revised Storie Index layer indicates these soils to be excellent.⁴ See Attachment A.

Per DEIR at Exhibit 3-5 Proposed Cordoba Center Site Plan, it appears a significant amount of the prime farmland on the Project site will be lost to accommodate the development footprint. The Initial Study and DEIR should (a) reflect the presence of prime farmland on the parcels and analyze the impact of the project on this resource, and (b) analyze if this loss conflicts or is inconsistent with any County plan or policy.

3

Cumulative impact analysis needs to consider loss of agricultural resources. The DEIR at p. 1-3 concludes that the proposed project will have no significant cumulative impacts.

The Patel 124 RV site park (File 2229) that is directly adjacent to the Project consists almost entirely of farmland of prime and statewide importance per the County Planning Department's GIS Soils of Santa Clara County map (see Exhibits A and B). The DEIR must consider the cumulative impact of the loss of the agriculture resources.

4

Land Use and Planning

The DEIR must analyze inconsistency with County of Santa Clara General Plan. An EIR must discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. See CEQA Guidelines § 15125 (d). General Plans are intended to guide land use policy and to control where various uses are located in order to avoid or minimize environmental impacts.

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For instance, policy *C-GD 2*, *R-GD 2* and *R-GD 6*⁵ refer to the County's commitment not to permit urban type development and services in the rural/unincorporated lands outside cities' urban service areas. The Project is inconsistent with policy *R-GD 6* since it proposes to obtain

⁴ See attached Exhibits A and B.

⁵ C-GD 2 Urban development shall occur only within cities' urban service areas (USAs) and under city jurisdiction. The County shall not allow urban development on unincorporated lands outside cities' urban service areas. R-GD 2 For lands outside cities' Urban Service Areas (USAs) under the County's land use jurisdiction, only non-urban, low density uses shall be allowed. R-GD 6 Urban types and levels of services shall not be available outside of cities' Urban Service Areas from either public or private service providers.

water for fire protection and potable purposes from the West San Martin Water Works. This would make the Project a beneficiary of an urban service from a private service provider.

Adhering to these policies maintains the stability of County land use policies and strategies regarding rural areas. Sidestepping long-standing, fundamental County policies could set an unfortunate precedent and enables large scale development of an urban nature to occur where it is not intended.

5

Project Alternatives

DEIR should evaluate an alternative that substantially lessens the significant effects of the project. The DEIR at p. 6-13 identifies *Alternative 2: Local Serving Threshold Alternative* as the environmentally superior alternative (in addition to the No Project Alternative). However, the DEIR states that it does not appear to meet the project proponent's objective of sizing the facilities to accommodate attendance projections through 2030 nor reduce the significant and unavoidable impact of greenhouse gas emissions.

Table 6-1 Comparison of the Environmental Impacts of the Alternatives in Relation to the Project reveals none of the alternatives evaluated in the DEIR vary in the level of environmental impacts with the exception of the aesthetic and visual impacts of the Local Serving Threshold Alternative.

The DEIR at p. 6-1 (and 6-5) states CEQA's primary purpose for identifying alternatives to a proposed project is to find feasible alternatives that attain most of the basic objectives of the project and avoid or substantially lessen any of the significant effects of the project.

CEQA Guidelines § 15126.6(b) further expands on this stating that feasible alternatives include those that would impede to some degree the attainment of the project objectives, or would be more costly, if they are capable of avoiding or substantially lessening any significant effects of the project.

None of the alternatives evaluated in the DEIR – with the exception of the No Project Alternative – reduce the most significant impact, that of greenhouse gas emissions, to a level that is less than significant with mitigation.

6

The DEIR should evaluate an alternative that substantially lessens the significant effects of the project even if it impedes to some degree the attainment of the project objectives, including that of sizing the facilities to accommodate attendance projections through 2030.

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Thank you for your consideration of these comments.

Sincerely,

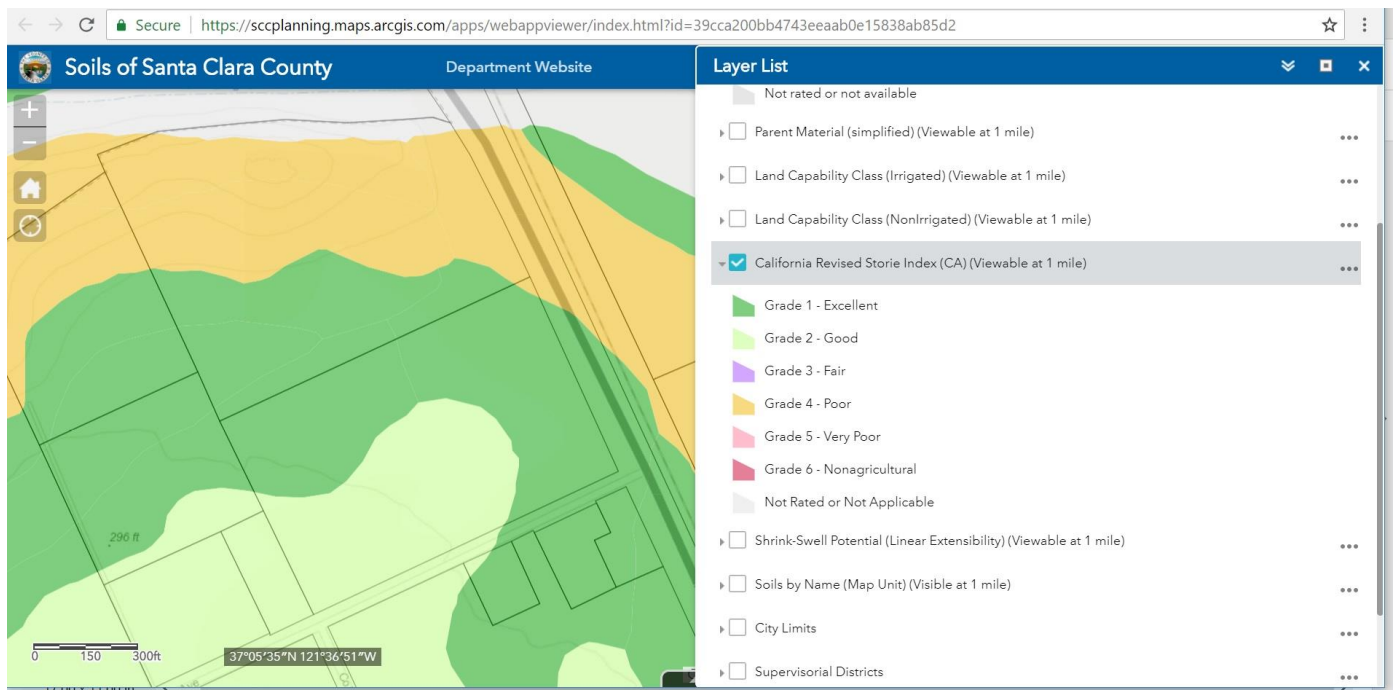
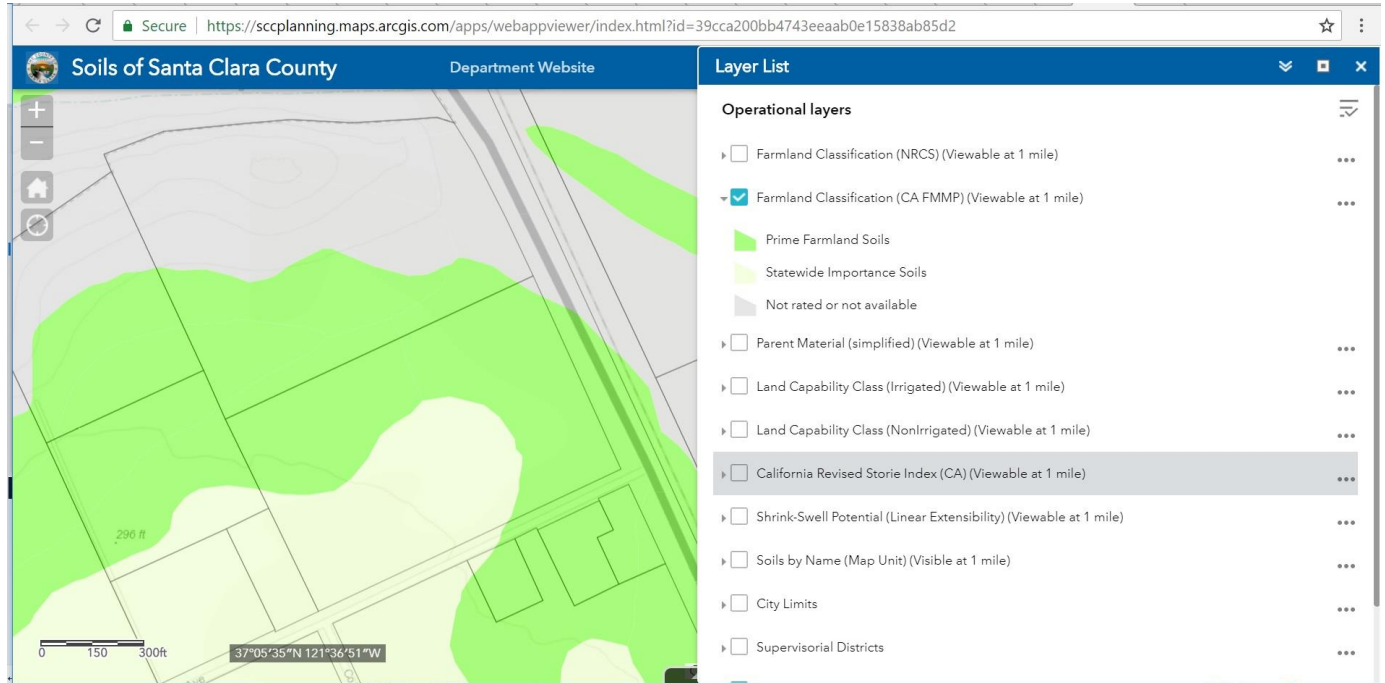
A handwritten signature in blue ink, appearing to read "Julie Hutcheson". The signature is stylized with a large, looped "J" and "H".

Julie Hutcheson

Director of External Affairs and Advocacy

Attachment A: County Planning Department's online GIS Soils of Santa Clara County map

Attachment A - County Planning Department's online GIS Soils of Santa Clara County Map



4.2.1 Response to Comments from Committee for Green Foothills

- 1-CGF-1: The comment summarizes the components of the proposed project and notes differences with project approved by the County Planning Commission in August of 2012. The Draft EIR evaluated the proposed project described in Chapter 3. The application for that project was submitted to the County Planning and Development Department on January 4, 2016.
- 1-CGF-2: Because the prior version of the Cordoba Center was different in size and configuration from the proposed project, the conclusions from the Initial Study prepared for that prior version are generally not applicable to the proposed project. It should be noted that on withdrawal of the application, the Board of Supervisors rescinded the Use Permit, Architecture and Site Approval and Grading Approval for the prior version on August 13, 2013.
- 1-CGF-3: The conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use was evaluated under Section 2.2a) (page A-10) of the Initial Study, and no impact was found because the farmland on the project site is classified as Grazing Land and Other Land, according to mapping by the California Resource Agency's Farmland Mapping and Monitoring Program. Although the project site contains approximately 5.6 acres of Prime Farmland soils, of which approximately 98 percent would be developed under the proposed project, this is not the threshold for evaluation of farmland conversion impacts under CEQA.
- 1-CGF-4: Environmental review of the proposed Patel RV Park has not been conducted. Although that project might involve a significant impact from conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, because the proposed Cordoba Center project would have no impact on farmland, it's contribution to a cumulative impact cannot be considered *cumulatively considerable*. Therefore, the cumulative impact of the Cordoba Center project would be less than significant.
- 1-CGF-5: Section 15125(d) of the CEQA Guidelines requires an EIR to discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. However, no such inconsistencies have been identified; therefore, no discussion was warranted. See response 4-LAFCO-2.
- 1-CGF-6: An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives [15126.6(a)]. The Draft EIR evaluated three reduced intensity alternatives, all of which would feasibly attain most of the basic objectives of the project. The reason these alternatives would not substantially lessen any of the impacts of the project [with the exception of Greenhouse Gas (GHG) emissions, which is discussed below] is that mitigation measures have been identified that would reduce these impacts to a less-than-significant level.

The Draft EIR identified GHG emissions as the only significant and unavoidable impact of the proposed project. Mitigation Measure 4.7-1 could substantially reduce the 1,165 MT CO₂e/year emissions estimated for the project. However, this impact was determined to be significant and unavoidable because it is not known with certainty what the threshold for GHG emissions for a project of this type is given a lack of up-to-date guidance from the Bay Area Air Quality Management District that would be consistent with State GHG emissions reduction goals. That is, it is unknown to what level emissions would need to be reduced to, so that the impact is considered less than significant, and this conclusion would also apply to the reduced intensity alternatives. The Local-Serving Threshold Alternative and the 50 percent Reduced Project Alternative would substantially reduce pre-mitigated GHG emissions to 293 MT CO₂e/year and 589 MT CO₂e/year, respectively, versus 1,165 MT CO₂e/year for the proposed project. However, no alternative, besides the No Project Alternative, would avoid the impact altogether.

July 30, 2018

VIA FEDERAL EXPRESS AND E-MAIL

Mr. Chris Hoem
Senior Planner
Department of Planning and Development
County of Santa Clara
70 West Hedding Street, East Wing, 7th floor
San José, California 95110-1705

Re: Comments on Draft Environmental Impact Report for Cordoba Center

Dear Mr. Hoem:

I am writing on behalf of the South Valley Islamic Center (“SVIC”), the project proponent for the Cordoba Center (the “Project”). SVIC and its members appreciate the thorough and thoughtful work of County of Santa Clara (“County”) staff on this Draft Environmental Impact Report (“DEIR”) prepared to comply with the California Environmental Quality Act (“CEQA”).

SVIC recognizes that the DEIR’s assumptions and environmental analysis for the Project reflect the most conservative scenario. However, we are taking this opportunity to share what SVIC believes to be a more accurate representation of how the Project will actually be used by our community, which demonstrates that the environmental impacts of the Project will be less significant than those reflected in the DEIR. In particular, the transportation impacts and greenhouse gas (“GHG”) impacts associated with the Project will, in reality, be far below the levels reflected in the DEIR.

I. The Project’s Size is Compatible with its Surrounding Neighborhood and Leaves Most of the Project Site As Open Space.

Several members of the public have commented that the Project is too large for the San Martin neighborhood in which it will be located. These comments fail to acknowledge, however, that the Project will leave the large majority of the Project site as open space, unlike many existing and proposed developments on adjacent properties.

1

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Most notably, the proposed Project buildings would only occupy approximately six percent of the 15.8-acre site. (DEIR, Table 3-1, p. 3-11.) The Project would also comply with the 35-foot building height limit for this site. (DEIR, p. 3-11.) As explained in the DEIR, “[a]ll project elements would be setback at least 150 feet from the top of the bank of Llagas Creek to provide a riparian habitat buffer. All impervious elements and structures would be setback at least 30 feet from the project site boundary. The mosque and community center buildings would be concentrated on the southern portion of the site and landscaping would be used to screen the property from off-site viewing locations.” (DEIR, p. 3-10.)

The Project site is designated “Rural Residential” in the County General Plan, with the eastern part of the site along Monterey Highway designated as an Industrial Use Permit Area. While the entire site is zoned RR-5ac-d1, the eastern half of the site also has a combining zoning of San Martin Planning Area (-sm) (San Martin Use Permit Area). The purpose of the -sm district is to allow for non-residential commercial and industrial development, beyond those uses permitted in the base RR zoning district, consistent with the applicable General Plan policies for the San Martin Planning Area. These designations allow for a religious institutional use and cemetery use, subject to obtaining a Use Permit and Architecture and Site Approval and making all of the related findings for those approvals. The Project has been designed to be compatible with the General Plan and Zoning Ordinance policies and requirements.

Further, the Project will be compatible with the existing and proposed uses in the Project vicinity. Surrounding land uses for the Project site are Llagas Creek along the northern boundary of the site, rural residences and active farming operations to the south and the west, and the industrial land uses to the east of Monterey Road, which are separated from the site by the Union Pacific railroad tracks that parallel the eastern side of the road. A 124-unit RV Park is proposed on the parcel abutting the Project site on the south. (DEIR, Table 4-41 and Exhibit 4-1.)

Given the proposed size of the Project, the fact that the majority of the site will be preserved as open space, and the efforts taken by SVIC to ensure compliance with County planning requirements, the assertion that the Project is too large and incompatible with its surrounding neighborhood is incorrect.

II. The DEIR Significantly Overstates the Project’s Traffic Impacts.

Several members of the public have also expressed concerns about the Project’s effects on traffic on local roads. However, as outlined below, the traffic analysis in the DEIR is very conservative and, realistically, the daily trips associated with the mosque use of the Project would be less than half of the trips that have been analyzed in the DEIR.

The Project’s traffic impacts are based primarily on an estimate of how many vehicles will travel to and from the facility on a daily basis. But the DEIR’s estimate does not reflect how SVIC members will actually use the facility. The Project’s Traffic Impact Study (“TIS”) calculated the average daily trips from the Project as “70 percent of the 800 maximum total daily attendees . . .

are assumed to attend the mosque, creating two daily trips per attendee (one inbound one outbound). This assumes that some parishioners would attend multiple services without leaving the site in between and some carpooling or use of public transit would occur.” (DEIR, Table 4.6-2, n. 3.) Then the TIS assumes 1 person per vehicle, and the mosque use of the Project is estimated to generate 1,120 average daily trips (or equivalent to 11.2 trips per family per day given that SVIC currently includes 100 families).

6

Trip generation is generally calculated using the Institute of Transportation Engineers (“ITE”) Trip Generation Manual (9th Edition), which sets trip generation rates for various types of projects and land uses. The DEIR apparently used a separate, Project-specific methodology because the Manual did not include a daily trip rate for mosques, and published research was not readily available. (DEIR, Table 4.6-2, n. 3.) But the DEIR methodology presents an unrealistic, overly conservative projection regarding how many vehicles will actually travel to and from the Project on a daily basis. Among other things, the methodology does not take into account the religious nature of the land use being proposed or that a portion of the attendants are children who would not drive. Furthermore, the DEIR assumes only a 30 percent reduction from the maximum total number of attendees, when it is likely that a far higher percentage of attendees would carpool with their families.

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Though the ITE Trip Generation Manual does not provide a trip generation rate for a mosque, it does provide an average daily trip generation rate for a church use: 9.11 trips per 1,000 square-foot (“sf”) of gross floor area. Neither the DEIR nor the TIS explains why trips associated with mosques would reasonably be anticipated to be much higher than another religious use such as church. In fact, the County itself recently approved an Initial Study/Mitigated Negative Declaration for a Hindu temple in the San Martin area using the ITE Trip Generation Manual’s trip generation rate for a church.¹ There is no category for a Hindu temple in the ITE Trip Generation Manual, but the County used the church rate.²

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It is unclear why the County did not consider modifying/adjusting the ITE Trip Generation Manual for a church’s trip generation rate for this Project, given that it used that rate for the Hindu temple. Even if the County wanted to be extremely conservative and multiply the church trip generation rate by five, in light of the fact that a church may conduct only one service per day and a mosque conducts five, the projected rate would be 45.55 trips per 1000 square feet of

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¹ See Initial Study / Mitigated Negative Declaration for VVGC Hindu Temple Expansion, dated September 24, 2015 (File No. 5056-14P-14A-14G). The approved project includes a worship building (6,000 sf), a kitchen hall (4,000 sf), a barn (4,898 sf), a bathroom building (~400 sf), 50 paved parking spaces, a new groundwater well, two new septic systems, a stormwater treatment basin, a 7,500 gallon water storage tank, and an overflow parking area on a 12.7-acre site. This project is also located on a site designated Rural Residential and zoned RR-5Ac.

² In fact, the ITE manual does include one sample for a mosque as land use category 562, but no sample is included for a Hindu temple.

gross floor area for a mosque.³ Using this methodology, the trips associated with the mosque use of the Project is approximately 443 trips per day instead of the 1,120 trips analyzed in the DEIR, including the assumption of a higher trip rate for Friday prayers. (See **Attachment A**, Technical Memorandum for Greenhouse Gas Impacts, Cordoba Center, San Martin, California prepared by Ramboll U.S. Corporation (“Ramboll GHG Memorandum”), Table 1.) This is equivalent to 4.43 daily trips per SVIC member family, which is more realistic than the 11.2 trips per family analyzed in the DEIR. The total revised trips from the Project will be approximate 475 trips. (Ramboll GHG Memorandum, Table 1.)

9

The issue of the DEIR’s assumption of 1.0 person per vehicle (each person drives a separate car) for the Project’s trip generation calculation is discussed in more detail in the attached letter from Pinnacle Traffic Engineering, dated July 19, 2018. (See **Attachment B**.) Pinnacle’s comments assume average vehicle occupancy of 2.5 people per vehicle and use the DEIR’s assumptions of 800-member maximum daily attendance and 70 percent average daily attendance to arrive at 448 average daily trips from the mosque use of the Project. This is similar to the average daily trips calculated above for the Project using the modified trip generation rate of a church from the ITE Trip generation manual.

10

Overall, the traffic analysis presented in the DEIR for the Project is very conservative by estimating more than double the amount of daily trips that are much more likely to be associated with the mosque use, and the DEIR still concludes that the Project will result in less-than significant impacts after mitigation. Thus, public concerns regarding the Project’s traffic impacts are unfounded.

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III. The DEIR Overestimates Project Greenhouse Gas Impacts.

The DEIR’s conclusions regarding Project greenhouse gas (GHG) emissions are overly conservative in two primary respects. First, the majority of Project GHG emissions are mobile emissions from vehicles; therefore, the highly conservative TIS figures regarding number of vehicle trips result in an overestimation of mobile GHG emissions. Second, the County improperly applied the efficiency threshold to evaluate whether Project GHG emissions are significant. As discussed below, the GHG emissions impacts of the Project are more likely to be less-than-significant.

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³ The trip generation rate for Friday prayers is assumed to be higher (similar to Sunday prayers at a church). Overall, the proposed methodology is a conservative assumption, as the amount of space needed per person in the mosque is higher than the amount of floor area needed per person in a church. SVIC calculated that more square footage is required per person in a mosque in comparison to a church, because the prayer ritual requires standing, then kneeling, then lying forward. Thus, using the church’s trip generation rate for a mosque is a conservative assumption. Additionally, the most current ITE Trip General Manual, the 10th edition, shows a lower trip rates for church use than the prior version, at 6.95 trips per 1,000 sf of gross floor area. Thus, the trip generation rate being proposed for mosque use is conservative.

The total GHG emissions for the Project are calculated as 1,178 MT CO₂e per year. (See DEIR, Table 4.7-1.) This number is above the 1,100 MT CO₂ e per year bright-line threshold that many agencies, including the Bay Area Air Quality Management District (BAAQMD), use to determine whether Project emissions are significant. The GHG emissions calculated in the DEIR are also above the 660 MT CO₂e per year bright-line threshold that the DEIR states is appropriate for evaluating emissions in 2030 (a 40 percent reduction from the 2020 bright-line threshold of 1,100 MT CO₂e to achieve a 40 percent reduction below 1990 levels by 2030). (See DEIR, pp. 4.7-13-14.)

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However, approximately 90% of the Project's total GHG emissions (approximately 1,068 MT CO₂e per year of mobile GHG emissions) are associated with mobile GHG emission resulting from the 1,120 trips associated with the mosque. As discussed in detail above, the Project TIS overestimated the trips associated with the mosque use of the Project by more than two times a more realistic trip generation analysis for that use. Using that more realistic number of average daily trips, the Project's full-buildout GHG emissions would be 659 MT CO₂e in 2020 and 528 MT CO₂e in 2030, which would be less than the respective 2020 and the 2030 bright-line GHG significance thresholds. (See Attachment A, Ramboll GHG Memorandum, Tables 2 and 3.) Thus, under either bright-line threshold, the Project's GHG emissions are less than significant.

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After concluding that the Project's GHG emissions would be higher than the bright-line thresholds, the DEIR proposed using the efficiency GHG threshold of 2.8 MT CO₂e per year per service population of 2030 as the significance threshold for the Project. (DEIR, p. 4.7-13-14.) Using the strict interpretation of the term service population,⁴ the DEIR concluded that the Project's service population is only seven (based on the one on-site residence, two employees, and one Imam), and concluded that the Project's 2030 GHG emissions would be 168 MT CO₂e per year per service population. (DEIR, p. 4.7-15.) The DEIR did identify mitigation measure 4.7-1 to reduce the impacts from GHG emissions of the Project. But the DEIR concluded that it cannot be guaranteed that the Project would not generate GHG emissions that conflict with the California Air Resources Board's proposed 2017 Scoping Plan Update and thus, the Project would result in a significant and unavoidable impact and a considerable contribution to a cumulative impact after mitigation. (DEIR, p. 4.7-17.)

15

However, the DEIR's application of the efficiency threshold is misplaced in two ways. First, the Project's GHG emissions calculation for 2030 of 1,178 MT CO₂e per year does not account for the mandatory statewide GHG emissions reduction regulations that will result in reductions in electricity intensity and mobile emissions (such as increased use of renewables for utilities and higher mileage standards for vehicles) that would be in place by 2030. Further, the service population number of seven used in the DEIR for calculating the GHG emissions per year per service population for the Project is not accurate as it does not consider the mosque attendees as

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⁴ DEIR assumed that the service population is equal to the project's employment and residences served. (DEIR, p. 4.7-8.)

part of the service population of the Project. This approach is faulty because the Project's mobile GHG emissions were calculated using 1,120 trips for the mosque attendees, but the service population number for purposes of calculating per capita GHG emissions does not include these attendees. The DEIR should have modified the service population definition for the Project to account for the mosque attendees in order to present an accurate GHG impacts analysis of the Project.⁵

16

Ramboll's experts in GHG emissions analyzed Project emissions using two alternative methodologies for calculating both the service population of the Project and the GHG emissions of the Project using the daily trips from the Project as described above. The first methodology for calculating GHG impacts analysis of the Project using GHG efficiency metric includes emissions from attendees, but also adds in the attendees to the service population. (See Attachment A, Ramboll GHG Memorandum, p.10.) The second approach evaluates the emissions associated with the DEIR-defined service population in order to provide for an apples-to-apples assessment; but the GHG emissions associated with attendees' trips are excluded from the emissions total and service population. In both the above-mentioned scenarios, the Project's GHG emissions per year per service population will be less-than significant for both the 2020 and the 2030 efficiency GHG thresholds of 4.6 MT CO₂e per year per service population and 2.8 MT CO₂e per year per service population, respectively. (See Attachment A, Ramboll GHG Memorandum, Tables 4 and 5.)

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For these reasons, the DEIR's GHG impacts analysis is highly conservative: actual emissions are far more likely to be less-than-significant than not.

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IV. Groundwater Mitigation Measures Should Be Appropriately Tied to Project Impacts.

SVIC understands the critical importance of maintaining the integrity and quality of groundwater in the vicinity of the Project, and the DEIR reflects a robust analysis of potential groundwater impacts. SVIC is confident that the Project does not present any risk to groundwater; indeed, cemetery projects have been permitted in other jurisdictions throughout California without any groundwater monitoring requirements.

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⁵ CEQA documents commonly modify the traditional service population definition to provide an accurate description of the users of the Project for calculating GHG emission per service population. For example, the Final EIR for the Bethel Church of Redding Collyer Drive Campus Planned Development, City of Redding, dated September 2017 (SCH No. 2016012052), assumed that project's service population comprises the total of number of seats in the church hall and the number of the seats proposed in the school building for the project. (See Bethel Church Final EIR, pp. 5.6-13-14.) The EIR for the Earvin "Magic" Johnson Recreation Area Master Plan Project assumed the service population of the project based on vehicle occupancy for each trip generated by the project. (See Earvin "Magic" Johnson Recreation Area Master Plan Project Final EIR, County of Los Angeles, Department of Parks and Recreation, dated November 2015 (SCH No. SCH 2014101035), Table 4.6-2, n. 4.)

That said, SVIC is willing to engage in groundwater monitoring in order to ensure that the Project does not adversely impact groundwater—which the DEIR demonstrates is very unlikely. However, SVIC should not be responsible for contamination from other sources and should not be unreasonably restricted in the number of permitted burials per year.

20

In mitigation measure 4.4-4, the detection of 7.5 mg/l nitrates in any of the installed groundwater wells on the Project site triggers mitigation. However, that trigger does not take into account (a) baseline nitrate conditions prior to construction of the Project, or (b) the fact that ongoing detections of nitrates at the cemetery during operations may be due, in part or in whole, to contributions from upgradient sources.

21

Under California statutory and constitutional law, a mitigation measure for a project must be “roughly proportional” to the impacts of the project. (Cal. Code of Regs., tit. 14, § 15126.4(a)(4)(B); *Dolan v. City of Tigard* (1994) 512 U.S. 374; *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854.) Thus, in order for the proposed mitigation measure 4.4-4 to be “roughly proportional” to the Project’s impacts, it must be revised to address only the Project’s contribution, if any, to the nitrates in the groundwater.

22

Additionally, mitigation measure 4.4-4 unnecessarily limits the cemetery to 30 burials per year for the first five years. Based upon the detailed analysis reflected in Table 4.4-2 of the DEIR and the related text, a burial rate of up to 50 per year is considered “conservative” in light of the 7.5 mg/l standard for nitrates in groundwater. Thus, 50 burials per year would be fully protective of the environment under the DEIR’s conservative analysis, and there is no substantial evidence to support setting the burial rate below 50 per year. (DEIR, p. 4.4-26.)

23

SVIC therefore requests that the County revise mitigation measure 4.4-4 to address the above issues.

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V. Additional Comments

SVIC’s environmental planning expert, Kim Tschantz, MSP, CEP, has prepared a letter setting forth a number of additional important comments regarding the DEIR. (See **Attachment C**.) SVIC requests that the County consider Mr. Tschantz’s comments and address each of them, along with the comments presented in this letter and the other attachments, in the Final EIR.

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* * *

SVIC looks forward to continuing to cooperate with County staff and members of the public in addressing the Project's environmental impacts and obtaining approval of the Project. Should you have any questions, please feel free to contact us at your convenience.

Very truly yours,

DOWNEY BRAND LLP



Kathryn L. Oehlschlager
Donald Sobelman
Hina Gupta

Attachments

- A. Letter from Taylor Vencill, P.E., and Shari Beth Libicki, Ph.D., Ramboll Environmental, dated July 30, 2018.
- B. Letter from Larry Hail, P.E., Pinnacle Traffic Engineering, dated July 19, 2018
- C. Letter from Kim Tschantz, MSP, CEP, Cypress Environmental and Land Use Planning, dated July 19, 2018.

cc: Ms. Manira Sandhir, Principal Planner
Mr. David Rader, Senior Planner
Mr. Sal Akhter
Mr. Kim Tschantz

ATTACHMENT A



Sal Akhter
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**RE: GREENHOUSE GAS IMPACTS, CORDOBA CENTER, SAN MARTIN,
CALIFORNIA**

Dear Mr. Akhter:

Date July 30, 2018

Ramboll has reviewed the Greenhouse Gas (GHG) assessment prepared in support of the Draft Environmental Impact Report (DEIR) for the Cordoba Center Project in San Martin, California. In response, please find enclosed a technical report detailing refinements in methodology and adjustments to thresholds that would result in reduced or less-than-significant GHG impacts.

If you have any questions and/or comments on this evaluation, please feel free to contact Taylor Vencill at 415.426.5017 or Shari Libicki at 415.796.1933.

Sincerely,

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Enclosures:

Technical Report: Greenhouse Gas Impacts, Cordoba Center
Resume/CV

Technical Report Greenhouse Gas Impacts, Cordoba Center

Prepared for:
South Valley Islamic Center

Prepared By:
Ramboll US Corporation
San Francisco, California

Date
July 2018

Project Number
1690009268

GREENHOUSE GAS IMPACTS

CORDOBA CENTER

SAN MARTIN, CALIFORNIA

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APPENDICES

Appendix A:	Supporting Calculations and CalEEMod® Output Files
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ACRONYMS AND ABBREVIATIONS

ARB:	[California] Air Resources Board
BAAQMD:	Bay Area Quality Management District
CalEEMod®:	<u>California Emission Estimator Model</u>
CEQA:	California Environmental Quality Act
CO ₂ :	Carbon Dioxide
CO ₂ e:	Carbon Dioxide Equivalent
CPUC:	California Public Utilities Commission
DEIR:	Draft Environmental Impact Report
DU:	Dwelling Unit
EIR:	Environmental Impact Report
GHG:	Greenhouse Gas
ITE:	Institute of Transportation Engineers
MT:	metric ton
MT/yr:	metric ton per year
N ₂ O:	nitrous oxide
PG&E:	Pacific Gas and Electric Company
RPS:	Renewable Portfolio Standard
SB:	Senate Bill
SP:	service population
SU:	Significant and Unavoidable
TSF:	Thousand Square Feet
VMt:	vehicle miles traveled

1. INTRODUCTION

Santa Clara County released the Draft Environmental Impact Report (DEIR) under the California Environmental Quality Act (CEQA) for the Cordoba Center Project ("Project") for public comment on May 30, 2018. The DEIR disclosed a significant and unavoidable (SU) greenhouse gas (GHG) impact. The Project's GHG emissions were compared against projected 2030 Bay Area Quality Management District's (BAAQMD's) CEQA Thresholds of Significance for mass emissions in terms of metric tons (MT) of carbon dioxide equivalents (CO₂e) per year and for emissions per service population in terms of MT CO₂e per service population per year. This memorandum describes refinements in methodology and adjustments to thresholds that would result in reduced or less-than-significant GHG impacts.

1.1 Project Description and Overview

The Project site is comprised of 15.8 acres west of U.S. Highway 101 between the communities of Morgan Hill and San Martin in southern Santa Clara County. The Project is bounded by Llagas Creek to the north, farmland to the south, rural residences and associated farming practices to the west, and Highway 101 to the east.

The project site is currently a vacant lot. The Proposed Project would construct a mosque, community building, community plaza, caretaker's dwelling, and maintenance building, while also providing amenities including a youth camp, cemetery, playfield and playground, orchard, and site infrastructure. For this analysis, Ramboll modeled the building square footage from the DEIR (DEIR Project Description, page 3-9).

The Project is anticipated to be fully built and occupied in the year 2021.

1.2 GHG Methodology

As part of this technical memorandum, Ramboll prepared an "adjusted" unmitigated GHG emissions inventory for the Project (hereafter called the "Adjusted Project") that takes into consideration improvements in regulatory measures and refinements in modeling methodology that have been implemented since submittal of the DEIR as well as potential changes in traffic methodology. GHG emission sources associated with the Project include both on-site and off-site sources. On-site sources include off-road mobile equipment (loaders, tractors, etc.) during construction, on-road vehicles, and area sources such as hearths. Off-site sources include on-road vehicles and emissions from solid waste disposal. GHG emissions from purchased electricity, including for the supply, distribution, and treatment of water, are off-site sources. A summary of this analysis is provided in Section 2.

Section 3 presents alternative threshold methodologies to demonstrate how the Project GHG impacts may be lower than disclosed in the DEIR. The DEIR also provides a list of potential specific measures that would reduce emissions, including construction fuel reductions, operational travel demand, solar panels, efficient appliances, waste and water reduction, and funding of local projects. None of these potential reductions are incorporated into this analysis, so if implemented, emissions would be lower than described below.

2. SUMMARY OF GHG EMISSIONS

Emissions representing 2021 were considered to represent the year when construction of the project is anticipated to be complete. However, for comparison against the BAAQMD 2020 and projected 2030 thresholds, emissions were also quantified for calendar years 2020 and 2030. The inventories were based on information from the DEIR. Ramboll prepared a detailed adjusted GHG emissions inventory for Project operations, while Project construction and vegetation emissions are assumed to remain consistent with those presented in the DEIR.

3

2.1 Summary of Existing Conditions GHG Emissions

As noted above, at the time of the Notice of Preparation of the Project DEIR, the Project site was and still remains vacant. Consistent with the DEIR, the existing land uses are not assumed to emit any GHGs.

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2.2 Proposed One-time Project GHG Emissions

2.2.1 Summary of Construction GHG Emissions

Ascent calculated construction emissions using the California Emission Estimator Model version 2016.3.1 (CalEEMod®) and construction activity. For inclusion in the ongoing GHG emissions inventory, total construction emissions plus vegetation sequestration are annualized over the anticipated 25-year life of the Project, to an amount of 13 MT CO₂e per year. The May 2017 BAAQMD CEQA guidance does not require construction emissions to be added to operational emissions for comparison against thresholds, so the inclusion of amortized construction emissions is conservative.

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2.2.2 Summary of Land-Use Change and Vegetation GHG Emissions

Permanent vegetation changes that occur as a result of land use development constitute a one-time change in the carbon sequestration capacity of a project site. The DEIR assumed a decrease in grassland size since construction is proposed in open space areas. However, the DEIR assumed that 100 net new trees will be planted, resulting in a net decrease in GHG emissions due to vegetation carbon sequestration once the vegetation reaches a steady state (i.e., new vegetation replaces dying vegetation). GHG emissions due to vegetation changes are included in the annualized construction emissions of 13 MT CO₂e per year.

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2.3 Proposed Ongoing Project GHG Emissions

The Project emissions were estimated by Ascent in the DEIR. As described above, Ramboll prepared an "adjusted" unmitigated GHG emissions inventory for the Project that takes into consideration improvements in regulatory measures and refinements in modeling methodology that have been implemented since submittal of the DEIR as well as potential changes to mobile trip rates. It also includes the benefits of reductions in electricity intensity and mobile emissions for year 2030. Another CalEEMod® run with DEIR assumptions but for calendar year 2030 was also performed for comparison. CalEEMod® output files and calculation tables are included in Appendix A.

7

2.3.1 Methodology for Project Emissions Inventories

Ascent's analysis of Project GHG emissions uses CalEEMod® version 2016.3.1. Ramboll used the newer version, 2016.3.2, which incorporates newer regulations and fixes software bugs.

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The GHG inventories are divided by source category to cover the following sources:

1. Area Sources
2. Purchased electricity use not related to water usage
3. Natural gas use
4. Water usage, including purchased electricity use
5. Waste
6. Mobile Sources.

Each source category is discussed separately below.

2.3.1.1 Area Sources

The proposed Project includes area sources such as architectural coatings, consumer products use, and landscaping equipment. CalEEMod® does not consider architectural coatings and consumer products to be sources of GHGs. The Project land uses will employ gasoline and diesel landscaping equipment, and the caretaker's residence may include a natural gas-fired hearth. Both Ramboll and the DEIR estimated emissions from this equipment and hearths using CalEEMod®. CalEEMod®'s emissions estimates are based on emission factors for the landscaping equipment from the California Air Resources Board (ARB) OFFROAD2011 model and hearths based on typical activity in Santa Clara County and natural gas emission factors.

2.3.1.2 Purchased Electricity Not Related to Water Use

The Project includes operational emissions associated with purchased electricity for lighting, heating, plug-in appliances, electric vehicle charging, and other uses not associated with water supply, treatment, and distribution. CalEEMod® estimates emissions based on the electricity use and the carbon intensity of electricity.

CalEEMod® provides default electricity intensities based on the type and size of land uses associated with the Project. Version 2016.3.2 incorporates the 2016 Title 24 building energy efficiency standards, which went into effect January 1, 2017. The DEIR analysis also assumed implementation 2016 Title 24, but based the energy use rates on an approximation of reductions from the prior set of standards from 2013, as those were incorporated in CalEEMod® version 2016.3.1.

For estimating GHG emissions from electricity use, the DEIR used Pacific Gas and Electric Company (PG&E) CO₂ intensity factors projected for 2020 by the California Public Utilities Commission (CPUC) GHG Calculator based on PG&E's 2003-2013 data in place of the default carbon intensity in CalEEMod®.¹ For estimating GHG emissions from electricity use for the Adjusted Project and for the 2030 DEIR run, PG&E CO₂ intensity factors were projected for 2020 and 2030 using PG&E data from 2014 through 2016. This methodology is slightly different than used by the DEIR, since the CPUC calculator does not project out to 2030. These intensity factors take into account the State's Renewable Portfolio Standard (RPS) that requires 33% of electricity to be renewable in 2020 and 50% in 2030. The derivation of these factors is shown in **Table 1 of Appendix A**.

¹https://www.pge.com/includes/docs/pdfs/shared/environment/calculator/pge_ghg_emission_factor_info_sheet.pdf

2.3.1.3 Natural Gas

The Project emits GHGs from on-site natural gas combustion. Both Ramboll and the DEIR estimated emissions using CalEEMod® based on the type and size of land uses associated with the Project. Similar to electricity usage, Ramboll's analysis assumed 2016 Title 24 building energy efficiency standards as implemented in CalEEMod® 2016.3.2, while the DEIR assumed an approximation of 2016 Title 24 extrapolated from 2013 standards.

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2.3.1.4 Water Use, Including Purchased Electricity

Electricity is required to supply, treat, and distribute water and wastewater, and as such water use is a source of GHG emissions. The water use estimate for the Project is the CalEEMod® default for the Project land uses for Santa Clara County. As with GHG emissions from purchased electricity not related to water use, Ramboll and the DEIR used the PG&E CO₂e intensity factor for 2020 and 2021, respectively, in place of the default energy intensity in CalEEMod®. For the 2030 run, Ramboll used the projected PG&E CO₂ intensity factor discussed in Section 2.3.1.2.

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2.3.1.5 Waste

Waste generated by the Project will result in GHG emissions, which Ramboll and the DEIR estimated using CalEEMod® using default values.

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2.3.1.6 Mobile Sources

The Project would generate vehicle trips primarily from congregants traveling to and from the mosque for services. Additional trips would be generated by the two maintenance workers, the Imam, and the members of the caretaker's residence.

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Fehr & Peers prepared a traffic analysis for the DEIR that estimated daily trips and vehicle miles traveled (VMT). The mosque's five daily prayers are estimated to bring in 800 attendants per day in total (DEIR PD Table 3-2). The traffic appendix (DEIR Appendix E, Table 1) assumes that of these 800 attendants, 70 percent are unique vehicle trips, resulting in $(800 \times 70\%) = 560$ round-trips or 1,120 one-way trips per day. Trip lengths are estimated using assumptions of the origins of trips by SVIC membership. The trips per day are multiplied by the average trip length to result in a daily VMT. Ascent then used this daily VMT to back-calculate inputs to use in CalEEMod® to quantify GHG emissions. For comparison purposes, Ramboll reran CalEEMod® using these same trip inputs to generate DEIR emissions for calendar year 2030.

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The traffic analysis appears overly conservative and can be refined to result in greatly decreased VMT. From the DEIR (DEIR Project Description section 3.3.1), SVIC includes "100 families or 400 members assuming an average family size of four persons". Given the number of families, a high carpool rate could reasonably be assumed. In addition, some of these families currently drive to and from a mosque much farther away in San Jose; for these families, the Project should actually result in a net decrease in VMT.

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To evaluate the Adjusted Project scenario, Ramboll uses a modified version of the Institute of Transportation Engineers (ITE) trip generation rates for a church land use, as included in

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CalEEMod®.² Ramboll assumed a trip generation rate of five times the church weekday³ trip rate to represent trips to and from each daily mosque service, assuming churches also have at least one event per weekday, as compared to the five daily events at the mosque. In addition, Ramboll added one round-trip per day for the Imam, one round-trip per day per maintenance worker. 17 one-way trips for the cemetery were added consistent with the estimate in the DEIR. Ramboll incorporated the higher Sunday ITE Church trip rate that represents important church services by assuming this rate is comparable to the Friday prayer. Therefore, Ramboll assumed five times the Church weekday rate for Saturday through Thursday, but for Friday four weekday rates plus one Sunday rate was assumed, as shown in **Table 1** below. These trip rates are incorporated into the Adjusted Project scenario for 2020 and 2030. The average trip length is conservatively assumed to remain consistent with the DEIR, even though as noted above, some of these trips should result in net reductions in VMT. For entry into CalEEMod®, the trip length parameters were adjusted so the overall average trip length was consistent with the traffic study's weighted trip length.

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² The *ITE Trip Generation Manual* (10th edition) shows lower trip rates for Church than the version that was incorporated into CalEEMod® (9th edition), at 6.95/1000sqft weekday and 27.63/1000sqft Sunday (per <https://itetripngen.org/Query>), so using the higher trip rates from CalEEMod® is conservative.

³ For churches, weekdays are Monday through Saturday. For the mosque, the weekdays are Saturday through Thursday, as discussed below.

Table 1: Trip Rates for Adjusted Project Scenario						
Land Use	Size^a	Trip Generation (one-way trips/size/day)				Average Daily Trips (one-way trips/day)
	(TSF or DU)	Weekday M-Th	Friday	Saturday	Sunday	
Church ^b	-	9.11	9.11	10.37	36.63	-
Mosque	8.938	45.55	73.07	45.55	45.55	442.3
Imam + 2 workers ^c	-	6	6	6	6	6
Cemetery ^c	-	17	17	17	17	17
Single Family Home	1	9.52	9.52	9.91	8.62	9.4
CalEEMod[®] Inputs						
Place of Worship ^d	25.986	16.55	26.02	16.55	16.55	465.3
Single Family Home	1	9.52	9.52	9.91	8.63	9.4
Notes: <ol style="list-style-type: none"> Trip generation is based on the size of the mosque building. Ancillary uses are not expected to generate significantly more trips. Represents the ITE CalEEMod[®] Church trip generation defaults. These are adjusted for Mosque trip rates assuming 5 services per day, except for Fridays where the most well-attended service uses the Sunday Church trip rate. For modeling purposes, these trips are added to the mosque building total trips. Since the modeled CalEEMod[®] land uses are different than the trip-generating land uses, the total trips per day from the Mosque, Imam, 2 workers, and cemetery are divided among the DEIR-modeled land use size for CalEEMod[®] input. 						

2.3.2 Summary of DEIR and Adjusted Project Emissions

Table 2 shows the DEIR and Adjusted Project unmitigated GHG inventories by source category.

Table 2: Full Buildout DEIR Project and Adjusted Project Greenhouse Gas Emissions by Source Category				
Source Category	DEIR Project, Full Buildout, 2021	DEIR Project, Full Buildout, 2030	Adjusted Project, Full Buildout, 2020	Adjusted Project, Full Buildout, 2030
	(MT CO₂e/yr)			
Area	0.2	0.2	0.2	0.2
Purchased Electricity	20	18	37	27
Natural Gas	25	26	38	38
Water Use	2	2	3	2
Waste Disposed	50	50	75	75
Traffic	1,069	825	493	372
Annualized Construction and Vegetation	13	13	13	13
Total	1,178	934	659	528
Notes: a. Totals may not add due to rounding				

3. COMPARISON TO BAAQMD MASS EMISSIONS THRESHOLDS

The BAAQMD CEQA Guidelines (May 2017) provide a mass emissions threshold of 1,100 MT CO₂e per year that excludes small projects from GHG mitigation while still achieving the Bay Area's share of statewide 2020 land use-driven emissions reduction goals.⁴ The BAAQMD's methodology assumed the 59 percent of all projects would be above this mass emissions threshold and that each project above the threshold would mitigate its GHG emissions by 26 percent.

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In the DEIR, Ascent projects this thresholds to 2030 under the assumption that the mass emissions threshold must decrease by 40 percent by 2030 to meet statewide 2030 GHG targets. This reasoning may be overly conservative, as the BAAQMD's threshold is based on the concept that small projects will not have a substantial effect on statewide GHG emissions. In any case, emissions should be evaluated in calendar year 2030 for comparison against a 2030 threshold; otherwise, a project does not get emissions credit for regulatory improvements and vehicle fleet turnover assumptions that are incorporated into the State's Climate Change Scoping Plan to achieve the 2030 statewide target.⁵ Ramboll reran CalEEMod® with the DEIR assumptions for calendar year 2030 for a more consistent comparison with the assumed 2030 mass emissions threshold.

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Table 3 shows emissions as provided in the DEIR for year 2021 and as remodeled for year 2030, and the Adjusted Project as described in Section 4 for years 2020 and 2030 compared to the BAAQMD's mass emissions thresholds of 1,100 and 660 MT CO₂e per year for 2020 and 2030, respectively. As shown in the table, emissions from the DEIR exceed the 2020 threshold by just 78 MT CO₂e and the 2030 threshold by 274 MT CO₂e, while emissions for the Adjusted Project scenario do not exceed this threshold. As shown, two of these four scenarios would result in less than significant GHG impacts.

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⁴ BAAQMD. 2017. Appendix D. Available at: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

⁵ ARB. Climate Change Scoping Plan. 2017. Available at: <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>

Table 3: DEIR Project and Adjusted Project Greenhouse Gas Emissions Compared to BAAQMD Mass Emissions Thresholds				
Item	DEIR Project, Full Buildout, 2021^a	DEIR Project, Full Buildout, 2030	Adjusted Project, Full Buildout, 2020	Adjusted Project, Full Buildout, 2030
	(MT CO₂e/yr)			
Total Emissions	1,178	934	659	528
BAAQMD Mass Emissions Threshold ^b	1,100	660	1,100	660
Exceeds Threshold?	Yes	Yes	No	No
Amount Exceeds Threshold	78	274	-441	-132
Notes: <ul style="list-style-type: none"> a. The DEIR emissions would be slightly higher in 2020 than as modeled in 2021 due to vehicle fleet regulations and turnover. b. As described above, it may be overly conservative to adjust the BAAQMD <i>de minimis</i> threshold for future years. 				

4. ADJUSTED SERVICE POPULATION THRESHOLDS

This section describes the derivation and comparison to potential other thresholds, namely the service population threshold. The DEIR's use of "service population" leads to an inherent bias against projects with high numbers of "customers" or "visitors", such as projects with non-residential uses like retail, hotels, and churches. With the DEIR's approach, the emissions from customers and visitors are included in the total emissions, but excluded from the service population. The modified emissions inventory approaches below show two different methodologies to reduce this project-type bias. The first includes emissions from visitors but also adds in the visitors to the service population. The second approach evaluates the emissions associated with the defined service population in order to provide for an apples-to-apples assessment; as such, visitors are excluded from the emissions total and service population.

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BAAQMD thresholds are based on the Assembly Bill (AB) 32 GHG reduction goals and a "gap analysis" that attributes an appropriate share of GHG emissions reductions to new land use development projects in BAAQMD's jurisdiction. The efficiency threshold (4.6 MT of CO₂e per service population) was calculated by dividing the AB 32 GHG reduction target for land use development emissions in California by the estimated 2020 population and employment level. BAAQMD thresholds are tied directly to AB 32 and statewide emissions reduction goals for 2020. Senate Bill (SB) 32 addresses GHG emissions reductions through 2030. Long-term goals for 2030 and 2050 also have been articulated in EO B-30-15 and EO S 3-05, respectively. The 2030 threshold of 2.7 MT CO₂e per service population was calculated for 2030 and based on the GHG reduction goal established under SB 32 and EO B-30-15 (40 percent reduction below 1990 levels by 2030, taking into account the 1990 emissions levels adjusted for the AR4 global warming potentials for consistency with the rest of the inventory and the projected 2030 statewide population and employment levels). The detailed derivation is shown in **Table 2 of Appendix A**. This is also consistent with the 2030 service population threshold shown in the DEIR, Appendix C.⁶

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4.1 Visitors Included in Service Population

Other recently-approved EIRs in Santa Clara County have included congregants and visitors within their service population for comparison to BAAQMD thresholds. The Bethel Church of Redding DEIR (February 2017) defined the service population as "the people that work, live, and congregate within the project site". Although there are around 400 members of the SVIC (DEIR Project Description, 3.3.1), this analysis conservatively includes a service population of 300 based on the assumption that 300 members regularly attend the Friday Prayers (DEIR Project Description, Table 3-2) and assuming that some members attend more than one Prayer per day such that the sum of daily attendance would be an overestimate of congregants. This also assumes that the caretaker's family and employees are included among the 300 members and does not double-count them as additional resident or worker populations.

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As shown in **Table 4**, emissions per service population using this methodology are much lower than presented in the DEIR and less-than-significant for three of the four scenarios.

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⁶ While Section 4.7.4 of the DEIR lists 2.83 MT CO₂e per service population as the 2030 threshold, Appendix C of the DEIR derives a value of 2.66 MT CO₂e per service population.

Table 4: Comparison to BAAQMD Service Population Thresholds including Visitors in Service Population				
Source Category	DEIR Project, Full Buildout, 2021	DEIR Project, Full Buildout, 2030	Adjusted Project, Full Buildout, 2020	Adjusted Project, Full Buildout, 2030
	(MT CO₂e/yr)			
Total	1,178	934	659	528
Service Population	300	300	300	300
Emissions per Service Population (MT CO ₂ e/SP-year)	3.9	3.1	2.2	1.8
Threshold	4.6	2.7	4.6	2.7
Exceeds Threshold?	No	Yes	No	No

4.2 Resident and Worker Emissions

Table 5 shows the emissions and emissions per service population associated with the caretaker's residence, the Imam, and the two maintenance workers only. This includes the electricity, natural gas, water, waste, and hearth use for the caretaker residence as calculated in CalEEMod®. Additional building-related emissions for the workers are assumed to be a 3/300ths of total building-related emissions, based on the relative number of workers that visit the mosque out of the total number of visitors as described in the previous section. In addition, 7/300 of the amortized construction and vegetation emissions are also conservatively included in this analysis.

For the DEIR scenarios, mobile emissions are scaled by the proportion of trips associated with the maintenance building and caretaker's dwelling land uses as presented in the Traffic appendix, Table 1. These are 4 and 10 one-way trips per day, respectively, out of the total 1,151 one-way daily trips. For the Adjusted Project scenarios, the worker and resident land uses generate 6 and 9.4 one-way trips per day, respectively, out of the total 475 one-way daily trips. The relative length of the resident and worker trips compared to the visitor trips is unknown, so the mobile emissions are conservatively assumed to be proportional to the trip number.

As shown in **Table 5**, emissions per service population using this methodology are much lower than presented in the DEIR and less-than-significant for all four scenarios.

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Table 5: Resident and Worker Greenhouse Gas Emissions by Source Category				
Source Category	DEIR Project, Full Buildout, 2021	DEIR Project, Full Buildout, 2030	Adjusted Project, Full Buildout, 2020	Adjusted Project, Full Buildout, 2030
	(MT CO ₂ e/yr)			
Area	0.2	0.2	0.2	0.2
Purchased Electricity	1.3	1.2	1.7	1.3
Natural Gas	1.7	1.8	1.9	1.9
Water Use	0.2	0.2	0.2	0.2
Waste Disposed	1.1	1.1	1.4	1.4
Traffic	13	10	16	12
Annualized Construction and Vegetation	0.3	0.3	0.3	0.3
Total	17	14	22	17
Service Population	7	7	7	7
Emissions per Service Population (MT CO ₂ e/SP-year)	2.5	2.1	3.1	2.5
Threshold	4.6	2.7	4.6	2.7
Exceeds Threshold?	No	No	No	No
Notes:				
a. Totals may not sum due to rounding				

5. SUMMARY

As shown in **Table 6**, refinements in methodology and adjustments to thresholds would result in reduced or less-than-significant GHG impacts.

Table 6: GHG Impacts by Threshold				
Threshold	DEIR	DEIR, 2030	Adjusted Project, 2020	Adjusted Project, 2030
Mass Emissions Threshold	S	S	LTS	LTS
Resident and Worker Emissions per Service Population Threshold	LTS	LTS	LTS	LTS
Service Population Thresholds including Visitors in Service Population	LTS	S	LTS	LTS
Notes: LTS – Less than Significant S – Significant				

APPENDIX A SUPPORTING CALCULATIONS AND CALEEMOD® OUTPUTS

Appendix A Table 1.
PGE Electricity Intensity Factor Derivations
South Valley Islamic Center
San Martin, California

Historical Electricity Intensity Factors	2014^{1,2}	2015^{1,3}	2016^{1,4}	Average⁵	Units
CO ₂ Intensity Factor per Total Energy Delivered	434.9	404.5	293.7	377.7	lbs CO ₂ /MWh delivered
% of Total Energy From Renewables	27%	29.5%	32.8%	29.8%	--
CO ₂ Intensity Factor per Total Non-Renewable Energy ⁶	596	574	437	537.8	lbs CO ₂ /MWh delivered
Estimated Intensity Factor for Total Energy Delivered^{7,8}					
2020 RPS (33%)	399.2	384.4	292.8	360.3	lbs CO ₂ /MWh delivered
	401.7	387.0	295.4	362.9	lbs CO ₂ e/MWh delivered
2030 RPS (50%) ⁹	297.9	286.9	218.5	268.9	lbs CO ₂ /MWh delivered
	300.5	289.4	221.1	271.5	lbs CO ₂ e/MWh delivered

Notes:

- ¹. Total CO₂ emission factor from for PGE from The Climate Registry. Available at: <https://www.theclimateregistry.org/our-members/cris-public-reports/>. Accessed: June 2018. If the Project procure electricity with higher percentage of renewables (e.g. from Marin Clean Energy), emissions will be lower than calculated here.
- ². Percent of total energy from eligible renewables is from the PGE 2015 Corporate Responsibility Report. Available at: http://www.pgecorp.com/corp_responsibility/reports/2015/PGE_CRSR_2015.pdf.
- ³. Percent of total energy from eligible renewables is from the PGE 2016 Corporate Responsibility Report. Available at: http://www.pgecorp.com/corp_responsibility/reports/2016/PGE_CRSR_Environment.pdf.
- ⁴. Percent of total energy from eligible renewables is from the PGE 2017 Corporate Responsibility Report. Available at: http://www.pgecorp.com/corp_responsibility/reports/2017/assets/PGE_CRSR_2017_Environment.pdf.
- ⁵. This average uses the most recent three years of data.
- ⁶. The emissions metric presented here is calculated based on the total CO₂ intensity factor divided by the percent of energy delivered from non-renewable sources.
- ⁷. The intensity factor for total energy delivered is estimated by multiplying the percentage of energy delivered from non-renewable energy by the CO₂ emissions per total non-renewable energy metric calculated above. The estimate provided here and the energy reports issued by PGE assume that renewable energy sources do not result in any CO₂ emissions.
- ⁸. Global Warming Potentials (GWP) are based on the IPCC Fourth Assessment Report. CH₄ and N₂O emission factors are from the CalEEMod version 2016.3.2 defaults for PGE, and are conservatively assumed not to change from these estimates. As more renewable energy is integrated into the electricity grid, these intensity factors will also decrease.
- ⁹. Emission factor presented here is 50% projected RPS for 2030 consistent with SB 32 and SB 350. Available at: <http://www.energy.ca.gov/sb350/>.

Abbreviations:

CARB - California Air Resources Board
 CH₄ - methane
 CO₂ - carbon dioxide
 GHG - greenhouse gases
 GWP - global warming potential
 IPCC - Intergovernmental Panel on Climate Change

lbs - pounds
 MWh - megawatt-hour
 N₂O - nitrogen dioxide
 RPS - Renewable Portfolio Standards
 PGE - Pacific Gas & Electric
 SB - Senate Bill
 USEPA - US Environmental Protection Agency

Appendix A Table 2.
California 2030 GHG Emissions, Population Projections and GHG Service Population Target
South Valley Islamic Center
San Martin, California

2030 Service Population Calculation (Based on the 2014 First Updated Scoping Plan)¹	
Original 2020 Limit (MMT CO ₂ e) (i.e., 1990 level approved in 2007) ²	427
BAAQMD-used California Land Use Sector Emissions Target Based on Original 2020 Limit (MMT CO ₂ e/yr) ³	296
BAAQMD-used Land Use Sector 2020 Emission Target/2020 Emission Limit ³	69.21%
Updated 2020 Limit (i.e., 1990 level approved in 2014 and most correct) (MMT CO ₂ e) ²	431
California Land Use Sector Emissions Target Based on <u>Updated</u> 2020 Limit (MMT CO ₂ e/yr)	298
Percentage the 2030 GHG Target Emissions Relative to 1990 level ⁴	60%
Estimate 10-year employment growth rate (2012 -2022) ⁵	14.9%
Estimated 2030 Data	CY 2030
Land Use Sectors Greenhouse Gas Emissions Target ⁶ (MT CO ₂ e/yr)	178,979,059
Population ⁷	43,939,250
Employment ⁸	23,205,813
California Service Population (Population + Employment)	67,145,063
AB 32 Goal GHG emissions (MT CO ₂ e/SP/yr)	2.67

Notes:

1. Using AR4 Global Warming Potentials for the 1990 Inventory
2. California 1990 Greenhouse Gas Emissions Level and 2020 Limit. Available at: <http://www.arb.ca.gov/cc/inventory/1990level/1990level.htm>.
3. Table D-3 of May 2017 BAAQMD California Environmental Quality Act Guidelines. Bay Area Air Quality Management District (BAAQMD). 2017. Available at: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.
4. Executive Order B-30-15. Available at: <https://www.gov.ca.gov/news.php?id=18938>.
5. California Industry Employment Projections Between 2012-2022. Employment Development Department (EDD), State of California, September 19, 2014. Available at: [http://www.labormarketinfo.edd.ca.gov/file/indproj/cal\\$indnarr.pdf](http://www.labormarketinfo.edd.ca.gov/file/indproj/cal$indnarr.pdf).
6. California Environmental Quality Act Guidelines Update - Proposed Air Quality CEQA Thresholds of Significance. Bay Area Air Quality Management District (BAAQMD), May 3, 2010. Emissions adjusted by AR4 GWP and reduction target for 2030.
7. Report P-1 (County): State and County Total Population Projections, 2010-2060 (1-year increments). California Department of Finance. Available at: http://www.dof.ca.gov/Forecasting/Demographics/Projections/documents/P1_County_1yr_interim.xlsx.
8. Assumes the 10-year employment growth rate between 2020 and 2030 is the same as that of the 2012-2022.

Abbreviations:

AB - Assembly Bill
AR - Assessment Report
BAAQMD - Bay Area Air Quality Management District
CEQA - California Environmental Quality Act
CO₂e - carbon dioxide equivalents
CY - calendar year

GHG - greenhouse gases
GWP - global warming potential
MMT - million metric tons
MT - metric tonnes
SP - service population
yr - year

Cordoba Center, 2030, DEIR-Replication with Newer CalEEMod, Operations Only - Santa Clara County, Annual

Cordoba Center, 2030, DEIR-Replication with Newer CalEEMod, Operations Only
Santa Clara County, Annual

1.0 Project Characteristics**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Single Family Housing	1.00	Dwelling Unit	0.32	3,380.00	3
Place of Worship	17.20	1000sqft	0.39	17,200.00	0

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	58
Climate Zone	4			Operational Year	2030
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	268.9	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - DEIR-Replication with Newer CalEEMod, Operations Only, 2030 year with 50% RPS projection

Land Use - Default acreage. Residential sf Project-specific

Construction Phase - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction
Grading - Not modeling construction
Trips and VMT - Not modeling construction
Architectural Coating - Not modeling construction
Vehicle Trips - Trip lengths adjusted to match DEIR
Vehicle Emission Factors - EMFAC2014 (CalEEMod defaults)
Vehicle Emission Factors -
Vehicle Emission Factors -
Energy Use - 2016 T24 (CalEEMod defaults)

Table Name	Column Name	Default Value	New Value
tblLandUse	LandUseSquareFeet	1,800.00	3,380.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	268.9
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblVehicleTrips	CC_TL	6.60	50.00
tblVehicleTrips	CNW_TL	6.60	41.30
tblVehicleTrips	CW_TL	14.70	9.50
tblVehicleTrips	HO_TL	5.70	30.03
tblVehicleTrips	HS_TL	4.80	30.00
tblVehicleTrips	HW_TL	10.80	30.00

2.0 Emissions Summary

2.2 Overall Operational
Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.1271	0.0437	0.1708	2.5000e-004	1.0000e-005	0.1792

Energy											0.0000	44.0796	44.0796	2.4700e-003	8.8000e-004	44.4039
Mobile											0.0000	824.1384	824.1384	0.0205	0.0000	824.6500
Waste											20.1570	0.0000	20.1570	1.1912	0.0000	49.9381
Water											0.1914	0.7751	0.9665	0.0197	4.8000e-004	1.6035
Total											20.4755	869.0367	889.5122	1.2342	1.3700e-003	920.7748

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.1271	0.0437	0.1708	2.5000e-004	1.0000e-005	0.1792
Energy											0.0000	44.0796	44.0796	2.4700e-003	8.8000e-004	44.4039
Mobile											0.0000	824.1384	824.1384	0.0205	0.0000	824.6500
Waste											20.1570	0.0000	20.1570	1.1912	0.0000	49.9381
Water											0.1914	0.7751	0.9665	0.0197	4.8000e-004	1.6035
Total											20.4755	869.0367	889.5122	1.2342	1.3700e-003	920.7748

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	824.1384	824.1384	0.0205	0.0000	824.6500
Unmitigated											0.0000	824.1384	824.1384	0.0205	0.0000	824.6500

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Place of Worship	156.69	178.36	630.04	2,883,147	2,883,147
Single Family Housing	9.52	9.91	8.62	91,617	91,617
Total	166.21	188.27	638.66	2,974,764	2,974,764

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Place of Worship	9.50	50.00	41.30	0.00	95.00	5.00	64	25	11
Single Family Housing	30.00	30.00	30.03	31.00	15.00	54.00	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Single Family Housing	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651
Place of Worship	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated											0.0000	18.3155	18.3155	1.9800e-003	4.1000e-004	18.4866
Electricity Unmitigated											0.0000	18.3155	18.3155	1.9800e-003	4.1000e-004	18.4866
NaturalGas Mitigated											0.0000	25.7641	25.7641	4.9000e-004	4.7000e-004	25.9172
NaturalGas Unmitigated											0.0000	25.7641	25.7641	4.9000e-004	4.7000e-004	25.9172

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Place of Worship	453736											0.0000	24.2131	24.2131	4.6000e-004	4.4000e-004	24.3570
Single Family Housing	29065.1											0.0000	1.5510	1.5510	3.0000e-005	3.0000e-005	1.5602
Total												0.0000	25.7641	25.7641	4.9000e-004	4.7000e-004	25.9172

Mitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Place of Worship	453736											0.0000	24.2131	24.2131	4.6000e-004	4.4000e-004	24.3570
Single Family Housing	29065.1											0.0000	1.5510	1.5510	3.0000e-005	3.0000e-005	1.5602
Total												0.0000	25.7641	25.7641	4.9000e-004	4.7000e-004	25.9172

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Place of Worship	142072	17.3287	1.8700e-003	3.9000e-004	17.4906
Single Family Housing	8090.57	0.9868	1.1000e-004	2.0000e-005	0.9960
Total		18.3155	1.9800e-003	4.1000e-004	18.4867

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Place of Worship	142072	17.3287	1.8700e-003	3.9000e-004	17.4906
Single Family Housing	8090.57	0.9868	1.1000e-004	2.0000e-005	0.9960

Total		18.3155	1.9800e-003	4.1000e-004	18.4867
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6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.1271	0.0437	0.1708	2.5000e-004	1.0000e-005	0.1792
Unmitigated											0.1271	0.0437	0.1708	2.5000e-004	1.0000e-005	0.1792

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.1271	0.0312	0.1583	2.4000e-004	1.0000e-005	0.1665
Landscaping											0.0000	0.0124	0.0124	1.0000e-005	0.0000	0.0127

Total											0.1271	0.0437	0.1708	2.5000e-004	1.0000e-005	0.1792
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Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.1271	0.0312	0.1583	2.4000e-004	1.0000e-005	0.1665
Landscaping											0.0000	0.0124	0.0124	1.0000e-005	0.0000	0.0127
Total											0.1271	0.0437	0.1708	2.5000e-004	1.0000e-005	0.1792

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.9665	0.0197	4.8000e-004	1.6035
Unmitigated	0.9665	0.0197	4.8000e-004	1.6035

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Place of Worship	0.538169 / 0.841752	0.8853	0.0176	4.3000e-004	1.4537
Single Family Housing	0.065154 / 0.0410754	0.0812	2.1300e-003	5.0000e-005	0.1498
Total		0.9665	0.0197	4.8000e-004	1.6035

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Place of Worship	0.538169 / 0.841752	0.8853	0.0176	4.3000e-004	1.4537
Single Family Housing	0.065154 / 0.0410754	0.0812	2.1300e-003	5.0000e-005	0.1498
Total		0.9665	0.0197	4.8000e-004	1.6035

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	20.1570	1.1912	0.0000	49.9381
Unmitigated	20.1570	1.1912	0.0000	49.9381

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Place of Worship	98.04	19.9012	1.1761	0.0000	49.3045
Single Family Housing	1.26	0.2558	0.0151	0.0000	0.6337
Total		20.1570	1.1913	0.0000	49.9381

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Place of Worship	98.04	19.9012	1.1761	0.0000	49.3045

Single Family Housing	1.26	0.2558	0.0151	0.0000	0.6337
Total		20.1570	1.1913	0.0000	49.9381

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Cordoba Center, 2020, Adjusted Project, Operations Only - Santa Clara County, Annual

Cordoba Center, 2020, Adjusted Project, Operations Only
Santa Clara County, Annual

1.0 Project Characteristics**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Place of Worship	25.99	1000sqft	0.60	25,986.00	0
Single Family Housing	1.00	Dwelling Unit	0.32	3,380.00	3

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	58
Climate Zone	4			Operational Year	2020
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	360.3	CH4 Intensity (lb/MW hr)	0.029	N2O Intensity (lb/MW hr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Cordoba Center, 2020, Adjusted Project, Operations Only. PGE CO2 EF for 2020 based on projection from 2014-2016 data to 33% RPS.

Land Use - Consistent with DEIR

Construction Phase - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Trips and VMT - Not modeling construction

Grading - Not modeling construction

Architectural Coating - Not modeling construction

Vehicle Trips - Trip lengths adjusted to match DEIR Traffic study weighted trip lengths. Friday trip rate assigned to Saturday for Place of Worship to account for higher trip rates due to Friday Prayer. Includes worker and cemetery trips

Vehicle Emission Factors - EMFAC2014 (CalEEMod defaults)

Vehicle Emission Factors -

Vehicle Emission Factors -

Energy Use - 2016 T24 (CalEEMod defaults)

Fleet Mix -

Water And Wastewater -

Solid Waste -

Area Coating -

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	ConstArea_Nonresidential_Exterior	12,993.00	8,600.00
tblArchitecturalCoating	ConstArea_Nonresidential_Interior	38,979.00	25,800.00
tblLandUse	LandUseSquareFeet	1,800.00	3,380.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	360.3
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblTripsAndVMT	VendorTripNumber	4.00	3.00
tblTripsAndVMT	WorkerTripNumber	11.00	8.00
tblVehicleTrips	CC_TL	6.60	10.00
tblVehicleTrips	CNW_TL	6.60	7.92
tblVehicleTrips	CW_TL	14.70	9.50
tblVehicleTrips	HO_TL	5.70	30.03
tblVehicleTrips	HS_TL	4.80	30.00
tblVehicleTrips	HW_TL	10.80	30.00

tblVehicleTrips	ST_TR	10.37	26.02
tblVehicleTrips	SU_TR	36.63	16.55
tblVehicleTrips	WD_TR	9.11	16.55

2.0 Emissions Summary

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794
Energy											0.0000	74.5339	74.5339	3.6600e-003	1.3100e-003	75.0144
Mobile											0.0000	492.9287	492.9287	0.0174	0.0000	493.3632
Waste											30.3269	0.0000	30.3269	1.7923	0.0000	75.1335
Water											0.2787	1.5278	1.8064	0.0287	7.0000e-004	2.7340
Total											30.7326	569.0341	599.7668	1.8423	2.0200e-003	646.4245

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794

Energy											0.0000	74.5339	74.5339	3.6600e-003	1.3100e-003	75.0144
Mobile											0.0000	492.9287	492.9287	0.0174	0.0000	493.3632
Waste											30.3269	0.0000	30.3269	1.7923	0.0000	75.1335
Water											0.2787	1.5278	1.8064	0.0287	7.0000e-004	2.7340
Total											30.7326	569.0341	599.7668	1.8423	2.0200e-003	646.4245

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	492.9287	492.9287	0.0174	0.0000	493.3632
Unmitigated											0.0000	492.9287	492.9287	0.0174	0.0000	493.3632

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Place of Worship	430.13	676.26	430.13	1,179,296	1,179,296
Single Family Housing	9.52	9.91	8.62	91,617	91,617

Total	439.65	686.17	438.75	1,270,912	1,270,912
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4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Place of Worship	9.50	10.00	7.92	0.00	95.00	5.00	64	25	11
Single Family Housing	30.00	30.00	30.03	31.00	15.00	54.00	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Place of Worship	0.604810	0.038204	0.185149	0.108513	0.015498	0.004981	0.012268	0.020156	0.002083	0.001571	0.005363	0.000620	0.000785
Single Family Housing	0.604810	0.038204	0.185149	0.108513	0.015498	0.004981	0.012268	0.020156	0.002083	0.001571	0.005363	0.000620	0.000785

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated											0.0000	36.4014	36.4014	2.9300e-003	6.1000e-004	36.6553
Electricity Unmitigated											0.0000	36.4014	36.4014	2.9300e-003	6.1000e-004	36.6553
NaturalGas Mitigated											0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591
NaturalGas Unmitigated											0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591

5.2 Energy by Land Use - NaturalGas

Unmitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Place of Worship	685511											0.0000	36.5815	36.5815	7.0000e-004	6.7000e-004	36.7989
Single Family Housing	29065.1											0.0000	1.5510	1.5510	3.0000e-005	3.0000e-005	1.5602
Total												0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591

Mitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Place of Worship	685511											0.0000	36.5815	36.5815	7.0000e-004	6.7000e-004	36.7989
Single Family Housing	29065.1											0.0000	1.5510	1.5510	3.0000e-005	3.0000e-005	1.5602
Total												0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			

Place of Worship	214644	35.0792	2.8200e-003	5.8000e-004	35.3239
Single Family Housing	8090.57	1.3222	1.1000e-004	2.0000e-005	1.3315
Total		36.4014	2.9300e-003	6.0000e-004	36.6553

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Place of Worship	214644	35.0792	2.8200e-003	5.8000e-004	35.3239
Single Family Housing	8090.57	1.3222	1.1000e-004	2.0000e-005	1.3315
Total		36.4014	2.9300e-003	6.0000e-004	36.6553

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794
Unmitigated											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.1271	0.0312	0.1583	2.4000e-004	1.0000e-005	0.1665
Landscaping											0.0000	0.0126	0.0126	1.0000e-005	0.0000	0.0129
Total											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.1271	0.0312	0.1583	2.4000e-004	1.0000e-005	0.1665
Landscaping											0.0000	0.0126	0.0126	1.0000e-005	0.0000	0.0129
Total											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	1.8064	0.0287	7.0000e-004	2.7340
Unmitigated	1.8064	0.0287	7.0000e-004	2.7340

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Place of Worship	0.813199 / 1.27193	1.7047	0.0266	6.5000e-004	2.5637
Single Family Housing	0.065154 / 0.0410754	0.1018	2.1300e-003	5.0000e-005	0.1704
Total		1.8064	0.0287	7.0000e-004	2.7340

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Place of Worship	0.813199 / 1.27193	1.7047	0.0266	6.5000e-004	2.5637
Single Family Housing	0.065154 / 0.0410754	0.1018	2.1300e-003	5.0000e-005	0.1704
Total		1.8064	0.0287	7.0000e-004	2.7340

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	30.3269	1.7923	0.0000	75.1335
Unmitigated	30.3269	1.7923	0.0000	75.1335

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			

Place of Worship	148.14	30.0711	1.7772	0.0000	74.4998
Single Family Housing	1.26	0.2558	0.0151	0.0000	0.6337
Total		30.3269	1.7923	0.0000	75.1335

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Place of Worship	148.14	30.0711	1.7772	0.0000	74.4998
Single Family Housing	1.26	0.2558	0.0151	0.0000	0.6337
Total		30.3269	1.7923	0.0000	75.1335

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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Cordoba Center, 2030, Adjusted Project, Operations Only - Santa Clara County, Annual

Cordoba Center, 2030, Adjusted Project, Operations Only
Santa Clara County, Annual

1.0 Project Characteristics**1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Place of Worship	25.99	1000sqft	0.60	25,986.00	0
Single Family Housing	1.00	Dwelling Unit	0.32	3,380.00	3

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	58
Climate Zone	4			Operational Year	2030
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	268.9	CH4 Intensity (lb/MW hr)	0.029	N2O Intensity (lb/MW hr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Cordoba Center, 2030, Adjusted Project, Operations Only. PGE CO2 EF for 2030 based on projection from 2014-2016 data to 50% RPS.

Land Use - Consistent with DEIR

Construction Phase - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Off-road Equipment - Not modeling construction

Trips and VMT - Not modeling construction

Grading - Not modeling construction

Architectural Coating - Not modeling construction

Vehicle Trips - Trip lengths adjusted to match DEIR Traffic study weighted trip lengths. Friday trip rate assigned to Saturday for Place of Worship to account for higher trip rates due to Friday Prayer. Includes worker and cemetery trips

Vehicle Emission Factors - EMFAC2014 (CalEEMod defaults)

Vehicle Emission Factors -

Vehicle Emission Factors -

Energy Use - 2016 T24 (CalEEMod defaults)

Area Coating -

Water And Wastewater -

Solid Waste -

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	ConstArea_Nonresidential_Exterior	12,993.00	8,600.00
tblArchitecturalCoating	ConstArea_Nonresidential_Interior	38,979.00	25,800.00
tblLandUse	LandUseSquareFeet	1,800.00	3,380.00
tblProjectCharacteristics	CO2IntensityFactor	641.35	268.9
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblTripsAndVMT	VendorTripNumber	4.00	3.00
tblTripsAndVMT	WorkerTripNumber	11.00	8.00
tblVehicleTrips	CC_TL	6.60	10.00
tblVehicleTrips	CNW_TL	6.60	7.92
tblVehicleTrips	CW_TL	14.70	9.50
tblVehicleTrips	HO_TL	5.70	30.03
tblVehicleTrips	HS_TL	4.80	30.00
tblVehicleTrips	HW_TL	10.80	30.00
tblVehicleTrips	ST_TR	10.37	26.02
tblVehicleTrips	SU_TR	36.63	16.55
tblVehicleTrips	WD_TR	9.11	16.55

2.0 Emissions Summary

2.2 Overall Operational
Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794
Energy											0.0000	65.2997	65.2997	3.6600e-003	1.3100e-003	65.7802
Mobile											0.0000	371.7859	371.7859	0.0105	0.0000	372.0474
Waste											30.3269	0.0000	30.3269	1.7923	0.0000	75.1335
Water											0.2787	1.1402	1.4189	0.0287	7.0000e-004	2.3465
Total											30.7326	438.2696	469.0022	1.8354	2.0200e-003	515.4869

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794
Energy											0.0000	65.2997	65.2997	3.6600e-003	1.3100e-003	65.7802
Mobile											0.0000	371.7859	371.7859	0.0105	0.0000	372.0474
Waste											30.3269	0.0000	30.3269	1.7923	0.0000	75.1335

Water											0.2787	1.1402	1.4189	0.0287	7.0000e-004	2.3465
Total											30.7326	438.2696	469.0022	1.8354	2.0200e-003	515.4869

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	371.7859	371.7859	0.0105	0.0000	372.0474
Unmitigated											0.0000	371.7859	371.7859	0.0105	0.0000	372.0474

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Place of Worship	430.13	676.26	430.13	1,179,296	1,179,296
Single Family Housing	9.52	9.91	8.62	91,617	91,617
Total	439.65	686.17	438.75	1,270,912	1,270,912

4.3 Trip Type Information

	Miles	Trip %	Trip Purpose %
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Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Place of Worship	9.50	10.00	7.92	0.00	95.00	5.00	64	25	11
Single Family Housing	30.00	30.00	30.03	31.00	15.00	54.00	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Place of Worship	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651
Single Family Housing	0.621541	0.034056	0.180136	0.101248	0.011859	0.005060	0.013110	0.022881	0.002221	0.001470	0.005122	0.000646	0.000651

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated											0.0000	27.1672	27.1672	2.9300e-003	6.1000e-004	27.4211
Electricity Unmitigated											0.0000	27.1672	27.1672	2.9300e-003	6.1000e-004	27.4211
NaturalGas Mitigated											0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591
NaturalGas Unmitigated											0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591

5.2 Energy by Land Use - NaturalGas

Unmitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Place of Worship	685511											0.0000	36.5815	36.5815	7.0000e-004	6.7000e-004	36.7989
Single Family Housing	29065.1											0.0000	1.5510	1.5510	3.0000e-005	3.0000e-005	1.5602
Total												0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591

Mitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Place of Worship	685511											0.0000	36.5815	36.5815	7.0000e-004	6.7000e-004	36.7989
Single Family Housing	29065.1											0.0000	1.5510	1.5510	3.0000e-005	3.0000e-005	1.5602
Total												0.0000	38.1325	38.1325	7.3000e-004	7.0000e-004	38.3591

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Place of Worship	214644	26.1804	2.8200e-003	5.8000e-004	26.4251
Single Family Housing	8090.57	0.9868	1.1000e-004	2.0000e-005	0.9960

Total		27.1672	2.9300e-003	6.0000e-004	27.4211
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Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Place of Worship	214644	26.1804	2.8200e-003	5.8000e-004	26.4251
Single Family Housing	8090.57	0.9868	1.1000e-004	2.0000e-005	0.9960
Total		27.1672	2.9300e-003	6.0000e-004	27.4211

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794
Unmitigated											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.1271	0.0312	0.1583	2.4000e-004	1.0000e-005	0.1665
Landscaping											0.0000	0.0126	0.0126	1.0000e-005	0.0000	0.0129
Total											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											0.1271	0.0312	0.1583	2.4000e-004	1.0000e-005	0.1665
Landscaping											0.0000	0.0126	0.0126	1.0000e-005	0.0000	0.0129
Total											0.1271	0.0438	0.1709	2.5000e-004	1.0000e-005	0.1794

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	1.4189	0.0287	7.0000e-004	2.3465
Unmitigated	1.4189	0.0287	7.0000e-004	2.3465

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Place of Worship	0.813199 / 1.27193	1.3377	0.0266	6.5000e-004	2.1967
Single Family Housing	0.065154 / 0.0410754	0.0812	2.1300e-003	5.0000e-005	0.1498
Total		1.4189	0.0287	7.0000e-004	2.3465

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			

Place of Worship	0.813199 / 1.27193	1.3377	0.0266	6.5000e- 004	2.1967
Single Family Housing	0.065154 / 0.0410754	0.0812	2.1300e- 003	5.0000e- 005	0.1498
Total		1.4189	0.0287	7.0000e- 004	2.3465

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	30.3269	1.7923	0.0000	75.1335
Unmitigated	30.3269	1.7923	0.0000	75.1335

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Place of Worship	148.14	30.0711	1.7772	0.0000	74.4998
Single Family Housing	1.26	0.2558	0.0151	0.0000	0.6337

Total		30.3269	1.7923	0.0000	75.1335
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Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Place of Worship	148.14	30.0711	1.7772	0.0000	74.4998
Single Family Housing	1.26	0.2558	0.0151	0.0000	0.6337
Total		30.3269	1.7923	0.0000	75.1335

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Resume/CV

TAYLOR A VENCILL

Managing Consultant

Taylor Vencill is a Managing Consultant in the Air Sciences Practice, currently located in the San Francisco, California office. Taylor's experience includes emissions estimation, air dispersion modeling, permitting, regulatory compliance, and greenhouse gas (GHG) emissions analyses and verifications. She has contributed to climate action plan development, climate change technical reports, environmental impact reports (EIRs), permit applications, health risk assessments (HRAs), and litigation support. Taylor's analytical skills include emissions inventories, air dispersion modeling, and data analysis using Microsoft Excel, Microsoft Access, and Geographic Information Systems (GIS). She has experience with a variety of emissions estimation and air dispersion modeling software including CalEEMod, EMFAC, OFFROAD, AERMOD, CAL3QHCR, and HARP. Taylor is a Registered Professional Engineer (Chemical) in California and a California Air Resources Board-Accredited GHG Lead Verifier with Specialty in Oil & Gas and Process Emissions (Executive Order H-18-159).



CONTACT INFORMATION

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San Francisco, 94111
United States of America

EDUCATION

MS, Civil and Environmental Engineering, Stanford University, 2014
BS, Chemical Engineering, Cornell University, 2009

EXPERIENCE HIGHLIGHTS

Climate Change

- Contributed to and managed climate change and air quality analyses for various developments under the California Environmental Quality Act (CEQA).
- Prepared climate change technical reports in support of EIRs for various mixed use developments.
- Developed GHG inventories for all aspects of developments including construction, energy use of buildings, mobile sources, area sources, municipal sources and vegetation change.
- Used the California Emissions Estimator Model (CalEEMod), the Emission Factor Model (EMFAC), OFFROAD2007 and the In-Use Off-Road Equipment Model (2010 and 2011), and the Urban Emission Model (URBEMIS) to evaluate construction, area, and mobile emission inventories.
- For various projects, have evaluated and presented mitigation options and potential offsets, showing potential GHG reductions and related costs of implementation.

- Evaluated the significance of development emissions in relation to established thresholds.
- Led the development of baseline and future GHG inventories for the Port of San Diego in support of their climate action plan (CAP). Incorporated the effect of California regulations on future emissions.
 - Following the CAP development, helped evaluate the Port's progress towards meeting the CAP goals and assisted the Port in implementation efforts.
- Provided technical analyses for several GHG verifications under the California Air Resources Board (ARB) Mandatory Reporting Regulation. Verifications have included a poultry processing facility (general stationary combustion source), a transportation fuel supplier, an electricity importer, and an underground natural gas storage facility. Served as Lead Verifier on a set-aside verification from Reporting Year 2014 for an onshore petroleum and natural gas production facility.

Emissions Estimation

- Assisted with the development of emissions inventories for various industrial sites for litigation support, permit applications and permit compliance.
- Specifically assisted in preparing emissions inventories for complex industrial facilities in support of an initial Title V application as well as Title V Renewal applications.
- Managed development of a Facility-wide emissions inventory for a California refinery.
- Assisted in historical emissions estimations and emission source identification for litigation support. Included extensive review of historical documents.
- Assisted in development of emissions inventories for proposed modifications to industrial facilities.
 - Related permitting efforts included New Source Review (NSR), Prevention of Significant Deterioration (PSD) and Title V applicability analyses.
 - Used Hotspots Analysis and Reporting Program (HARP) to manage the facilities' emissions and assess the facilities' prioritization score.

Air Dispersion Modeling

- Conducted AERMOD, ISCST3, CAL3QHCR and SCREEN3 dispersion modeling for HRAs, permit applications and regulatory compliance.
- Performed the following tasks in relation to air dispersion modeling:
 - Meteorological data processing
 - Surface parameter analysis
 - Model and receptor setup using GIS tools
 - Post-processing of model results to analyze the magnitude and location of potential risks
- Performed reconciliation of air dispersion modeling and offsite monitoring results to determine source strengths of potential fugitive emission sources.

Specialized Modeling

- Used Automated Data Inquiry for Oil Spills (ADIOS2) in support of litigation.

Regulatory Compliance

- Assisted a Class I Hazardous Waste Treatment, Storage, and Disposal Facility (TSDF) with air permit compliance, including an ambient air monitoring program (AAMP) and annual health risk evaluation (HRE).

- Conducted performance audits to evaluate the organic and inorganic sampling procedures, on-site meteorological station, spike test analyses and calibration procedures.
- Conducted onsite compliance assistance for a biotechnology company, including tracking for continual air permit compliance and the development of related tools to assist in the tracking efforts.
- Assisted industrial clients with their annual Toxics Release Inventory (TRI) reporting requirements, including applicability determinations and release quantifications.
- Assisted various clients with the ARB In-Use Off-Road Diesel-Fueled Fleets Regulation and LSI Fleet Requirements Regulation, including navigation through the regulations, evaluation of current and future fleet compliance to assist in purchasing and retrofit decisions, and assistance with the Diesel Off-Road Online Reporting System (DOORS).
 - Attended four related ARB training classes: Course #504 – In-Use Off-Road Diesel Vehicle Regulation Training, Course #505 – Large Spark-Ignition Fleet Regulation, Course #520 – How to Comply with CARB Diesel Regulations, Course #521.8 – Diesel Truck Regulation Compliance Course
- Project manager for the preparation of an Air Toxics Hot Spots Information and Assessment Act (AB 2588) HRA for an industrial client, using HARP to assess potential inhalation and multipathway health risk impacts.
- Assisted an industrial facility with evaluation of impact areas and preparation of warnings under Proposition 65.

Prior to joining Ramboll, Taylor held the following positions:

- Intern, Rhodia Inc, Martinez, California
 - Used Ultrapipe software to analyze pipe measurements for effects of corrosion, oversaw several maintenance routines while shadowing a process engineer, and was present for the two-week plant shutdown when various inspections took place.
- Intern, ENVIRON, Emeryville, California
 - Assisted in preparing a Title V Renewal Application, developing carbon footprint analyses and emission inventories, and preparing technical memos, inventory management plans, and technical reports.

CREDENTIALS

Registrations and Certifications

California Air Resources Board-Accredited Greenhouse Gas (GHG) Lead Verifier with Specialty in Oil & Gas and Process Emissions (Executive Order H-18-159)

Registered Professional Engineer (Chemical), California

ATTACHMENT B

PINNACLE TRAFFIC ENGINEERING

831 C Street
Hollister, California 95023
(831) 638-9260
PinnacleTE.com

July 19, 2018

c/o Kim Tschantz, MSP, CEP
South Valley Islamic Center
P.O. Box 1777
Morgan Hill, CA 95038

RE: Cordoba Center Project; Santa Clara County (San Martin), California
Peer Review of Draft EIR Traffic Study and Related Material

Dear Mr. Tschantz,

Per your request, Pinnacle Traffic Engineering (PTE) has reviewed the traffic study and related material presented in the Draft Environmental Impact Report (EIR). The Draft EIR was published by County's Department of Planning and Development (May 30, 2018). The review of material also references data in the trip generation analysis prepared for the original project in 2011. The following is a list of documents referenced for the peer review:

- Project Description by Applicant (Jan. 4, 2016) - Draft EIR
- Anticipated Activities (Dec. 29, 2015) - Draft EIR
- Transportation Analysis for Cordoba Center - Draft EIR (Appendix E)
- County of Santa Clara RDA Memo - Draft EIR (Appendix E)
- Greenhouse Gas Emissions Data - Draft EIR (Appendix C)
- Revised Trip Generation Analysis & Evaluation of Impacts (Dec. 1, 2011)

Project Description - The project is proposed by the South Valley Islamic Center, Inc. (SVIC), which is comprised of approximately 400 members (average family size of 4 people). The project description prepared by the applicant provides an overview of the project site; project components (e.g. mosque, community building, cemetery, etc.); need for the project; proposed usage and operational plan; and design related features. The primary purpose of the proposed project is to provide a central religious and cultural center for the multi-ethnic Muslim population that resides in southern Santa Clara County. Currently residents in the south County area travel to the South Bay Islamic Association (SBIA) in the City of San Jose for daily worship.

Anticipated Activities - A list of the anticipated project site activities was prepared by SVIC, which provides a description of the various daily prayers associated with the Islamic faith (Fajr, Duhr, Late-afternoon Asr, Maghrib, Isha, and Jummah). The list of activities also describes the prayers associated with holidays (e.g. Eid), as well as social and community events throughout the year (youth Sunday classes, Mawlid Al-Nabi Banquet, potluck and Iftar dinners, youth camp & retreats, wedding and funerals). The estimated attendance, time of day and duration for the various prayers, and social and community events are also presented.

Transportation Analysis for Cordoba Center - The project traffic study (Fehr & Peers; April 28, 2017) is included in Appendix E of the Draft EIR. The traffic study provides an estimate of the project trip generation, a CEQA assessment of the potential project impacts, an analysis of site access and circulation, and an estimate of vehicle miles traveled (VMT) associated with the project.

Trip Generation Analysis: The project trip generation estimates were derived using the project description information, the list of anticipated activities, and data published in the ITE Trip Generation Manual (9th Edition). The trip generation analysis estimated the average number of daily trips, and the number of trips during the “peak hour of the adjacent street” and “peak hour of the generator” (Table 1). Based on the project material and data in Table 1, the Mosque will generate a majority of the daily and peak hour trips. The number of daily trips associated with the Mosque were estimated using the attendance figures from the List of Anticipated Activities and an assumption that the average attendance would be 70% of the maximum total daily attendance (800 members). The 70% average daily attendance assumption is considered reasonable. The peak hour trip estimates associated with the Mosque and other components (cemetery, maintenance building and caretaker’s dwelling) were estimated using the ITE trip generation rates, which also are considered reasonable.

As stated in the project description (prepared by the applicant), the average family consists of 4 people. The trip estimates associated with the Mosque indicate that the various prayers will generate 1,120 daily vehicle trips (560 inbound and 560 outbound). The 560 vehicles were derived using the 800 member maximum daily attendance and 70% average daily attendance assumption ($560 = 800 \times 0.70$). However, this is based on a vehicle ridership of 1.0 person per vehicle (each person drives a separate car). Therefore, the daily vehicle trips associated with the Mosque are significantly over estimated in the Draft EIR traffic analysis.

As discussed in the original 2011 trip generation analysis (copy attached), it is anticipated that the average vehicle occupancy for the prayer services will vary between 2.5 and 3.0 people per vehicle. Based on data provided by the project applicant, the vehicle occupancy for the social and community events is estimated to vary between 3.0 and 4.0 people per vehicle (depending on the type and size of the event). Using a vehicle occupancy of 2.5 people per vehicle the Mosque will generate 224 vehicles on an average weekday ($224 = (800 \times 0.70) / 2.5$), which equates to 448 average daily trips (224 inbound and 224 outbound). This is 60% less than the estimate presented in the Draft EIR traffic analysis (over estimated by 2.5 times).

CEQA Assessment of Impact: The evaluation of potential project impacts is based on standard traffic engineering practices and accepted industry standards. The “level of service” (LOS) analysis was performed assuming full access (left turns in and out) at the project driveway intersection with Monterey Highway, with a separate left and right turn lane on the driveway which should be confirmed (project description and site plan indicates a 20’ driveway). The LOS analysis concluded that the local roadways and intersections will continue to operate at acceptable levels with the addition of the project traffic, except the eastbound approach on the project driveway which will experience delays in the LOS E range during the PM peak hour (due to the left turn exiting vehicles). However, the County has indicated that exiting left turns will not be allowed without the installation of signal control.

5

Site Access and Circulation: The Draft EIR traffic study indicates the assessment of site access and circulation was conducted using the site plan. It is stated that the project driveway will accommodate right and left turn movements in and out of the project site. The striped median on Monterey Highway could accommodate a northbound left turn lane for ingress access and a northbound acceleration lane for the egress left turn movement. It’s unclear if the stopping sight distance analysis is based on actual field measurements. The evaluation of project access in the original 2011 trip generation analysis was based on actual field measurements (copy attached). This included physically measuring the sight distance and vehicle speeds. The evaluation of sight distance in the Draft EIR traffic study and 2011 trip generation analysis both concluded that there will sufficient stopping sight distance for southbound vehicles on Monterey Highway approaching the project driveway.

6

It is my understanding that the project applicant has agreed to install a southbound right turn deceleration lane and southbound acceleration lane (for exiting project traffic) on Monterey Highway. Based on the project trip generation estimates in the Draft EIR traffic study, future peak hour traffic volumes at the project driveway intersection with Monterey Highway will not warrant traffic signal control. Again, it’s noted that the County has commented that exiting left turns will not be allowed without the installation of signal control.

7

Vehicle Miles Traveled (VMT) Estimates: The VMT estimates in the Draft EIR traffic study are based on the daily trip generation estimates associated with the project (Table 1). As previously discussed, the daily trips associated with the Mosque are based on a ridership of 1.0 person per vehicle which significantly over estimates the number of vehicles on an average weekday. Therefore, the VMT estimates associated with the Mosque are also over estimated.

8

As discussed in the project description, the primary purpose of the project is to provide a central religious and cultural center for the multi-ethnic Muslim population in southern Santa Clara County. Currently residents in the south County area travel to the SBIA in the City of San Jose for daily worship. The VMT estimates are based on 90% of the trips coming from the local area near the project site (10% San Martin, 30% Morgan Hill and 50% Gilroy). The VMT estimates do not account for the reduced travel distances if the project is constructed. If

9

the project is not constructed SVIC members in San Martin, Morgan Hill and Gilroy will continue to drive to San Jose for the foreseeable future. The VMT estimates should be revised to account for a higher vehicle occupancy and the reduction in travel distances resulting from the project.

9

County of Santa Clara RDA Memo - The County Department of Roads & Airports (RDA) provided initial comments on the project traffic study prepared by Fehr & Peers (April 28, 2017). The RDA indicates that left turns in and out of the project driveway would not be allowed unless the driveway is signalized. It is stated that left turns out on to Monterey Highway cannot be made safely made due to the existing traffic volumes and vehicles speeds. In addition, it is stated that “for the same reasons and because the median is too narrow at the project driveway to create a left turn pocket, left turns into the project driveway are not feasible.” However, based on my actual field measurements and evaluation of project access in the original 2011 trip generation analysis (prepared by office under contract with Rick Engineering) the installation of a northbound left turn lane on Monterey Highway for ingress access to the project site is feasible.

10

As described in the 2011 trip generation analysis, Monterey Highway adjacent to the project site has two 11-12' travel lanes in each direction, with 7-8' shoulders and a striped median. South of the project driveway location the striped median is approximately +/-10' wide. This is essentially the same width as the northbound left turn lane for California Avenue (640' south of the project site) and northbound left turn lane for the Bracco's Towing driveway (900' north of the project site). Therefore, there is sufficient room to restripe the median to provide a northbound left turn lane for the project driveway. The project frontage improvements (southbound deceleration and acceleration lanes) could include a minor striping of the travel lanes on Monterey Highway to provide a wider northbound left turn lane (e.g. 11-12') if required by the County. It is again noted that the evaluation of sight distance in the Draft EIR traffic study and 2011 trip generation analysis both concluded that there will sufficient stopping sight distance for southbound vehicles on Monterey Highway approaching the project driveway.

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The County RDA memo also suggested that vehicles exiting the project site with a destination to the north (Morgan Hill or San Jose) “could potentially make a U-turn at California Avenue as there is adequate median to create a left turn pocket.” It is noted that this is the same median that the County indicated is too narrow to create a northbound left turn pocket at the project driveway. Based on the standard passenger car turning template (AASHTO) 48' is required to perform a safe U-turn movement. Though there is a Santa Clara Valley Transportation Authority (VTA) bus stop on the east side of Monterey Highway at California Avenue there would only be about +/-45' for the U-turn movement. Therefore, this suggestion is not considered or recommended to be safe (no need for queuing analysis). Vehicles with a destination to the north can use California Avenue and Santa Teresa Boulevard if going to Morgan Hill or San Martin Venue and US 101 if going to San Jose (only 5%).

12

Greenhouse Gas Emissions Data - The Draft EIR contains a detailed analysis of Greenhouse Gas Emissions Data, Energy Data, and Noise Modeling Data. The project trip generation data used for the evaluation of greenhouse gas emissions is based on trip rates in the CalEEMod VMT Calculator model and the project trip estimates in the Draft EIR traffic study (Fehr & Peers). As discussed in the comments on the "Transportation Analysis for Cordoba Center" (Trip Generation Analysis and VMT Estimates), the daily trips associated with the Mosque are based on a ridership of 1.0 person per vehicle which significantly over estimates the vehicle trips on an average weekday (possibly as high as 60%). In addition, the VMT estimates in the Draft EIR traffic study do not account for the reduced travel distances if the project is constructed (vs. if not constructed). Therefore, the VMT estimates associated with the Mosque are also over estimated. The project trip generation estimates, VMT estimates, and analysis of greenhouse gas emission should be revised to account for a higher vehicle occupancy and the reduction in travel distances resulting from the project. Though the scope defined for the peer review did not include a review of the energy data and noise modeling data analyses, it is probable that revisions to the Mosque daily trip generation may also affect those analyses.

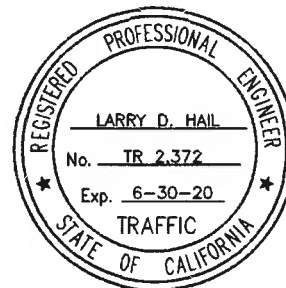
13

Please contact my office with any questions regarding the peer review of the project traffic study and related material.

Pinnacle Traffic Engineering



Larry D. Hail, CE, TE, PTOE
President



ldh:msw

attachment: Revised Trip Generation Analysis & Evaluation of Impacts (Dec. 1, 2011)



December 1, 2011

Mr. Sal Akhter
South County Partners, LLC
Cencon Investment, LLC
2580 Bridle Path Drive
Gilroy, CA 95020

**SUBJECT: THE CORDOBA CENTER PROJECT; SANTA CLARA COUNTY, CA (J-16497)
REVISED TRIP GENERATION ANALYSIS AND EVALUATION OF IMPACTS**

The following is a summary of the project trip generation estimates and a qualitative evaluation of the potential impacts. The project site is located on a 16 acre parcel at 14065 Monterey Road in the unincorporated San Martin area of Santa Clara County, south of the City of Morgan Hill. The project includes the development of a multi purpose religious facility on the west side of Monterey Road, just south of Llagas Creek. The facility will have a 5,000 square foot (SF) prayer hall (Mosque); a 2,500-2,800 SF multi-purpose hall; 1-2 outdoor covered patio areas; a play yard and informal play field. The facility also includes a 2 acre area for a Muslim cemetery. Parking will be provided on-site for a total of 59 vehicles (16 stalls in paved parking lot and 43 overflow parking stalls). Access to and from Monterey Road will be provided via a two-way access road adjacent to the southerly property line. As requested by County staff, all exiting traffic will be required to turn right. A copy of the Project Site Plan is attached illustrating the locations of the various components.

The Project Description Material indicates that the facility will be used year round for various prayer services, social activities and annual events. Detailed information regarding the facility operations was obtained from the Project Description material and Summary Use Chart (copy included with the Attachment Material). The facility will initially have 1 employee / caretaker, with 1-2 additional employees in the future. The following is a brief description of the various services, activities and functions, and the estimated number of attendees:

Friday Afternoon Prayer Services: 1:30-2:30 PM (50 Person Max.)
(Weekly Jumma Prayers)

Nightly Prayer Services: Seven (7) Days a Week during Ramadan (30 Person Max.)
(Traweeh Prayers) 9:30-11:00 PM (During Ramadan)

Sunday School Classes: 11:00 AM-1:00 PM (30 Children Max.)
Includes 2-3 Volunteer Parents and 1-2 Teachers
Sunday School Classes will be Closed During Summer Break

Monthly Potluck Dinners: First Saturday of Each Month (50 Person Max.)
Except during Ramadan; 7:00-10:00 PM

Weekend Dinners: During Ramadan on Saturdays and Sundays (70 Person Max.)
6:00-8:00 PM; Includes 30 Attendees at Nightly Prayer Services

<u>Annual Social Events:</u>	Eid Al-Fitr Banquet (150 Person Max.) Prayer Services; 8:00-9:00 AM 9:00-11:00 AM (Day after end of Ramadan) Eid Al-Adha Banquet (150 Person Max.) Prayer Services; 8:00-9:00 AM 9:00-11:00 AM (+/- 40 Days after Ramadan)
<u>Annual Open House Event:</u>	Saturday or Sunday (200 Person Max.) 5:00-9:30 PM
<u>Community Soup Kitchen:</u>	One Sunday Every Quarter (150 Person Max.) 5:30-7:30 PM
<u>Other Religious Services:</u>	Saturday or Sunday (150 Person Max.) Between 1:00-6:00 PM; 4-6 Times per Year Baptisms, Weddings, etc.
<u>Occasional Social Events:</u>	Saturday or Sunday (150 Person Max.) 6:00-9:30 PM; 4-6 Times per Year Charitable Fundraisers, Educational Seminars, etc.
<u>Youth Retreat:</u>	June-August, 1-2 Events per Month (150 Youth Max.) September-May, 3-4 Weekend Events (150 Youth Max.) 9:00 AM-6:00 PM Includes Educational and Personal Development Programs Includes 10-15 Adults for Supervision
<u>Muslim Cemetery:</u>	Weekdays or Weekend Days (70 Person Max.) 3-5 Services per Year Services between 1:00-4:00 PM

The County's Planning and Development Department has requested a trip generation analysis to evaluate the potential impacts associated with the proposed project. County staff also requested that an evaluation of on-site parking and project access on Monterey Road be provided. The analysis scope was defined in a letter received from County staff (Feb. 11, 2011).

Project Trip Generation

The trip generation analysis provides an estimate of the number of vehicle trips during an average weekday and weekend day (average daily traffic, ADT). In addition, an estimate of the number of vehicle trips associated with the various annual social and religious events is also provided. It should be noted that the informal play field would only be used for recreational purposes and not for any organized sports program (ie: regular practices or games). The project trip generation estimates have been derived using the attendance data associated with each activity. It is anticipated that the average vehicle occupancy rate for the prayer services will vary between 2.5 and 3.0 people per vehicle, while the occupancy rate for the various dinners will vary between 3.0 and 3.5 people per vehicle. Data provided by the project applicant indicates that the occupancy rate for the larger social and religious events and the youth retreat program will be between 3.5 and 4.0 people per vehicle. The project trip generation estimates are presented in Table 1.

Table 1 - Project Trip Generation Estimates

Project Component	Number of Vehicle Trips			
	Weekday		Weekend Day - ADT	
	Peak Hour	ADT	Saturday	Sunday
<u>Regular Year Around Activities:</u>				
Friday Afternoon Prayer Services (a)	-	40	-	-
Nightly Prayer Services (a, d & e)	-	24	24	24
Sunday School Classes (a)	-	-	-	58
Monthly Potluck Dinners (b)	-	-	34	-
Weekend Dinners (b & f)	-	-	28	28
Totals:	-	64	86	110
<u>Annual Social & Religious Events:</u>				
Eid Al-Fitr Banquet (c & g)	44 (h)	88	88	88
Eid Al-Adha Banquet (c & g)	44 (h)	88	88	88
Annual Open House (c & i)	-	-	116	116
Community Soup Kitchen (c & o)	-	-	-	88
Other Religious Services (c & j)	-	-	-	88
Occasional Social Events (c & j)	-	-	88	88
Youth Retreat (c, k & l)	94 (m)	188	188	188
Muslim Cemetery Services (b, n & p)	24	48	48	48

- (a) Vehicle occupancy of 2.5-3.0 people per car.
(b) Vehicle occupancy of 3.0-3.5 people per car.
(c) Vehicle occupancy of 3.5-4.0 people per car.
(d) Seven days a week during Ramadan.
(e) Dinners occur only once a month (during non-Ramadan months).
(f) During Ramadan.
(g) Occurs once per year and day of week depends on Holiday.
(h) When banquet occurs on weekday there will be inbound traffic during the AM peak hour.
(i) Occurs once per year (Saturday or Sunday).
(j) Occurs 4-6 times per year (Saturday or Sunday).
(k) June-August the youth retreat could occur on weekdays and weekend days (1-2 per month).
(l) Sept.-May the youth retreat will occur on Saturday and/or Sunday (3-4 weekends).
(m) On weekdays drop-off traffic during the AM peak and pickup traffic during the PM peak.
(n) Occurs 3-5 times per year (weekdays and weekend days).
(o) One Sunday every quarter.
(p) On weekdays exiting traffic could occur during the PM peak.

The data in Table 1 indicates that the regular weekly activities will generate approximately 110 ADT or less during an average weekday or weekend day. The highest weekday trip generation associated with the proposed "regular year around activities" will occur on Fridays (64 ADT). However, no

project traffic will occur during the typical weekday commuter peak periods (7:00-9:00 AM and 4:00-6:00 PM). It is estimated that the highest weekend day trip generation associated with the proposed "regular year around activities" will occur on Sundays (110 ADT), with approximately half of the trips attributable to the Sunday school classes. The scheduling of regular year around activities will be coordinated not to coincide with other annual social or religious events.

Traffic associated with the Eid Al-Fitr and Eid Al-Adha Banquets will only occur 1 day a year (88 ADT). The day of the week for each banquet will depend on the actual day of the holiday (based on lunar calendar). If one of the festivals occurs on a weekday approximately half of the traffic could occur during the AM peak hour (44 vehicles inbound). It is anticipated that the project traffic will be evenly distributed on Monterey Road (50% to & from the south and 50% to & from the north). It is estimated that the annual open house will generate approximately 116 ADT (only once a year on a Saturday or Sunday). The annual open house will not occur on the same day as any other annual or social event (ie: Eid Al-Fitr Festival, Eid Al-Adha Festival, occasionally social or religious events, etc). On a similar note, the other religious and occasional social events will also not occur on the same day as any other annual-social event (ie: Eid Al-Fitr Festival, Eid Al-Adha, etc). The community soup kitchen event will only occur 3-4 times per year (88 ADT on Sundays only). The youth retreat program will generate the highest daily traffic (188 ADT) on selected weekdays and/or weekend days (during regular school breaks and/or summer months). When a youth retreat occurs on a weekday approximately half of the traffic will occur during the AM peak hour (94 vehicles inbound). Again, it is anticipated that the project traffic will be evenly distributed on Monterey Road (50% to & from the south and 50% to & from the north). Cemetery services will not coincide with any other annual-social or religious event (48 ADT). It should be noted that the annual social and religious events would only occur on specific holidays or a few times a year, and not on a regular weekly or monthly basis. It should be noted there is a limited potential for a regular year around activity (i.e., Sunday school class with 58 ADT) to occur the same day as an annual social / religious event (i.e., soup kitchen - 88 ADT), which could generate a combined 146 ADT). However, the scheduling of youth retreats (188 ADT) will be coordinated not to coincide with multiple other regular or annual events.

Project On-Site Parking

As previously stated, on-site parking will be provided for a total of 59 vehicles (16 stalls in paved parking lot and 43 overflow parking stalls). The parking analysis is provided to determine if the proposed 59 stalls will be sufficient for the regular year around activities and various annual social and religious events. All parking associated with the facility operations shall be accommodated on-site and no parking will be allowed on Monterey Road (designated No Parking Zone). "No Parking Any Time" signs will be installed along the west side of Monterey Road adjacent to the project site. The number of parking stalls required for each project component was derived using the average vehicle occupancy rates previously discussed and referenced in Table 1 (Project Trip Generation Estimates). The project on-site parking requirements are presented in Table 2.

The data in Table 2 indicates that regular weekly activities will require a maximum of approximately 29 parking stalls (nightly prayer service plus potluck dinner). Parking demands associated with regular year round activities will be within the 59 parking stall capacity provided on-site. It should be noted that the available on-site parking would also have sufficient capacity to accommodate the demands associated with a caretaker and 1-2 employees (future).

Table 2 - Project On-Site Parking Requirements

Project Component	Number of Parking Stalls		
	Weekday	Saturday	Sunday
<u>Regular Activities Year Around</u>			
Friday Afternoon Prayer Services (a)	20	-	-
Nightly Prayer Services (a)	12	12	12
Sunday School Classes (a & f)	-	-	17
Potluck Dinners (b)	-	17	-
Weekend Dinners (b)	-	14	14
Maximum Daily Number:	20	29 (d)	26 (e)
<u>Annual and Social Events</u>			
Eid Al-Fitr Festival (c)	43	43	43
Eid Al-Adha Festival (c)	43	43	43
Annual Open House (c)	-	58	58
Community Soup Kitchen (c)	-	-	43
Other Religious or Social (c)	-	43	43
Youth Retreat (c)	47	47	47
Muslim Cemetery Services (b)	24	24	24

(a) Vehicle occupancy of 2.5-3.0 people per car.

(b) Vehicle occupancy of 3.0-3.5 people per car.

(c) Vehicle occupancy of 3.5-4.0 people per car.

(d) Combination of nightly service and potluck dinner.

(e) Combination of nightly service and weekend dinner.

(f) Includes volunteer parents and teachers.

The analysis also demonstrates that the Eid Al-Fitr Banquet, Eid Al-Adha Banquet, occasional special event and youth retreat program will require approximately 43 parking stalls on selected weekdays and/or weekend days. It is estimated that the annual open house event will have the highest parking demand of 58 parking stalls (200 people @ 3.5 people per vehicle). Parking demands associated with the open house will be within the on-site capacity. Again, it should be noted that the annual open house would not occur on the same day as any other annual social or religious event. In addition, it is recommended that no other regular year around activity be scheduled on the same day as the annual open house (i.e., nightly prayer service, weekend dinners, etc). Parking demands associated with the annual and social events will be within the 59 parking stall capacity on-site. The overflow parking area (43 parking stalls) has been provided to ensure that all parking associated with the proposed activities will be accommodated on-site and no on-street parking will occur on Monterey Road. Based on the evaluation of on-site parking, it is concluded that the proposed project will have sufficient parking to accommodate the peak demands associated with the regular year around and annual social/religious event activities.

Project Access and Evaluation of Potential Impacts

The evaluation of potential project impacts includes a review of access on Monterey Road. Monterey Road adjacent to the project site has 2-12' travel lanes in each direction, 7-8' shoulders and a striped median. North of the southerly property line, the median is striped with two-way left turn markings. South of the southerly property line the striped median has double-double yellow markings. Per the California Vehicle Code (CVC), vehicles are prohibited from entering or crossing a striped median with double-double yellow markings. This section of Monterey Road has a posted speed limit of 50 miles per hour (mph). The proposed project driveway will be 24' wide, with the centerline located approximately 490' south of the Llagas Creek bridge. North of the project driveway, Monterey Road continues north along a horizontal curve to the west ($R=3,100'$ and $L=1,500'$). Looking south from the proposed driveway location the line of sight is unrestricted (along the tangent section of Monterey Road). The existing fence on top of the Llagas Creek Bridge structure (west side) is the controlling factor for line of sight looking north from the project driveway. As previously noted, County staff has requested that all traffic exiting the project site be required to turn right. Ultimately, project access will be restricted to right turns only.

A review of sight distance was conducted using criteria in the Caltrans Highway Design Manual (HDM, Chapters 200 and 400). Stopping sight distance is the minimum distance required by a driver to bring a vehicle to a complete stop after an object on the roadway has become visible. Corner sight distance is the minimum time required for a waiting vehicle to either cross all lanes of through traffic, cross the near lanes and turn left or right, without requiring through traffic to radically alter their speed. The Caltrans HDM states that at private road intersections and rural driveways the minimum corner sight distance shall be equal to the stopping sight distance (Topic 405.1-2c). Stopping sight distance for southbound traffic on Monterey Road was measured by placing a portable delineator at the west edge of travel way (adjacent to the proposed driveway location). Stopping sight distance for a vehicle in the number 2 southbound lane was measured at approximately 650', which is adequate for 60-65 mph. A sampling of vehicle speeds on Monterey Road was collected during "free-flowing" conditions adjacent to the project driveway. The data indicates that average speeds in the southbound direction are approximately 53 mph. It should be noted that once a vehicle exits the project driveway and enters Monterey Road the visibility-stopping sight distance for a southbound vehicle will be greater than 650', especially if the vehicle is in the number 1 southbound lane. Vehicle speeds in the northbound direction were recorded at an average of 46 mph, which reflects the 45 mph speed limit on Monterey Road just south of the project site (vehicles leaving San Martin). A copy of the Caltrans HDM criteria and vehicle speed data are included with the attachment material. Based on the review of existing conditions, it is concluded that there is adequate sight distance for vehicles on Monterey Road and exiting the project driveway.

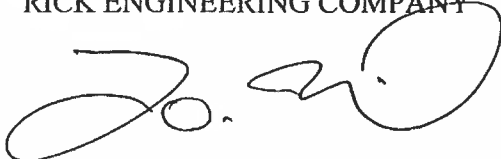
The evaluation of access includes a review of turn lane channelization warrants. As previously stated, the section of Monterey Road adjacent to the project site has a striped median. It is recommended that the existing median striping on Monterey Road south of the project driveway be modified to provide a two-way left turn lane for approximately 150' (northbound approach to the project site). An evaluation of the right turn lane warrant for the southbound approach was conducted using the criteria defined in the "A Policy in Geometric Design of Highways and Streets" (AASHTO). The project trip generation data in Table 1 indicates that the proposed weekly activities will not generate any significant amount of traffic during typical commuter peak periods on Monterey Road (7:00-9:00 AM and 4:00-6:00 PM). Traffic demands during the commuter peak periods will only occur during the once a year banquets (Eid Al-Fitr and Eid Al-Adha, when they occur on a weekday) and/or with the

youth retreat program. Since the proposed regular year around activities at the project site will not generate any significant amount of traffic during typical commuter peak periods and the frequency of peak hour traffic will only be on a limited basis, it is concluded that the right turn lane warrant criteria will not be satisfied. As requested by the project applicant, Rick Engineering Company will prepare a detailed Signing & Striping Plan for the installation of "No Parking Any Time" signs along the west side of Monterey Road (adjacent to project site), modification of the existing median striping south of the project driveway and installation of a "Right Turn Only" sign for traffic exiting the project site.

Based on a review of the existing conditions along Monterey Road, an analysis of the potential trip generation associated with the proposed project operations and an evaluation of project access, it is concluded that the proposed project will not significantly impact traffic operations along Monterey Road.

If you have any questions or need additional information, please contact me at your earliest possible opportunity. Thank you again for having Rick Engineering Company on your project team.

RICK ENGINEERING COMPANY



Larry D. Hail, CE, TE, PTOE
Principal Traffic Engineer

ldh:msw

Attachment Material: Project Site Plan
Project Description and Summary Use Chart
Caltrans HDM Sight Distance Criteria
Monterey Road Vehicle Speed Data

ATTACHMENT C

CYPRESS ENVIRONMENTAL AND LAND USE PLANNING
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APTOS CALIFORNIA
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July 19, 2018

Manira Sandhir, Principal Planner, David Rader, Senior Planner and Chris Hoem, Senior Planner
Department of Planning and Development
County of Santa Clara
70 West Hedding Street, East Wing, 7th floor
San José, CA 95110-1705

Subject: Comments on the Draft EIR for the Cordoba Center

Dear Ms. Sandhir, Mr. Rader and Mr. Hoem,

Introduction

These comments are being submitted on behalf of the South Valley Islamic Center. Our review of the Draft EIR concludes that overall the Draft EIR provides a good evaluation of the project. However, as set forth below, certain text revisions are required to ensure the document's technical adequacy.

1

Executive Summary

Page 1-2; Paragraph 9 (Cemetery)

The maximum grave density will be 562 graves/acre as explained in the comment on Project Description (Page 3-9) below.

2

Page 1-2; Paragraph 12 (Youth Camp)

The floor area of the camp bath houses will be 290 sq. ft./each.

3

Project Description

Page 3-9; Paragraph 6 (Cemetery)

The number of burial plots (sites) in the cemetery plan has been refined since the submittal of project plans. The total number of burial sites will be 1,996 rather than the 3,500 stated in the Draft EIR. This would result in an over-all density of 562 burial sites/acre.

4

Environmental Planning and Analysis, Land Use Consulting and Permitting

Page 3-18; Paragraph 4 and Page 3-19; Paragraphs 1—8 (Cemetery)

This subsection of the Project Description, which discusses Muslim burial procedure and the proposed cemetery, should be expanded to better explain and demystify the proposed cemetery operation for readers of the document. Oral testimony provided by many of the speakers at the public comment meeting for this DEIR on July 12, 2018 showed that many people are misinformed about Muslim burial practices and the “Green” burial approach which is proposed at the Cordoba Center. Several speakers erroneously stated the proposed cemetery will be a “the first of its kind in the nation” and a “pilot” test cemetery. As one of the purposes of an EIR is to provide both decision-makers and the public with accurate information about a project, it is important the Final EIR include information to address misconceptions about the proposed cemetery.

5

While not seeking certification from the U. S. Green Burial Council, the proposed cemetery will be implemented and operated as a Green cemetery as defined by USGBC. Green cemeteries disallow the use or burial of materials that do not naturally occur in the environment, including embalming fluids, non-biodegradable caskets and concrete grave liners and lids. The USGBC has certified several cemeteries in the United States, including the Fernwood Cemetery in Mill Valley (Marin County) California. According to <http://www.us-funerals.com>, there are currently approximately 93 registered Green burial cemeteries and memorial woodlands in the United States.

In addition, Muslim cemeteries also occur in the U.S. While not every Muslim cemetery strictly follows all Green cemetery standards, they all bury their deceased wrapped in cloth shrouds rather than caskets. One Muslim cemetery is the Five Pillars Farm Cemetery located near Livermore, California. Prior to the approval of Five Pillars in 1996, Muslim burials occurred in the Chapel of the Chimes Cemetery in Hayward, California. Another example is the Denton Muslim Cemetery near Denton, Texas.

6

Information about the USGBC can be found at www.greenburialcouncil.org. Information about the Fernwood Cemetery can be found at: <http://www.fernwoodcemetery.com>. Information about the Five Pillars Cemetery can be found at: www.5pillarscemetery.com. Information about the Denton Cemetery can be found at: <http://dentonmuslimcemetery.com>.

Aesthetics and Visual Resources

Page 4.1-9 & 10; All Paragraphs

The Zoning Ordinance and San Martín Design Guidelines are discussed in the Setting subsection. The description of many of these regulations and policies pertain to architecture and its visual

7

appearance, but there is no analysis of how the project architecture complies with these regulations and policies. While building architecture, by itself, is not always considered an environmental issue for evaluation in EIRs, in this case it is important to provide some level of analysis because the issue of visual impacts is included in the Aesthetics Chapter, and visual impacts of all aspects of the project have been evaluated. Therefore, the current discussion in the DEIR should be expanded to include a description of the color, exterior materials and California Mission style architecture of proposed buildings and how these features comply with the San Martín Design Guidelines.

7

Page 4.1-18; Paragraph 5

The DEIR analyzes visual impacts based on how the developed site would appear during the limited period of 4–6 years after proposed project landscaping is planted. At the request of County staff, Exhibits 4.1-4 through 4.1.7 were provided by Animate House Visual Simulators specifically to show how the project would appear during the first 4–6 years of landscape growth only. These exhibits do not represent how the project would appear from off-site views when landscaping grows to maturity (i.e. over the long-term). Long-term views of the site are shown by Exhibits 4.1.8 and 4.1.9. These views, which more accurately show long-term visual appearance of the project, appear to have not been taken into account in determining Impact 4.1.2. This makes the visual impact analysis incomplete and misleading, as it overstates the project's visual impact.

8

In addition, the text erroneously states that project "...landscaping does not appear sufficient to fully screen the development by the time it is mature..." This statement is refuted by the simulations shown in Exhibits 4.1.8 and 4.1.9, which demonstrate complete or almost complete visual screening of site improvements from off-site views. The visual analysis should be revised to discuss and evaluate how mature landscaping will screen the project over the long term, not just during years 4–6.

9

Page 4.1-21; Paragraph 2

Mitigation Measure 4.1.2 states the project landscape plan should be "updated" to include evergreen tree planting. This statement does not recognize that evergreen trees are already proposed as a dominant feature of the plan. For example, a mixture of 38 California sycamores (*Platanus racemosa*) and poplars (*Populus nigra*), both large tree species, are shown along the entire south property line of the parcel. While these are both deciduous tree species, they are supplemented with a parallel planting of evergreens. These evergreen species include 22 fruitless olive trees (*Olea europeae*) and 7 strawberry trees (*arbutus*) or, alternatively, California bay trees and shrubs (all evergreens). Other evergreens located around building perimeters include interior live oak trees (*Quercus wizlizenii*), valley oaks (*Quercus lobata*) and coast live oaks (*Quercus agrifolia*).

10

The complete landscape screening of project improvements shown by the two future views in Exhibit 4.1.9 illustrates how evergreen tree and shrub species provide year-around screening of the project.

The only part of the landscape plan that will not provide year-around visual screening is the orchard proposed along the front (east side) of the site. The deciduous fruit trees will have leaf canopies only during the warmer months. If necessary, the applicant is prepared to supplement proposed plantings in the orchard to include evergreen trees similar to how the plan shows evergreen California pepper trees (*Schinus molle*) screen the caretaker dwelling at the orchard area. However, the DEIR analysis does not provide substantial evidence to require modification of other parts of the landscape plan as stated in Mitigation Measure 4.1-2.

10

Cultural Resources

Page 4.2-1; Paragraph 1

The Introduction, Subsection 4.2.1, should list field surveys previously conducted for the site, data/inventories reviewed, and previous cultural reports reviewed, in analyzing the impacts on cultural resources. The Subsection should also include the dates of surveys and inventory searches, and describe why the use of prior reports and cultural reports for other projects meet the current protocols for mapping and evaluating cultural resources in lieu of conducting a new project-specific study under CEQA.

11

Biotic Resources

Page 4.3-13; Paragraphs 1—5 and 9—10; Page 4.3-14; Paragraphs 1—2 and 6—9

Mitigation Measures 4.3-1a, 4.3-1b and 4.3-2 should specify how many days before the start of construction that the pre-construction survey shall be conducted. We recommend one week prior to construction.

12

Page 4.3-15; Paragraphs 1—2

The Introduction, Subsection 4.3.1, should explain how the reconnaissance survey and records searches conducted for the project meet the standards and protocols for evaluating impacts on biological resources under CEQA.

13

For example, under “Isolated Trees and Oak Woodland” section (Page 4.3-3 Paragraph 3), the last sentence states that a protocol-level nesting bird-survey was not conducted. But no reason is provided explaining why the survey was not required for the project.

Groundwater Quality

Page 4.4-17; Paragraph 4

The subtitle "Adequacy of Soils to Support Cemetery Use" appears to be a typographical error. This paragraph discusses the adequacy of soils to support an on-site wastewater treatment system. It does

14

not discuss the proposed cemetery.

14

Page 4.4-20; Paragraph 5 and Page 4.4-21; Paragraph 5

The DEIR text describes the slope south of the proposed drip dispersal field as a 5-foot high cut slope and further states the proposed drip field would be located only: “10 to 25 feet from a proposed graded cut slope (5-feet high) on the north side of the playground and recreation areas”. In addition, the text states: “County requirements for setbacks to cut slopes specify a minimum distance of 25 feet or four times the height of the cut, whichever is greater”.

This misinterpretation of the slope results in Mitigation Measure 4.4-2 being more restrictive than necessary. The slope at the entire north edge of the playground and play courts is not a 5-ft. vertical cut with a retaining wall, but rather a 2:1 slope that traverses a horizontal distance (width) of 10 feet. While the top of slope is 5 feet higher than the toe of slope, this height occurs over a distance of 10 feet. According to the project civil engineer¹, the top (upslope edge) of the 2:1 slope is located 12 ft. – 15 ft. from the drip dispersal field. The toe of this slope is therefore 22 ft. – 25 ft. from the dispersal field. If it is assumed the County requirement quoted above still applies, the dispersal field’s required setback from the top of slope would be 25 feet. Therefore, the dispersal field only needs to be modified by increasing its setback 10 ft. – 17 ft. from the top of this slope; not by eliminating the entire lower dispersal field as recommended by Mitigation Measure 4.4-2. Also, Table 3-3 of the County Onsite Systems Manual allows for this setback to be reduced according to recommendations of a geotechnical report prepared by a civil engineer or engineering geologist. This provision is absent from the Mitigation Measure.

15

The Mitigation Measure also recommends relocating the lower dispersal field in the orchard, which would effectively remove a large portion of the orchard amenity from the project. According to the project wastewater consultant², the root systems of orchard trees severely complicate the placement of drip emitters in a dispersal field. Emitters are placed in the soil in a grid layout. It would be difficult to implement this type of layout with the obstruction of tree roots every few feet. As the root systems enlarge with tree growth, they would expand into areas where drip emitters are located.

16

The text describing the dispersal field in relation to the 2:1 slope should be revised so Mitigation Measure 4.4-2 can be modified to allow a larger dispersal field upslope of the project recreation area and less encroachment into the orchard. The attached letter from Steven Hartsell, REHS discusses these issues in more detail.

¹ Mark Grofcsik, Senior Civil Engineer, R. I. Engineering, Satna Cruz, CA; personal communication, July 19, 2018

² Steven Hartsell, REHS, Hartsell Environmental Health Consulting, Pacifica, CA; pers. com., July 19, 2018

Page 4.4-26; Paragraph 2 and Exhibit 4.4-2

The potential for the cemetery to effect groundwater is overstated. Both the text and the referenced exhibit assume the soil will only provide a 25% or 50% nitrate removal from interred human remains, but acknowledge that the same soils would remove 60% of nitrates from horse manure and 95% of nitrates from lawn fertilizers. There is no substantiation in the DEIR for soils removing a substantially less percentage of nitrates interred remains in the cemetery.

17

Alternatives

Page 6-2; Paragraph 8

The statement “substantial tree planting would, once trees are mature (5 years), generally screen views...” inaccurately states trees become mature at 5 years of growth. Trees and shrubs do not attain near mature heights or canopy sizes until typically 10–15 years after planting. Even after this period, many tree and some shrub species will attain greater sizes. The statement in page 6-2 should be revised to state that project improvements will be generally screened from off-site views 5 years after planting trees and shrubs; and project improvements will continue to be further screened each year that trees and shrubs grow larger in following years.

18

Page 6-6; Paragraph 3

The “No Project” Alternative is described as potentially allowing one single-family dwelling on the property if the Cordoba Center is not built on the site since the property is zoned “Rural Residential”. However, Section 2.20.040 of the County Zoning Ordinance shows multiple dwellings could be allowed with an approved land division or an approved Use Permit for a dwelling group. In addition, Table 2.20-2 of the Ordinance (Uses Chart) shows several non-residential uses (e.g. community care facility, recycling facility) that are permitted as a matter of right in the “RR” zoning district. The text of this subsection should be revised to state the potential number of dwellings that could be approved on the 16-acre parcel and also list the types of non-residential uses that could be allowed without a discretionary approval.

19

Page 6-6; Paragraph 6

The statement that the “No Project” Alternative would result in “slightly less cultural impacts” than the proposed project is not correct. Currently, there are no known buried cultural resources on the site. There is therefore no substantial evidence to support a finding of “slightly less cultural impacts.”

20

Page 6-13; Paragraph 2; Table 6-1

The comparative impact analysis, comparing DEIR alternatives with the project, concludes that all impacts, except visual, would be similar to the project; and the visual impact would be only “slightly less” than the project. This shows that in all areas, except visual, there is *no environmental benefit* from selecting an alternative over the proposed project. As explained in the comment above under the Aesthetics and Visual Resources subheading, the DEIR overstates the visual impact of the project because it is based on the sizes of landscaping material after only 5 years of plant growth. A corrected analysis that includes landscape growth to maturity would show a reduced visual impact of the project. A more realistic characterization of how landscaping will screen project improvements would conclude visual impacts are also “slightly less”.

21

Page 6-14; Paragraph 1

The statement that Alternative 2 “would feasibly attain most of the basic objectives of the project” is incorrect. Alternative 2 would not meet the primary, crucial objective of serving the needs of the current and growing South County Islamic community, as it would shrink the building sizes and attendance by 75%. In addition, this alternative would actually generate demand for another Islamic center and mosque at a second location in the South Santa Clara Valley, and therefore would likely result in greater environmental impacts than constructing the project as proposed. This paragraph should be revised to explain these key facts.

22

Appendix F – Groundwater Studies – Wastewater Facilities Review Report ; Page 14: Paragraphs 4 and 5 and Page 15

This text misinterprets the slope at the north edge of the recreation area and its relationship to the proposed drip dispersal field as discussed in my comment on DEIR pages 4.4-20 and 21 above. Figure 8 on page 15 of Appendix F should be revised to expand the size of the drip field as allowed by County regulations as discussed above. This will result in reducing the area of the orchard needed for a secondary dispersal field.

23

Sincerely,

Kim Tschantz

Kim Tschantz, MSP, CEP

Attachment: Letter from Steven Hartsell, REHS, Hartsell Environmental Health Consulting,
dated July 19, 2018

**SR Hartsell
Environmental
Health
Consulting**



Wastewater treatment and disposal systems

July 19, 2018

Kim Tschantz, MSP, CEP
Cypress Environmental and Land Use Planning
P.O. BOX 1844
Aptos, CA 95003

Subject: Cordoba Center Draft EIR

Dear Mr. Tschantz;

I have reviewed the recommendations in Appendix F of the draft EIR for the Cordoba Center project located at 14065 Monterey Road, San Martin, CA 95046. These conclusions and recommendations were made by Questa Engineering, 1220 Brickyard Cove Road, Suite 206, Point Richmond, CA 94801, and pertain to the proposed septic systems.

All of the proposed changes appear doable, and most are reasonable. Some of them are beyond my level of expertise (e.g. mounding of water table) and I accept their conclusions and recommendations in these areas based on Questa Engineering's excellent reputation.

A couple of these recommendations are based on what I believe is an improper application of the County's cut bank setback regulations. Historically these setbacks have only been applied to cuts that constitute steep banks (67% slope or more when this project started and now 50% or more). The cut banks cited by Questa Engineering do not meet this criterion and therefore should not be applied on that basis. Therefore, I do not believe that the movement of the leach fields is required by local regulations, or that the leach fields as shown on the current plan would ever lead to surfacing of effluent due to their proximity to cut banks. Although it should not be necessary, perhaps the project geologist can address this issue as noted in following excerpt the County's Onsite Systems Manual.

"Setback distance may be reduced in accordance with recommendations provided in a geotechnical report prepared by a civil engineer or professional geologist consistent with section B11-83 and guidelines contained in the Onsite Systems Manual"

Thank you for the opportunity to review these comments. Please call or email me if you have further questions.

Sincerely

A handwritten signature in black ink, appearing to read "Steven R. Hartsell".

Steven R. Hartsell

CC: Stefani Hartsell, Attorney at Law

4.2.2 Response to Comments from Downey Brand

- 2-DB-1: The comment is acknowledged. Responses to specific comments on the Draft EIR are provided below.
- 2-DB-2: The comment restates information provided in the Draft EIR with respect to open space, landscaping, setbacks, and use of pervious surfaces. The comment also states that the proposed project has been designed to be compatible with the County's General Plan policies and Zoning Ordinance policies and requirements. Staff will make recommendations regarding project compatibility with the General Plan and Zoning Ordinance to the Planning Commission, which will make the ultimate determination.
- 2-DB-3: The Draft EIR discussed surrounding land uses in Section 3.2.1. The cumulative impacts of the proposed project in relation to surrounding uses, such as the proposed Patel RV Park, are addressed in the cumulative impact sections in Chapter 4, including in Impacts 4.1-4, 4.1-5, 4.1-6, 4.4-5, 4.5-5, 4.4-6, and 4.6-6.
- 2-DB-4: The commenter's analysis of the project's conformity with the County General Plan and Zoning Ordinance is acknowledged. Staff will make recommendations regarding project compatibility with the General Plan and Zoning Ordinance to the Planning Commission, which will make the ultimate determination (unless the project is appealed to the Board of Supervisors).
- 2-DB-5: The commenter's characterization of the traffic analysis in the Draft EIR is acknowledged.
- 2-DB-6: The ITE Trip Generation Manual has peak hour rates but not daily rates for mosques. Using ITE rates for churches, on a daily basis churches generate 8.5 times their peak hour trips. Applying this rate to the mosque peak-hour trips (113) yields 960 trips. The daily trip projection used in the DEIR of 1,120 trips is similar to this estimate and therefore is reasonably conservative.
- If the daily church rate was used, which is based on the gross building square footage, it would be applied to both the mosque and community center space, for a total of 17,200 sf. The amount of daily traffic estimated using the church rate of 9.11 trip per 1,000 square feet would be 160 trips, which is less than the amount of traffic estimated to be generated during the mosque peak hour. Therefore, using the church rate would not yield reasonable estimates of daily traffic.
- 2-DB-7: See Response 2-DB-6. The reduction to 70% of the 800 maximum total daily attendees is a conservative assumption. It is possible that the reduction could be lower for the reasons cited in the comment. However, it is not known with certainty; therefore, the assumption used in the Draft EIR is reasonable. It should be noted that even if it can be argued that the vehicle trip assumptions used in the Draft EIR were "overly conservative," the analysis found the project's level of service impacts to be less than significant.

- 2-DB-8: See Response 2-DB-6.
- 2-DB-9: See Response 2-DB-6.
- 2-DB-10: See Response 2-DB-6.
- 2-DB-11: The comment regarding the impact conclusion and public concern regarding traffic impacts is acknowledged.
- 2-DB-12: The comment regarding estimation of vehicle trips is addressed above (Response 2-DB-5). The County disagrees that it improperly applied the efficiency threshold to evaluate whether the proposed project GHG emissions are significant. Responses to specific comments on the Draft EIR's evaluation of GHG emissions are provided below.
- 2-DB-13: The comment summarizes Impact 4.7-1.
- 2-DB-14: See Responses 2-DB-6 and 2-DB-7 regarding vehicle trip assumptions. The conclusion that Impact 4.7-1 would be significant and unavoidable after mitigation was not based on the estimated pre-mitigated emissions in Table 4.7-1. As explained under "Significance after Mitigation" on page 4.7-17, this conclusion was in part determined due to the current uncertainty over what the applicable threshold is for a project of this type due to the transition in regulatory standards.
- 2-DB-15: The comment summarizes the conclusions of Impact 4.7-1.
- 2-DB-16: See Response 2-DB-27A. The County calculated the service population for the proposed project consistent with guidance from BAAQMD, which states in its current guidelines: "Service population (SP) is an efficiency-based measure used by BAAQMD to estimate the development potential of a general or area plan. SP is determined by adding the number of residents to the number of jobs estimated for a given point in time" (page 9-5, 2nd paragraph from bottom).¹² The County does not consider mosque attendees to be either residents or employees of the project site. Mosque attendees are visitors, which is not a type of population that is included in BAAQMD's definition of service population. On that basis, the Draft EIR properly applied BAAQMD's efficiency threshold.
- 2-DB-17: See Response 2-DB-16.
- 2-DB-18: The comment is acknowledged. See Response 2-DB-27A. As explained on page 4.7-17 of the DEIR, the impact determination was not solely based on the estimate of unmitigated emissions.

¹²BAAQMD. CEQA Guidelines. May 2017.

- 2-DB-19: The comment is acknowledged. Analysis of groundwater impacts is addressed in Section 4.4 of the Draft EIR.
- 2-DB-20: See Response 2-DB-21.
- 2-DB-21: Mitigation Measure 4.4-4 is not triggered by the detection of 7.5 mg/l in any of the installed groundwater wells; rather, what is triggered is an increase in monitoring frequency to monthly sampling and nitrate analysis until the results show at least 4 consecutive months of compliance with the 7.5 mg/l criteria. Repeat exceedances of 7.5 mg-N/L in the groundwater during a given year shall be sufficient cause for the County to require reduction in the annual burial rate, based on recommendations by a qualified groundwater quality specialist and approval by the County, or consideration of other mitigation measures proposed by the Cordoba Center, and subject to approval by the County, to achieve the same objective of <7.5 mg-N/L.
- Regarding possible contributions from up-gradient sources, Questa has evaluated the hydrogeology and topographic conditions of the site and has found that there is no evident up-gradient source of nitrates potentially impacting the cemetery area except for the project site and activities under the control of the project applicant. For that reason, proposed Mitigation Measure 4.4-4 did not identify the need for up-gradient monitoring well(s). The County would give consideration to voluntary efforts by the project proponent to conduct baseline monitoring. However, the provisions of Mitigation Measure 4.4-4 relating to exceedances of 7.5 mg-N/L would still apply regardless of what background conditions show.
- 2-DB-22: See Response 2-DB-21.
- 2-DB-23: The Draft EIR (page 4.4-26, 2nd paragraph) notes the following: “The results indicate annual burial rates of 30 per year or fewer would be safely within the 7.5 mg/L criterion based on a conservative estimate of 25 percent soil nitrogen removal. Up to 50 burials per year may be acceptable based on a higher soil nitrogen removal rate of 50 percent. Although the 50 percent nitrogen removal rate appears reasonable based on review of preliminary cemetery plans, site conditions, and principles of nitrogen behavior in soils, the factors and processes are complex and there is no means of validating this estimate except through implementation and monitoring over several years of cemetery operation.” For these reasons, the County considers the 30 per year burial rate to be the conservative limit for the first 5 years of cemetery operation until sufficient site-specific data has been obtained. Mitigation Measure 4.4-4 provides that the annual burial rate may be adjusted higher or lower based on analysis of this monitoring data.
- 2-DB-24: See Response 2-DB-23.
- 2-DB-25: Responses to comments Kim Tschantz (attachment C) are provided below.

Response to Comments from Downey Brand Attachment A

- 2-DB-1A: The general comments regarding the project and the Draft EIR evaluation of Greenhouse Gas emissions are acknowledged. Responses to specific points in the memorandum are provided below.
- 2-DB-2A: The general comments regarding Ramboll's approach to evaluating Greenhouse Gas emissions are acknowledged. Responses to specific points in the memorandum are provided below.
- 2-DB-3A: The Draft EIR assumed construction of the proposed project would begin in 2018 because it represented the earliest possible date that construction could occur. This assumption would be conservative, because emissions from construction equipment are expected to decrease in the future with increased emission controls.
- 2-DB-4A: Consistent with the comment, the Draft EIR also assumed that, because the site is vacant, existing land uses are not sources of GHG emissions.
- 2-DB-5A: The comment restates the Draft EIR approach of adding amortized construction emissions to the operational emissions.
- 2-DB-6A: The comment restates the Draft EIR assumptions regarding carbon sequestration as a result of project landscaping.
- 2-DB-7A: The Draft EIR estimated GHG emissions based on the information that was available at the time of preparation. Mitigation Measure 4.7-1 would require the project proponent, prior to issuance of grading or building permits, to submit a GHG-reduction plan that would include a calculation of final emissions from construction and operations. Responses to specific comments on potential changes to mobile trip rates are provided below.
- 2-DB-8A: The comment regards the version of CalEEMod and source categories used by Ramboll to model the proposed project's GHG emissions. Also see Response 2-DB-7A above.
- 2-DB-9A: The comment regards area sources used by Ramboll to model the proposed project's GHG emissions.
- 2-DB-10A: The comment compares the CalEEMod energy use settings and CO₂ intensity factors for GHG emissions modeling between that conducted for the Draft EIR and the updated modeling by Ramboll.
- 2-DB-11A: The comment states that the modeling conducted for the Draft EIR and by Ramboll use the same assumptions regarding natural gas use.
- 2-DB-12A: The comment states that the modeling conducted for the Draft EIR and by Ramboll use the same assumptions regarding water use.

- 2-DB-13A: The comment notes that the modeling conducted for the Draft EIR and by Ramboll use the same default value for waste that would be generated by the proposed project.
- 2-DB-14A: The comment notes that vehicle trips would come primarily from congregants traveling to and from the mosque for services, which is consistent with the assumption made in the Draft EIR.
- 2-DB-15A: The comment notes that Ramboll reran CalEEMod using the same trip inputs to generate Draft EIR emissions for the calendar year 2030.
- 2-DB-16A: See Response 2-DB-6. The County does not have access to, and was not provided with, any data regarding the specific trips and trip lengths for SVIC members, or whether some of them currently attend mosque outside of the south Santa Clara Valley area, such as San Jose. Therefore, the VMT estimate did not assume that some members' trips may be reduced if they can attend the proposed Cordoba Center instead of a mosque located further away. In accordance with standard CEQA practice, the VMT estimate was based on the trips that would be generated by the proposed project.
- 2-DB-17A: The submittal of an Adjusted Project Scenario is acknowledged.
- 2-DB-18A: The comment regarding the mass emissions threshold in BAAQMD's 2017 CEQA Guidelines is acknowledged.
- 2-DB-19A: Although the Draft EIR presents a threshold that adjusts the 1,100 MT CO₂ per year mass emissions threshold downward by 40 percent to 660 MT CO₂, it should be noted that BAAQMD has not published such a threshold. As noted on page 4.7-13 of the Draft EIR, BAAQMD is in the process of updating its CEQA Guidelines to include thresholds that land use projects would be able to use to determine significance with respect to 2030 statewide goals.
- 2-DB-20A: The submittal of the results of the Adjusted Project Scenario is acknowledged.
- 2-DB-21A: The County agrees that the service population threshold is not well-suited for projects with high numbers of customers or visitors. However, the BAAQMD 2011 CEQA Guidelines (page D-22) define the service population as the sum of the number of jobs and the number of residents provided by a project. SVIC members attending prayers and events at the proposed Cordoba Center are neither employees or residents of the project. It would also not be appropriate to exclude visitors from the emissions for purposes of evaluating GHG emissions, because the majority of the emissions would be coming from vehicle trips of those visitors.
- 2-DB-22A: The comment regarding the adjusted efficiency threshold used in Ramboll's analysis being the same as that used in the Draft EIR is acknowledged.

- 2-DB-23A: It is recognized that other EIRs for projects in Santa Clara County have included congregants and visitors in their service population. The County is relying on BAAQMD for the definition of service population.
- 2-DB-24A: The submittal comparing the results of the Draft EIR to the Adjusted Project Scenario using service population is acknowledged.
- 2-DB-25A: The comment regarding Ramboll's approach to modeling of resident and worker emissions is acknowledged.
- 2-DB-26A: The comment regarding Ramboll's approach to mobile emissions associated with the maintenance building caretaker's residence is acknowledged.
- 2-DB-27A: The summary of Ramboll's GHG impact determinations in comparison to those in the Draft EIR is acknowledged. It should be noted that although the pre-mitigated emissions in the Draft EIR are higher than those based on Ramboll's alternative modeling, implementation of Mitigation Measure 4.7-1 would significantly reduce net project-related GHG emissions. It should also be noted that Mitigation Measure 4.7-1 requires preparation of a GHG-reduction plan to calculate final emissions from construction and operations. The Draft EIR's *significant and unavoidable* conclusion stems not only from the level of unmitigated emissions, but also from the fact that there is a lack of substantial evidence to show that currently identified thresholds would be consistent with the State's GHG reduction targets for 2030 and 2050. For example, in 2011 BAAQMD established the bright line numeric threshold of 1,100 MT CO₂/yr to achieve an aggregate emissions reduction of 1.6 MMT CO₂e by 2020 to contribute the San Francisco Bay Area Air Basin's fair share GHG emission reductions per AB 32.¹³ Subsequent legislative updates authorized the California Air Resources Board (CARB) to achieve a statewide GHG emission reduction target of at least 40 percent below 1990 levels by no later than December 31, 2030. In the absence of an updated BAAQMD threshold, air quality specialists have proposed reducing the 1,100 MT CO₂/yr threshold by a straight 40 percent, resulting in adjusted threshold of 660 MT CO₂/yr. However, it does not follow that such an adjustment would accomplish the needed 2030 target since it is not based on a calculation of aggregate emissions reduction in the Bay Area air basin, unlike the original threshold.

Response to Comments from Downey Brand Attachment B

- 2-DB-1B: The comment notes sources of information reviewed as part of preparation of Pinnacle's peer review of the traffic study and related material presented in the Draft EIR and also summarizes the project description, which is located in Chapter 3 of the Draft EIR.

¹³ AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020.

- 2-DB-2B: The comment summarizes the trip generation analysis from the Fehr and Peers traffic analysis, which is contained in Appendix E of the Draft EIR.
- 2-DB-3B: See Response 2-DB-6.
- 2-DB-4B: The comment is acknowledged. See Response 2-DB-6.
- 2-DB-5B: The comment summarizes the Draft EIR analysis of level of service impacts of the project.
- 2-DB-6B: The comment summarizes the Draft EIR's evaluation of site access and circulation. As discussed on page 4.6-8 of the Draft EIR, the County Department of Roads and Airports has stated that left turns in or out of the project driveway would not be allowed unless the driveway is signalized.
- 2-DB-7B: Mitigation Measure 4.6-3 would require installation of a southbound right turn deceleration lane for traffic entering the project site and a southbound acceleration lane for traffic exiting the project site.
- 2-DB-8B: See Response 2-DB-6.
- 2-DB-9B: The County does not have access to data regarding the trips and trip lengths for SVIC members, some of who may attend mosque outside of the south Santa Clara Valley area, such as San Jose. Therefore, the VMT estimate did not assume that some members' trips may be reduced if they can attend the proposed Cordoba Center instead of a mosque located further away. Consistent with standard CEQA practice, the VMT estimate was based on the trips that would be generated by the proposed project.
- 2-DB-10B: The comment regarding the feasibility of left turns from Monterey Road into the project driveway is acknowledged. The County Department of Roads and Airports, which owns and operates this highway, has reached a different conclusion, as discussed on page 4.6-8 of the Draft EIR.
- 2-DB-11B: See Response 2-DB-10B.
- 2-DB-12B: The County Roads and Airports Department has determined that installing a U-turn at California Avenue is not required to mitigate the project's impacts. Rather, it was identified as a potential method of addressing the potential inconvenience associated with limiting the turning movements from the project driveway to right-in and right-out turns from and to Monterey Road. U-turns may be made further south at E. San Martin Avenue. See text changes to Section 4.6.4 for clarification of this issue.
- 2-DB-13B: The queuing analysis is required by Mitigation Measure 4.6-3. Pinnacle has provided a queuing analysis, which is provided in Appendix D of this Final EIR.

Response to Comments from Downey Brand Attachment C

- 2-DB-1C: Responses to the specific comments on the Draft EIR are provided below.
- 2-DB-2C: See text changes in Chapter 3.0.
- 2-DB-3C: See text changes in Chapter 3.0.
- 2-DB-4C: See text changes in Chapter 3.0.
- 2-DB-5C: The comment is acknowledged. This information is incorporated into the record through this Final EIR.
- 2-DB-6C: The comment is acknowledged. This information is incorporated into the record through this Final EIR.
- 2-DB-7C: As noted in Impact 4.1-2, the structures would be subject to the County's design review procedure and San Martin Integrated Design Plan and Guidelines standards. Mitigation Measure 4.1-2 requires an updated landscape plan that conforms to these standards be submitted to the County Planning Office before project approval. A staff report to the Planning Commission will make recommendations on whether the proposed project complies with these standards to the Planning Commission, which will make the final determination (unless the project is appealed to the Board of Supervisors).
- 2-DB-8C: The Draft EIR concluded that Impact 4.1-2 would be less than significant with incorporation of Mitigation Measure 4.1-2 (Updated Landscape Plan for Project Site Screening). The analysis of this impact did take into account mature landscaping. For example, the 2nd sentence of the last paragraph of page 4.1-18 notes: "...simulations (Exhibits 4.1-8 and 4.1-9) provided by the applicant illustrate that mature landscaping would provide significant screening of the mosque and community building from viewpoints along California Avenue and near its intersection with Monterey Road..." However, it also notes "...the proposed orchard would provide limited screening from Monterey Road..." and "...there is no proposed landscaping where the youth summer camp would be located." Mitigation Measure 4.1-2 is proposed to address these gaps.
- 2-DB-9C: See Response 2-DB-8C.
- 2-DB-10C: Mitigation Measure 4.1-2 does not state that the landscape plan does not already include evergreens. It states that an updated landscape plan should demonstrate through use of evergreens that all project elements will be screened from public view. Mitigation Measure 4.1-2 has been updated to require that the updated landscape plan be submitted prior to a public hearing and that full screening of project elements would have to be demonstrated through visual simulations (see text change in Section 3.0).

- 2-DB-11C: This information is discussed on page 4.2-4 of the Draft EIR under “Archaeological Resource Literature Review.”
- 2-DB-12C: Mitigation Measures 4.3-1A and 4.3-1b have been revised to add in the timing of the required surveys. Please see the text edits in Section 3.0.

Mitigation Measure 4.3-2 (special-status plant surveys) entails surveys that would need to be conducted during the appropriate flowering period for each potentially occurring species, as indicated in Table 4.3-3 of the DEIR. These surveys do not need to be performed a certain number of days, weeks, or months prior to the start of construction, they just need to be performed during the appropriate period indicated for each species in Table 4.3-3, and sometime prior to construction.

- 2-DB-13C: For this project, protocol-level or focused surveys for most biological resources were not necessary due to the existing information available regarding the known and potential occurrence of certain species and habitats and knowledge of the life histories of certain species (e.g., dispersal capabilities of special-status wildlife). For example, no protocol-level surveys for breeding burrowing owls were conducted because the species’ breeding distribution in Santa Clara County is fairly well known (e.g., as discussed in the Santa Clara Valley Habitat Plan) and does not include the project site. Also, some biological resources, such as nesting birds, are known to occur on all sites providing the habitat types present on the project site, and focused surveys would not have further informed the description of existing conditions or the impact assessment. The only protocol-level surveys that are needed to address biological resources are the special-status plant surveys required by Mitigation Measure 4.3-2.

- 2-DB-14C: See text change in Section 3.0.

- 2-DB-15C: The Draft EIR and supporting technical study by Questa Engineering (Appendix F, Questa 2017b) properly characterized the proposed cut slope in question (north of the recreation area), and fairly evaluated the potential impact and requirements that should apply to the proposed drip dispersal fields. Please see response to comment 2-DB-Hartsell-1 for the definition of a cut slope per Santa Clara County Onsite Wastewater Treatment Ordinance (Sec. B11-64). As stated in the Draft EIR, the minimum setback distance from the top of the cut to the edge of a dispersal field is 25 feet, which was not provided in the wastewater dispersal plan layout prepared by the applicant’s consultant (Hartsell). It should also be noted that County requirements for onsite wastewater systems (i.e., minimum standards) are oriented primarily toward the placement and design of single-family residential systems. Additional requirements apply to large flow, commercial and community-type systems, often dictating more than the minimum requirements that would apply to residential systems. Based on field inspection of soil conditions and analysis of groundwater mounding effects (Appendix F, Questa 2017b), Questa determined (for the proposed design flow of 6,000 gpd) that the presence of stiff clay soils at a depth of 4 feet below the drip field would lead to an unacceptable level of soil saturation in the drip field area and strong likelihood of seepage at the proposed cut slope. To mitigate

these impacts, Questa recommended three changes in the system design: (1) reduce the volume of wastewater dispersed to the hillside drip field area to 50% of the total design flow (i.e., 3,000 gpd), with the other 50% routed to a second drip dispersal field in the orchard area (east side of property); (2) increase the cross-slope length of the drip field to spread the wastewater load; and (3) maintain an increased horizontal setback distance of 50 feet from the drip field downhill to the top of the cut slope (i.e., greater than the 25-foot minimum). The groundwater mounding and soil saturation effects were a key consideration underlying Questa's assessment and recommendations regarding setbacks and drip field capacity. Please note that in the comment letter from Hartsell (paragraph 2), the applicant's wastewater consultant accepted the conclusions and recommendations of Questa regarding mounding of the water table. No change in the Draft EIR analysis or Mitigation Measure 4.4-2 is warranted in response to this comment.

2-DB-16C: The objections to Mitigation Measure 4.4-2 in this comment claiming conflicts between drip dispersal of wastewater and planned orchard uses are unfounded. It is true that in most applications onsite wastewater drip fields are constructed in a "grid" layout. However, this is normally done for convenience, efficiency and cost savings; there is no code requirement, standard of practice or technical limitation dictating that a "grid" layout be used. In fact, the Santa Clara County *Onsite Systems Manual* (Section 4, Guidelines for Subsurface Drip Dispersal) cites as one of the advantages of drip dispersal that "*it can be installed in multiple small discontinuous "zones", allowing the hydraulic load to be spread widely rather than concentrated in one main area; ...*". Also, under dripfield sizing requirements, the Manual states: "*Dripfields may be divided into multiple zones which may be located in different areas of a site, as desired or needed to provide the required dripfield size.*" The discussion under Mitigation Measure 4.4-2 recognizes that the design of the drip dispersal fields needs to be coordinated with the layout and operational plans for the orchard. Since neither the orchard nor the drip dispersal field currently exists, there is ample opportunity to develop a feasible, integrated plan that will preserve the proposed orchard amenity and also meet the wastewater dispersal requirements of Mitigation Measure 4.4-2. Subsurface drip irrigation of orchards, crops, turf and other landscaping, originally developed in the 1960s, has become increasingly popular in California over the past 25 years with better knowledge and understanding of the economics, practicality, water and environmental benefits of the technology^{14,15}. No change in the DEIR analysis or Mitigation Measure 4.4-2 is warranted in response to this comment.

2-DB-17C: The nitrogen removal rates for horse manure (60%) and nitrogen fertilizer

¹⁴ Ferguson, Karen. President, Geoflow, Inc. "Subsurface Drip Systems for Onsite Wastewater". <http://www.zabelzone.com/Images/Zabel%20Zone/magfal99/009.pdf>

¹⁵ Bryla, David R, R. Scott Johnson, et al. 2003. "Growth and Production of Young Peach Trees Irrigated by Furrow, Microjet, Surface Drip or Subsurface Drip Systems." USDA Agricultural Research Service and University of California Kearny Agricultural Center. In Hort Science, 38(6) 1112-1116; 2003. https://www.researchgate.net/publication/297324039_Growth_and_Production_of_Young_Peach_Trees_Irrigated_by_Furrow_Microjet_Surface_Drip_or_Subsurface_Drip_Systems

(95%) appearing in the footnote on page 16 of the Questa report (Appendix F) are examples of rates applicable to nitrogen sources deposited at or near the ground surface, where the opportunity for plant uptake and denitrification in the organic-rich topsoils is greatest. In the case of fertilizer, the high rate of nitrogen removal is also attributable to the fact that the amount, timing and methods of nitrogen application are normally managed to match vegetation needs as closely as possible. These removal rates are not applicable to nitrogen originating from interred human remains, released into the soils at burial depths of 5 to 6 feet, well below the rooting depth and biologically active topsoil zones. Instead, nitrogen removal rates typically estimated for discharges from leachfield systems (15% to 25%) were considered more representative for the burials; Questa assumed the higher end of this range (25%) based on the observed soil conditions in the proposed cemetery area. Questa's analysis also recognized that lateral, down-slope movement of water from the hillside cemetery could bring some of the nitrogen released from the burials to depths closer to the ground surface, where there would be greater potential for plant uptake and denitrification. To account for this, Questa also provided calculations based on an upper estimated value of 50% nitrogen removal, i.e., approaching the rates for surface sources of nitrogen, such as horse manure. The Draft EIR analysis of nitrogen impacts from the cemetery cover a reasonable range of assumptions, supported by the observed site conditions and understanding of water movement and nitrogen behavior in the soil. No change in the Draft EIR analysis of cemetery nitrogen impacts is warranted in response to this comment.

2-DB-18C: See text change in Section 3.0.

2-DB-19C: See text change in Section 3.0.

2-DB-20C: The conclusion of "slightly less" is based on the fact that the No Project Alternative would involve less construction than the proposed project because development would be residential as opposed to institutional in nature. Therefore, the probability of disturbing unknown cultural resources would be reduced in proportion to the level of development.

2-DB-21C: The estimated time to maturity of landscape trees would not change the qualitative comparison between the project and the alternatives. Mitigation to ensure that the development would provide adequate screening from public viewpoints would be required regardless.

2-DB-22C: The comment is acknowledged. The ultimate feasibility of any of the alternatives will be decided by the Planning Commission. In the County's judgment, Alternative 2 meets enough of the objectives to be included for evaluation in the Draft EIR.

2-DB-23C: The analysis and recommendations regarding wastewater dispersal capacity and placement of the proposed drip fields north of the recreation area accurately interpret and apply County requirements for horizontal setbacks from cut slopes and embankments. The recommendations also take into account the findings of the accompanying groundwater mounding analysis in the Questa report (Appendix F,

Questa 2017b), which is required for wastewater systems of the size planned for the proposed project. Please see Response 2-DB-15C and 2-DB-Hartsell-1 for further explanation of the supporting rationale for Questa's conclusions and recommended changes to the wastewater dispersal design. No changes to the text or figures in Appendix F (Questa 2017b) are warranted in response to this comment.

Response to Comments from Downey Brand Attachment C – Hartsell Letter

2-DB-Hartsell-1: The County of Santa Clara's Onsite Wastewater Treatment Ordinance., Sec. B11-64 of the County Ordinance Code, defines a cut bank as follows:

"Cut or embankment: means any altered area of land surface having a distinctly greater slope than the adjacent natural ground surface, over 24 inches in vertical height, and any part of which is lower in elevation than the ground surface at the nearest point of the OWTS. Cuts supported by retaining walls or similar structures shall be included in this definition, as shall steep natural ground surfaces where a sharp break in the ground slope is discernible."

The grading plans for the project indicate a proposed cut slope of approximately 4 to 5 feet in vertical height directly downslope of the proposed drip dispersal leach field. This clearly meets the definition of a cut bank per County Code, which requires a horizontal setback of 25 feet or greater, based on the height of the cut and soil conditions. As explained in the analysis by Questa Engineering (Questa, 2017b), a 50-foot horizontal setback is appropriate in this case based on the presence of stiff sandy clay sub-soils at 4-foot depth below the proposed drip dispersal field.

From: [PPRI San Martin](#)
To: jvillarreal@valleywater.org; board@valleywater.org; jvarela@valleywater.org; [CordobaEIRComments](#)
Cc: julie@greenfoothills.org; shani@scvas.org
Subject: FW: 2 RV Parks and Campus (Cordoba) on Bare Unincorporated Farmland Draft EIR
Date: Monday, July 30, 2018 4:49:18 PM
Attachments: [Cordoba Clearing House Transmittal.pdf](#)
Importance: High

Dear District

Well owners just received a survey form and it asks the well owner to rate the priority of
"Groundwater monitoring and protection"

The residents of San Martin have no other water source.... we depend on SCVWD to protect our water and it has failed time and time again..... Perchlorate contamination and raw sewage spill all transpired under your watch.

You approve projects during application process and rely on use permit restrictions/conditions and the project as outlined during the application and approval process... there is no way for you to include the non-compliance of the project after completion... Due to the County's inability to enforce code and use permit conditions you have a variable.

The county is unable to enforce current code and the non-compliant impact is an unknown. Therefore SCVWD has no clear picture of what is going on.

Do you not remember Perchlorate? Was there not raw sewage spilled on the farmlands and front yards of San Martin Residents just 8 short months ago.... It was MORGAN HILL sewage going through county lands and farm lands to Gilroy.....

SCVWD Should impose a moratorium on all new construction on **open, undeveloped land** other than residential until the County of Santa Clara can manage what is currently in place. Pretty simple... if the County can't handle what they have now... the should not be under taking any new projects such as 2 RV Parks and Cordoba Campus which will **cover open space, affect permeability, water flow and the waterways and destroying habitats which exist amongst developed land. These properties are the last refuge for the surrounding areas.**

The County

- Was not aware that San Martin Gwinn Elementary school added 7th and 8th grade to their campus
- Was not aware that San Martin Gwinn Elementary school moved their main drop off/pick up to Llagas avenue.... A two lane road with a soft shoulder but yet they believe their new projects can perform a traffic study. (It is all industrial with PBM, Cal Stone, Recology, nurseries, and Coparts Auto sharing the road with the school. Semi's and Students on the same road.
- Was not aware Coparts and the concrete recycling plant has more trucks running than their conditions of their use permit (more water used and more water expelled) again... not to mention traffic. SCVWD can factor in the abuse of the permits
- Denies approving or allowing Morgan Hill built a sewer line through San Martin to Gilroy that was based on decades old data old data when built years ago
- Allowed raw sewage to be expelled atop and along our water sources, residence yards and roadways that have no curb and gutter for containment... the sewage was allowed to absorb into the ground possibly recharging water sources

- Has allowed a new sewer trunk be installed to mitigate the above issue but again it is using data from several years ago and it is evident it is too small as Morgan Hill is fast tracking the trunk line but building at an outlandish pace... the trunk lines are too small and drive through Morgan Hill and look at the construction underway.

10

This is just common sense... no degree needed. Morgan Hill should build a sewage treatment plant that would enable them to monitor their own sewage.....why is it allowed that they rely on an undersized structure crossing land that is not theirs which they are unable to monitor?

11

It is your job to protect our water. No more building until sewer is put in to accommodate each project currently under construction. Infra Structure first... it has always been that way in construction why would why is the County allowing this deviation from standard construction practice...

12

SCVWD is responsible to protect our community resources to protect our habitats and its well owner's water. However, the County does not provide SCVWD with adequate, complete or accurate information and until it does.... SCVWD cannot do the job they collect fees to do and should not condone any further projects including but not limited to the Cordoba Center until the County can bring itself into compliance.

13

Please hear the pleas of the San Martin Community as accumulated here as a group of neighbors.

Sincerely,
People Preserving Rural Integrity

4.2.3 Response to Comments from People Preserving Rural Integrity

- 3-PPRI-1: This is not a comment on the proposed project Draft EIR.
- 3-PPRI-2: This not a comment on the proposed project or Draft EIR. Conditions of use permits are enforced by the County Planning Office through a post-approval monitoring program.
- 3-PPRI-3: Water quality impacts of the proposed project were evaluated in Section 4.4 of the Draft EIR. Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center. The proposed project would be served by on-site wastewater treatment systems, not the Morgan Hill sanitary sewer system.
- 3-PPRI-4: SCVWD does not have land use authority over development within unincorporated Santa Clara County. This authority lies with the County of Santa Clara. Comments regarding whether the proposed project should or should not be approved will be considered by the Planning Commission, and on appeal by the Board of Supervisors.
- 3-PPRI-5: This is not a comment on the proposed project Draft EIR.
- 3-PPRI-6: This is not a comment on the proposed project Draft EIR.
- 3-PPRI-7: This is not a comment on the proposed project Draft EIR.
- 3-PPRI-8: This is not a comment on the proposed project Draft EIR. Wastewater treatment for the proposed project would be handled by an on-site wastewater treatment system.
- 3-PPRI-9: This is not a comment on the proposed project Draft EIR. The comment does not provide any specific references regarding the incident cited, which appears to be an existing condition.
- 3-PPRI-10: This is not a comment on the proposed project Draft EIR. It is not clear from the comment what existing condition is being referred to.
- 3-PPRI-11: This is not a comment on the proposed project Draft EIR.
- 3-PPRI-12: Sewer service to the project site would require expansion of Morgan Hill's urban service area. However, the Draft EIR evaluated the proposed wastewater treatment system and concluded that it would be adequate to serve the project with implementation of Mitigation Measure 4.4-2: Revise wastewater disposal plan design.
- 3-PPRI-13: The County Planning Office provides SCVWD with all information submitted by project applicants as well as any supplemental technical information related to SCVWD's permitting authority and role as a groundwater management agency.



July 30, 2018

Chris Hoem
Santa Clara County Planning Office
County Government Center
70 W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

via email

Re: Comments on the Draft Environmental Impact Report for the Cordoba Center

Dear Mr. Hoem,

The Santa Clara Valley Audubon (SCVAS) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Cordoba Center (Project) in San Martin. SCVAS represents members in Santa Clara County who care to see birds, wildlife, and their habitats protected and preserved. We are concerned that the DEIR for the Project is flawed, and fails avoid or mitigate for potentially significant impacts.

The project would convert 15.8 acres of vacant land into a cultural center with buildings totaling 26,780 square feet; a 15,000 square foot plaza; a 3.55-acre cemetery, and ancillary structures. As recognized in the DEIR, the Project is expected to result in significant and unavoidable impacts due to Project-generated greenhouse gas (GHG) emissions. We believe the DEIR does not sufficiently address potential impacts to biological and aesthetic resources, nor does it consider sensible Project alternatives that would minimize impacts.

We provide the following comments:

1. Analysis of Project-generated greenhouse gas emissions is inadequate

The DEIR concludes that Project-generated GHG emissions will result in a significant, unavoidable impact. However, the analysis of GHG emissions does not specify whether the operations of the community center, cemetery and burial processions, and the youth camp were included in calculations. Instead, the GHG-Energy-Noise modeling (Appendix C) implies that calculations were performed only for the place of worship (mosque) and single family home. Considering the Project proposes to accommodate as many as 4,260 funerals (3.55 acres x 1,200 burial sites per acre), regular events within the community center, and youth camps for 50 individuals throughout summer breaks, the DEIR should show detailed calculations for the cumulative GHG emissions that will result from operations of the entire Project and anticipated activities.

Additionally, the DEIR should consider Project Alternatives that would reduce the GHG impact to a less-than significant level. Other than the No Project Alternative, all of the Project alternatives listed in the DEIR would result in “similar” GHG emissions and thus a significant, unavoidable impact.

2

2. Project Alternatives that minimize impacts were not assessed

Again, Project-generated GHG emissions are expected to be significant. Additionally, as stated in Impact 4.4-4, the Project could result in deterioration of groundwater quality below drinking water standards due to operation of the cemetery. Pursuant to Section 15126.6(c) of the State CEQA Guidelines, an EIR must describe and analyze a range of reasonable alternatives to the project that are potentially feasible, would feasibly attain most of the basic objectives of the project, and would avoid or substantially lessen any of the project’s significant effects. The DEIR should have considered Project alternatives that utilize existing entitlements for local cemeteries within Santa Clara County in order to substantially lessen Project-generated GHG emissions and impacts to groundwater.

3

A feasible alternative to the proposed 3.55-acre cemetery is the Heritage Oaks Cemetery in South San Jose. This entitled project will provide 102 acres of burial sites to serve the entire Santa Clara County population. Approved in 2014, the Heritage Oaks Cemetery is within 15 miles of the Project site. According to Bill Barron of Brandenburg Properties - the owner of entitlements for the Heritage Oaks Cemetery- this cemetery will accommodate a variety of non-denominational burial practices, including the desired green burial practices outlined in the DEIR. By utilizing an entitled cemetery in Santa Clara County, the Project may reduce impacts associated with GHG emissions and groundwater quality while attaining a majority of the Project objectives.

4

Please provide an analysis of a Project alternative that would utilize existing entitlements for cemeteries in Santa Clara County in lieu of developing a 3.55-acre cemetery on site.

3. Development should be pulled back from the ridgeline

The Project site is mostly flat with a bedrock ridge on the northern boundary of the property that borders Llagas Creek. Riparian habitat is critically important for birds and wildlife, and particularly sensitive to encroachment by human development and activities, including lighting and noise. The County recognizes the sensitivity of riparian corridors, as evidenced by the Stream and Riparian Protection Ordinance and numerous policies in the General Plan that seek to protect and restore riparian habitat.

5

The Project proposes to terrace the ridge in order to provide a level surface for grave sites, in addition to constructing two permanent 390 square foot bathhouses and 14 wooden tent platforms on the ridgeline. Based on SCVAS observations and observations of the community, we believe wildlife use the ridge to move along the Llagas Creek corridor. We are concerned that development of a Youth Camp on the ridgeline will introduce light and noise into the Llagas Creek corridor, impacting biological and aesthetic resources and the enjoyment of future County

Park visitors to Lake Silveira and Llagas Creek area. However, the DEIR fails to consider and evaluate the impacts from new sources of light and noise generated from the Youth Camp.

5

Policy R-GD 33 in Santa Clara County's General Plan directs "For existing legal lots, the County encourages the consideration of alternatives to ridgeline or hilltop locations. Where grading policies and permit findings are involved, building sites may only be approved where consistent with the grading policies of the General Plan and the permit requirements and findings of the Grading Ordinance". The DEIR should have considered an alternative that would eliminate the need to grade/terrace the ridge and pull any and all development away from the ridgeline, including the Youth Camp infrastructure and grave sites.

6

4. Analysis and mitigations for groundwater impacts are lacking

Climate change has already begun to alter historical precipitation patterns in California, resulting in periods of extreme drought followed by periods of heavy rainfall and flooding events. The DEIR acknowledges potential Project-related impacts to groundwater under the presumption that average rainfall will occur over the lifetime of the Project. Considering periods of heavy rainfall are likely and may exacerbate projected groundwater impacts, we believe that a 5-year period of testing groundwater is arbitrary. Instead, the number of burials/year should be limited to 30 per year until rigorous groundwater testing has taken place over two or more consecutive years of above average precipitation. Furthermore, groundwater testing should continue over the lifetime of the Project to sufficiently address water quality concerns, not just the first 5 years.

7

Finally, please clarify the density of graves for the cemetery, as the DEIR states varying estimates. Will there be a maximum of 1,000 graves per acre (DEIR 3-9) or 1,200 (DEIR 1-2)?

Thank you for your time and consideration.

Sincerely,



Mackenzie Mossing
Environmental Advocacy Associate
Santa Clara Valley Audubon Society

4.2.4 Response to Comments from Santa Clara Valley Audubon Society

- 4-SCVAS-1: The comment summarizes concerns regarding the Draft EIR and proposed project. Responses to specific concerns are provided below.
- 4-SCVAS-2: The methodology for estimating the GHG emissions of the proposed project is discussed on page 4.7-12 of the Draft EIR. Emissions from mobile sources (i.e., vehicle trips) are based on the vehicle miles traveled (VMT) estimate provided by Fehr & Peers on pages 9-11 of the April 28, 2017 memorandum in Appendix E of the Draft EIR. The memorandum states that the project's VMT is comprised of the trip distance and number of trips generated by attendees, employees and residents, to and from the project on a daily basis. The third sentence of the fifth paragraph in Section 4.7.4 has been modified to be consistent with this assumption. This VMT estimate considered all trips associated with all uses on the site, including the community center, burial processions, and the youth camp, not just the mosque. It should be noted, however, that although all uses of the Cordoba Center were considered in the trip generation modeling, as discussed on page 2 of the April 28, 2017 memorandum, some of the uses were assumed to generate no additional trips, including the Community Building and the Playfield and Playground. For example, the Community Building will be used to serve food and hold receptions before and after events at the mosque. Because Muslim tradition restricts food from the worship area, a separate building is needed. Reception attendees will walk from the mosque to the Community Building. Therefore, trips for the Community Building (and Playfield and Playground) are considered internal trips (trips that would occur on site) and would not create additional vehicular trips to the surrounding roadways.

Regarding analysis of alternatives to reduce GHG emissions, the Local-Serving Threshold Alternative and the 50 percent Reduced Project Alternative would substantially reduce pre-mitigated GHG emissions (to 293 MT CO₂e/year and 589 MT CO₂e/year, respectively, versus the 1,165 MT CO₂e/year of the proposed project). However, this impact would remain significant and unavoidable for the project and all alternatives except the No Project Alternative, which would generate no GHG emissions. The reason for this is that it is not known with certainty what the significance threshold for GHG emissions for a project of this type is because of a lack of up-to-date guidance from the Bay Area Air Quality Management District that would be consistent with State GHG emissions reduction goals. That is, it is unknown how much the project's GHG emissions would need to be reduced to be considered less than significant. In addition, uncertainty exists over whether GHG reductions through current offset programs are reliable and verifiable.

- 4-SCVAS-3: Impact 4.4.4 (Result in deterioration of groundwater quality below drinking water standards due to operation of the cemetery) was found to less than significant with implementation of Mitigation Measure 4.4-4 (Cemetery phasing and groundwater monitoring). The CEQA Guidelines require that an EIR describe a range of reasonable alternatives to the project that would avoid or substantially lessen any of the significant effects of the project. Due to the project's special requirements for burials, using existing local cemeteries for these burials would not be feasible.

Moreover, the GHG emissions associated with burial-related traffic is minimal and would occur even if such burials occurred at another cemetery in the region not operated by SVIC. Furthermore, this impact would be less than significant with incorporation of mitigation.

- 4-SCVAS-4: See Response 4-SCVAS-3. It is not necessary to analyze an alternative to a cemetery at the proposed Cordoba Center in order to comply with CEQA.
- 4-SCVAS-5: As discussed in Section 4.2b) of the Initial Study (Appendix A of the Draft EIR), the location of the summer camp bathhouses and tent platforms would be on the western edge of the ridge, approximately 150 from the top of bank of Llagas Creek. Therefore, the proposed project would comply with the County's riparian setback policy (R-RC-37). Section 4.2d) of the Initial Study evaluated whether the project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with substantial established native resident or migratory wildlife corridors. Although it is possible that wildlife frequents the area of the ridgeline where the summer camp is proposed, this area is not in and of itself a wildlife corridor. As it adheres to the required riparian setback, the proposed project would not interfere with wildlife movement along Llagas Creek, which is the nearest potential wildlife corridor.

The aesthetic impact of placing the bathhouses and tent platforms on the ridge was considered in the analysis under Impact 4.1-2 (Substantially degrade the existing visual character or quality of the site and its surroundings). Mitigation Measure 4.1-2 is designed to ensure that all project structures as well as the youth summer camp will be screened from public view at the Key Viewpoint locations on Monterey Road and California Avenue. This mitigation measure has been revised to require preparation of a revised landscape plan and additional visual simulations prior to project approval to confirm that these performance standards would be achieved. Lighting is discussed under Impact 4.1-3 (Create a new source of substantial light or glare that would adversely affect day or night-time views in the area), which was determined to be less than significant. The lighting plan proposed by the applicant would include outdoor security lighting on buildings (including the summer camp bathhouses) that is downward directed and shielded, and low voltage lighting in landscaped areas.

- 4-SCVAS-6: The aesthetic impacts of the proposed project were found to be less than significant. Therefore, it is not necessary to provide an alternative, such as moving all development away from the ridgeline, in order to comply with CEQA. Staff will further evaluate the project's consistency with General Plan Policy R-GD 33, and a final determination will be made by the Planning Commission, and if appealed, by the board of Supervisors.
- 4-SCVAS-7: Mitigation Measure 4.4.-4 would limit burials to 30 per year for the first 5 years of operation to provide an adequate period of time to assess effects to groundwater through monitoring. The results of the monitoring would be used to determine if the burial rate should change, either as an increase or as a reduction. The mitigation measure does not state that monitoring is limited to 5 years; rather, it states that the

first 5 years of monitoring data would be used to confirm or modify the groundwater quality assumptions and annual burial rates.



"Together We Make A Difference"

P.O. Box 886 • San Martin, CA 95046
info@smneighbor.org • www.smneighbor.org

July 30th, 2018

Email: CordobaEIRComments@pln.sccgov.org
Fax#: (408) 288-9198

County of Santa Clara – Department of Planning & Development
Attention: Chris Hoem and Manira Sandhir
County Government Center
70 West Hedding Street, San Jose, CA 95110

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CORDOBA CENTER PROJECT – STATE CLEARINGHOUSE #2016122022, COUNTY FILE #2145

Dear Mr. Hoem and Ms. Sandhir:

The San Martin Neighborhood Alliance (SMNA) Board of Directors appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Cordoba Center Project (CCP). This comment letter describes and summarize the issues and concerns of the San Martin community; as viewed by the SMNA Board of Directors.

The SMNA Board notes that the DEIR does not; in our view, take into consideration the cumulative effects, which are very likely to occur soon. The DEIR has not adequately identified the project's significant and specific impacts that will be experienced in San Martin Community or the surrounding rural unincorporated areas of south Santa Clara County.

We would like to emphasize that, the CCP as proposed is:

- ✓ 4X the size of the largest institutional facility currently in San Martin.
- ✓ 3X the limit that requires "enhanced scrutiny" under the recently revised Santa Clara County Planning and Land Use regulations.
- ✓ More than 2X the size of the largest institutional project previously approved in the rural residential (RR) district, and
- ✓ 2X the size that the DEIR concludes would reasonably accommodate the needs identified by the applicant, i.e. CCP.

It is our belief, that there are inaccuracies in the DEIR, as well as important issues which have not been addressed. The proposed cemetery is of concern, as it would be sited immediately adjacent to homes dependent on well water for household consumption. We believe, based on the references we have found, that this aspect of the proposal requires further study by cognizant technical experts before it can safely be approved.

We believe that suitable alternatives exist, that would provide solutions to San Martin residents and meet the CCP need and have not been explored.

5

The SMNA Board will address the concerns we have in this written DEIR comment letter. San Martin faces tremendous development pressure from its neighbors to the north and south. If we are to host large developments, that our urban neighbors cannot or will not accommodate, we hope and expect that the County will honor its General Plan commitment to protect our rural/agricultural community.

6

We have tried to engage with the proposers, regarding a more modest project that would meet their needs with substantially less adverse impacts. We note from the DEIR's final statement that the Local Serving Threshold Alternative (DEIR Alternative 2) is considered environmentally superior to the proposed project. However, while this smaller, *"...alternative would feasibly attain most of the basic objectives of the project, it does not appear to meet the project proponent's objective of sizing the facilities to accommodate attendance projections...through 2030 because of the much smaller size and much lower level of visitation."*

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In respect to this project; a form of mixed-use development appears to be being applied. The mechanism of linking different uses and different objectives together within a single project is an aspect of urban lifestyle, which is contradictory to the rural residential community of San Martin. Ultimately, by linking different uses together within a single project, such as campground, cemetery, community center, etc., is a catalyst for general development in what the County has identified as a rural residential area.

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In the opinion of the SMNA Board, the DEIR has not taken into consideration the cumulative effects of Transportation and Circulation, Noise, Hydrology and Water Supply (e.g. Water Quality, Drainage, Sewage and Water Supply), and Visual Resources. Additionally, the loss of agricultural land places pressure on the County Ag Preservation Plan, which will significantly affect the long-term issues of San Martin.

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In addition, we find the DEIR ignores the potentially significant land use and land use compatibility issues that could be considered controversial based on the issues raised through scoping and comments on the Notice of Preparation.

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The DEIR shows a lack of understanding of the effect of the proposal and the long-term viability of San Martin as a rural community. Projects of this size open the planning doors for more large projects and urban development.

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The mitigation measures proposed in the DEIR are meaningless unless the County enforces them. Unfortunately, the experience of San Martin residents has been that enforcement of mitigation measures by the County, for comparable projects are NOT enforced or enforceable.

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(SECTION 4) CUMMULATIVE IMPACTS - AFFECTED ENVIRONMENT **ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES**

DEIR, 1.3.2 Cumulative Impacts states, "CEQA requires that an EIR examine the cumulative impacts of a project. As discussed in Section 15130(a)(1) of the State CEQA Guidelines, a cumulative impact 'consists of an impact [that] is created because of the combination of the project evaluated in the EIR together with other projects causing related impacts.' The potential for the project to have a cumulatively considerable contribution to a cumulative environmental impact is evaluated in each of the resource sections. The analysis determined that project impacts would not result in a considerable contribution to any cumulatively significant impacts from other past, present or reasonably foreseeable probable future projects. No significant cumulative impacts have been identified for the project."

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The Santa Clara County General Plan, together with the San Martin Integrated Guidelines, and the current Ag Preservation Plan, has led to the expectation that San Martin would be primarily a rural residential enclave between the growing cities of Morgan Hill and Gilroy. By granting proposals for significantly large projects within the San Martin Planning Area would cause erosion of the rural residential environment of south county. **By allowing ONE development of such intense size, use, and intensity; such as the CCP, creates a precedent that will only lead to further large projects.**

San Martin faces tremendous development pressure in terms of growth and development. With large pieces of land available in San Martin and adjacent to the unincorporated areas of Gilroy and Morgan Hill, makes us vulnerable. The immediate effect of granting a use permit for the CCP will merely create a severe relaxation on the planning limitations and raise the threshold of the 75th percentile, which was supposed to address the concerns of size, use, and intensity in the rural areas of the county.

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There is only one approved major development at this time; which is substantially smaller than the proposed CCP and which was an expansion of what the facility was originally granted but has not yet been built. (Validica Vidhya Ganapathi Center, Inc (VVG)). The SMNA Board would note that the final permit for the VVGC facility includes incorporation of the guideline requirements of **the San Martin Integrated Design Plan (SMIDP)**. Presently, the CCP proposal lacks adherence to the SMIDP and in fact pays no attention to these guideline requirements.

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To quote the VVGC Use Permit; **"Building elevation, exterior colors and materials shall be in conformance with the Board adopted San Martin Integrated Design Guidelines to promote the rural character of San Martin. Highly reflective surfaces and colors, artificial, composition type materials (simulated wood or masonry) lacking durability and compatibility with traditional types of building materials are not permitted."** The VVGC facility is sized at 11647 sq. ft (which includes some existing buildings) and not counting the barn which is permitted by right. As is expected, there are conditions appropriate for a rural environment that were included in the VVGC's approval which included:

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- ✓ Hours of operation 8am – 10pm
- ✓ No outdoor amplified music/speakers/announcement system
- ✓ No onsite overnight accommodations/residential use permitted

The SMNA Board would ask; and expect, that the DEIR for the CCP to:

- Establish similar conditions of hours of operation, noise limitations, and onsite restrictions be applied accordingly to any use permit for the CCP. This would mean that camping events which are proposed 24 hours a day would be excluded.
- Zoning for the western half of the CCP proposes a building of almost 9000 sq. ft together with a campground and two bathhouses - this is not a Use Classification for a plot classified for Rural Residential and should NOT be permitted.

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(SECTION 4.3) BIOLOGICAL RESOURCES: SPECIAL STATUS WILDLIFE AND PLANT SPECIES

At the CCP site there are three species of birds (burrowing owl, northern harrier, and white-tailed kite) along with four species of plants (big scale balsamroot, fragrant fritillary, woodland woolly threads, and most beautiful jewel flower) that are “likely to occur” or “may occur” and which are protected under various State and Federal statutes. The loss of special-status wildlife and plant species and their habitat would be a **potentially significant** impact.

The DEIR states that this project together with pending future projects could have a significant **cumulative negative impact** because, “... *urbanization has led to fragmentation of suitable habitat for many special-status species in the region...*”

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To this end, only by implementation of the Mitigation Measures 4.3-1a, 4.3-1b, and 4.3-1c within the DEIR for the CCP, would a less-than-significant impact take place. Therefore, in the future “*other development projects in the region would be required to implement similar measures.*” Based on the limited enforcement resources of the County and the assumption that both, the CCP and all future projects would fully comply with all proposed mitigation measures, is purely unrealistic.

There is concern as to the accountability to effectively document compliance of the DEIR mitigations, hence the SMNA Board requests that the DEIR identify the following:

- Who monitors the pre-construction surveys and mitigation requirements?
- How often is the site location reviewed before, during, & after construction?
- What penalties are imposed by the County, State, or Federal entities for non-compliance?
- What are the compensatory mitigation amounts, should sensitive resources be found at the project site?

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(SECTION 4.4) HYDROLOGY AND WATER QUALITY - CEMETERY PHASING AND GROUNDWATER MONITORING

The DEIR identifies Impact 4.4-4: Result in deterioration on groundwater quality below drinking water standards due to operation of the cemetery. This points out the **potentially significant impact** to water quality should mitigation measures not be enforced by the County and SCVWD. The DEIR states, *"Operation of the cemetery could result in **nitrogen levels that exceed the water quality standards** for areas served by individual water wells. This would result in a potentially significant impact to water quality. With mitigation... required groundwater monitoring and response to changes in groundwater quality, this impact would be less than significant."*

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To be sensitive to the community of San Martin, and to err on the side of caution when looking at possible affects to individual water wells, it is important to remember that this community has already suffered through the ordeal of perchlorate water contamination. The perchlorate contamination infected drinking wells and the community has already been dealing with clean-up efforts for over 10 years. It would be the request of the SMNA Board that the DEIR review and implement the following additional mitigation measures:

- Increase the minimum 100-foot setback from wells and watercourses to 500 feet as an additional safeguard against contaminant entry into active water supply or seepage into the surface water. Should this not be feasible, the SMNA Board requests that explanation be provided as to what additional costs this would impose upon the applicant.
- Provide documentation of examples of current California "green cemetery's" that have been operating for a minimum of 5 years and that are built in rural residential areas where residents are solely dependent on individual wells for drinking water.
- Identify and require CCP to contract with the SCVWD to be the monitor and initiator for the well testing at the site location. Include a detailed schedule of monitoring testing and for SCVWD to be responsible to provide the test results to the Department of Environmental Health, SCC Planning Department, and that well testing results be accessible and available to the public for review.
- Include provision for surrounding neighbors, within 500 feet of the CCP site, to have their wells tested by the SCVWD on the same schedule as CCP and that the testing be at no cost to the neighbors.

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(SECTION 4.4) HYDROLOGY AND WATER QUALITY - DRAINAGE AND FLOOD HAZARDS

Various sections of the DEIR do not address or mitigate known drainage problems that occur along the westside San Martin neighborhoods. These neighborhoods are near the CCP and warrant further study. Residents within the surrounding neighborhoods have a long history of flooding and drainage problems and; in our view, a large contributor emanates from the CCP site location. Water flows off the CCP hillside and heads **west-southwest** before moving south.

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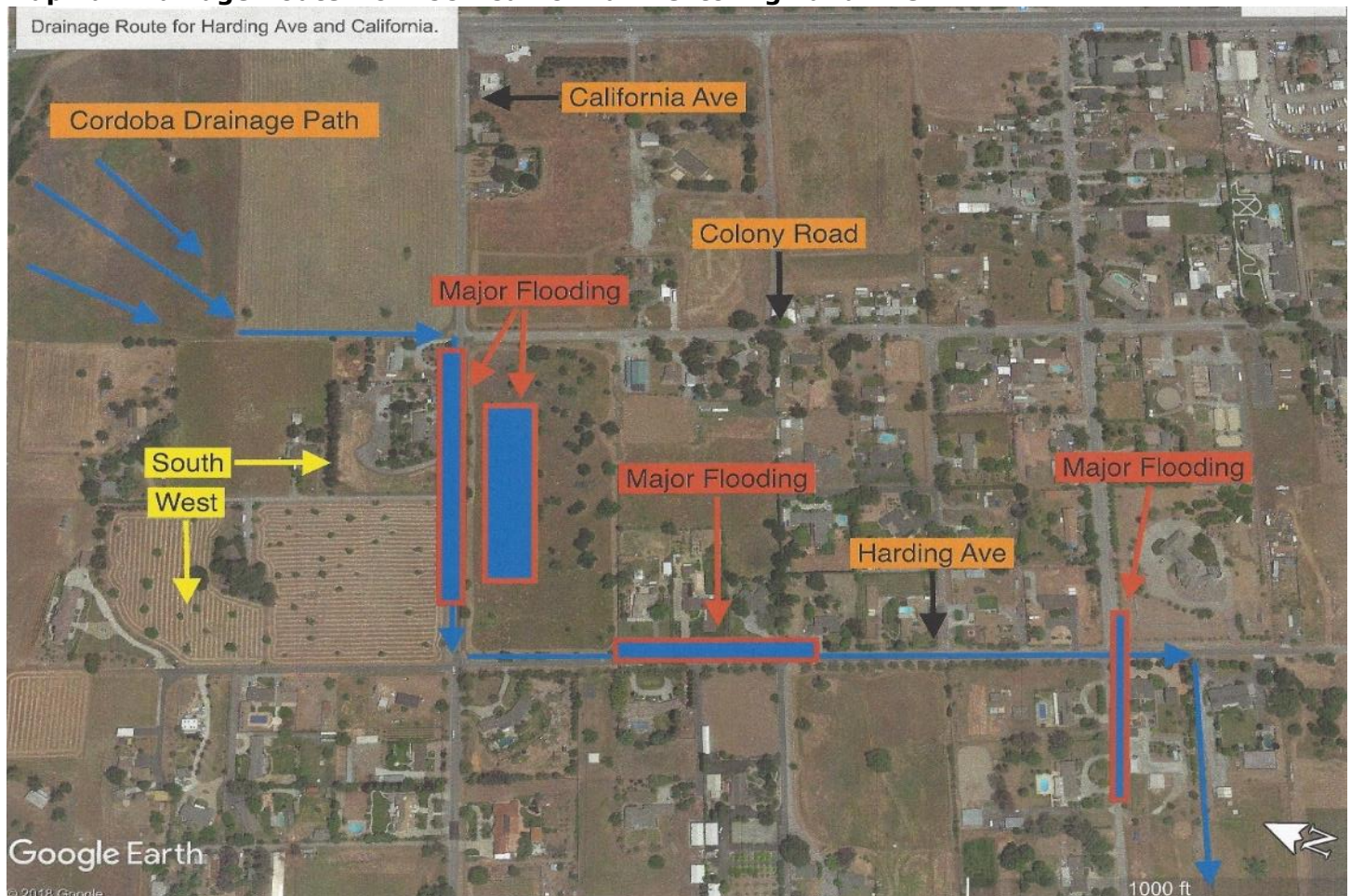
Flooding of Harding Ave pasture, approximately 1960.

The swale system currently in place is poorly designed and inadequate to carry the amount of water that comes off the CCP site. This is not a new problem as flooding in this downstream neighborhood occurs annually. Over the years, various residents have addressed the drainage issues with County Staff in both the Planning and Roads Departments, yet it continues to flood each year. The CCP proposed development will add to the flooding and drainage problems of the neighborhoods along California, Colony, Harding and Highland Avenues. Map 1a¹ identifies known flooding areas and the CCP drainage route.

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Map 1a: Drainage Route from CCP California Ave. to Highland Ave.



¹ Map 1a: Drainage Route from CCP California Avenue to Highland Avenue
SMNA Board Comments to DEIR - Cordoba Center Project

The legend in Map 1b² identifies the Biofiltration Swale location in area #14 and the Stormwater Retention Chamber in area #26. There is a concern that new impervious materials will add to the run-off and contribute to the downstream flooding in the surrounding neighborhood. Under the Materials Key, we identified the following materials as impervious: concrete, asphaltic concrete, stamped concrete, and all-weather athletic surfacing.

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The numerous impervious surface areas proposed, in our opinion, will add to the recurrent flooding of the downstream neighborhoods. Although the DEIR does show a Bio Swale and a Storm Run-off Containment Pond, it still does not address or manage the kind of water volume that comes off the hillside of the CCP site and adds to the neighborhood flooding.

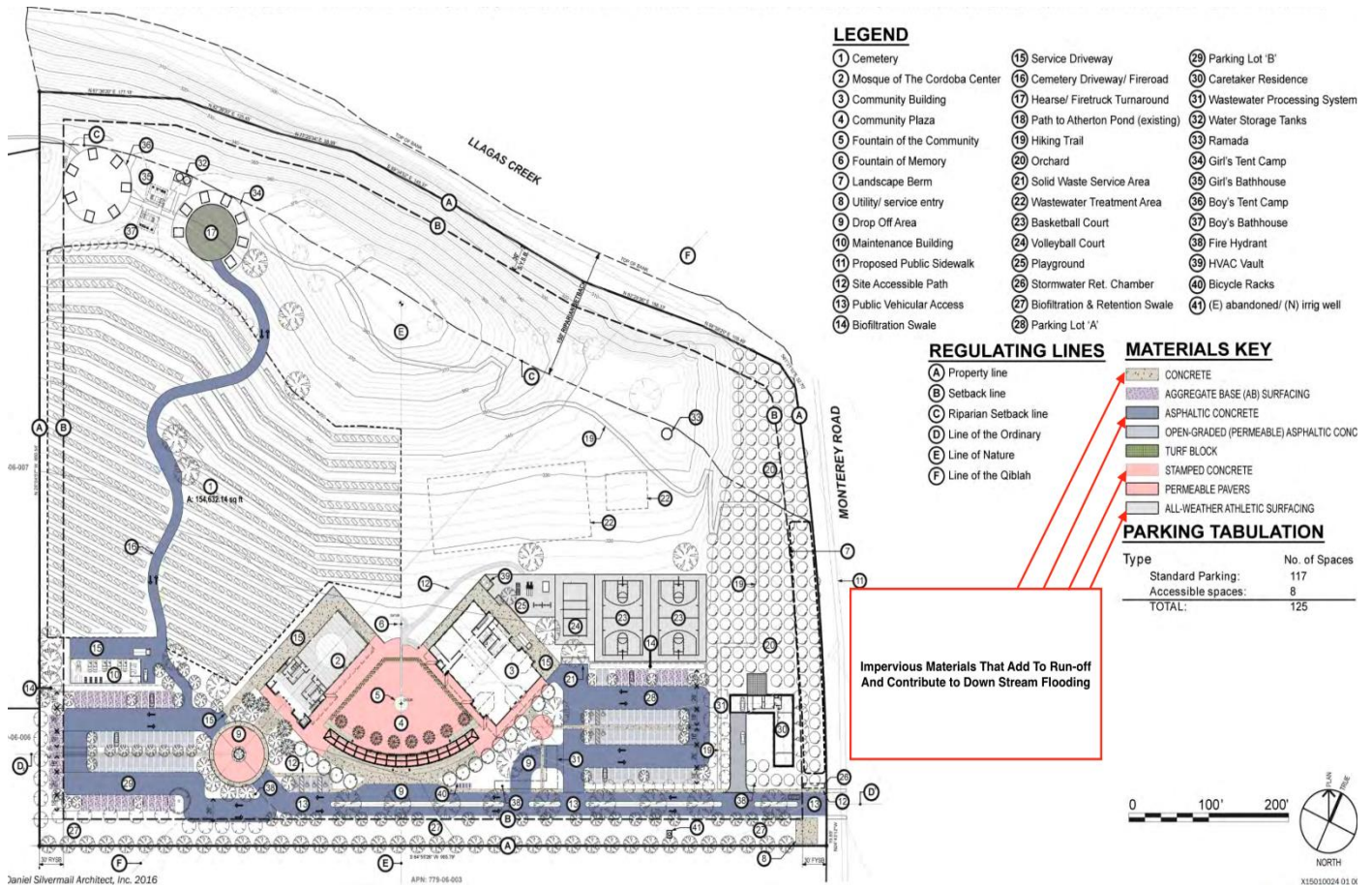
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The SMNA Board requests the DEIR to include:

- Documentation over the last 10-20 years from Roads & Airports Department showing the number of times flooding issues/repairs have occurred at California, Colony, Harding, & Highland Avenues.

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Map 1b – CCP Proposal includes list of impervious material used.



² Map 1b: CCP Proposal includes list of impervious material used.

In the DEIR Section 3.3.6 under Drainage it states, "A biofiltration swale and connected retention pond have been designed to maintain off-site drainage discharges at pre-development rates for up to a 10-year storm event. The biofiltration and retention swale would be located south of the access roadway, along the southern property boundary. A smaller swale would be located between the eastern parking lot and the outdoor recreation area."

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The SMNA Board believes that the mitigation of bio-swale and containment pond will not be adequate to contain the water on the CCP site during heavy rains. Should the drainage systems not be adequately addressed more flooding and damage is expected to occur in the downstream neighborhoods, therefore SMNA would request the DEIR to:

- Further study the water flow patterns from the hill at the top of the CCP down into the surrounding neighborhoods of California Ave., Colony Ave., Harding Ave., & Highland Ave. and provide the results of those patterns.
- Include examples of existing bio-swales and containment ponds in rural residential areas of California where residents are 100% dependent on wells for their drinking water.
- Comparison of drainage and water runoff with the proposed alternatives of; no project, Local Serving, 25% reduction & 50% reduction footprints.
- Explain why the design for drainage is only for a 10-year storm event and not a 100-year storm event.

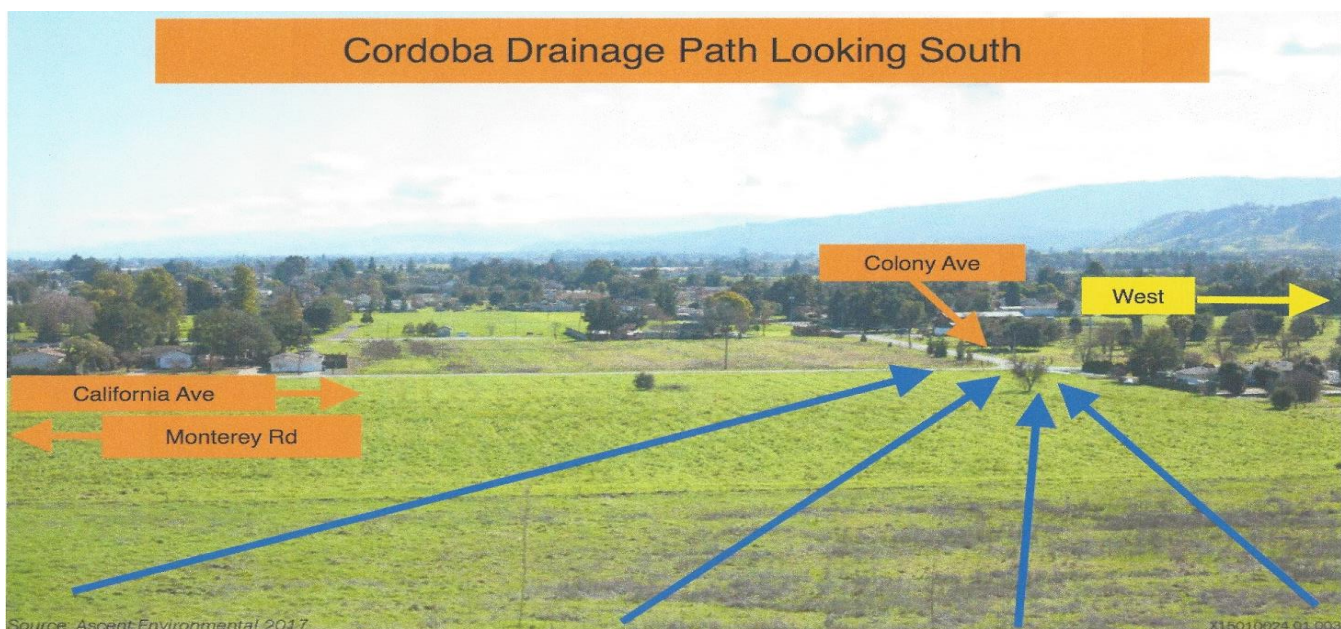
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Photo 1a – Drainage Path looking South of CCP



The DEIR shows the studies and percolation tests between 2006 and 2015 and confirm that the soils on the **west-southwest** side of the CCP have slow percolation rates. This would create an increase of run-off and drainage coming from the CCP hillsides. There is concern about the amount of the impervious surface areas the CCP proposes. In review of the DEIR Table 3-1 on the Proposed Land Uses and Project Site Coverage, we note the calculated NEW impervious surface area potential to be 104,800 sq. ft. SMNA would ask that the DEIR:

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- Contain further information as to why the Swale and Retention Pond only has an area of 26,100 sq. ft.
- Include calculations of what the impervious surface areas would be when using the proposed mitigated options of Local Serving Policy, 25% reduction, and 50% reduction of the CCP.

Table 3-1 Proposed Land Uses and Project Site Coverage

Building or Land Use	Approximate Site Coverage Square Footage ¹		Portion of Project Site
Mosque	Impervious	7,100	6%
Community Building (including event hall)	Impervious	10,100	
Community Plaza	Both	15,000	
Maintenance Building	Impervious	2,500	
Caretaker's Dwelling	Impervious	3,400	
Cemetery		155,000	40%
Youth Camp		16,500	
Playfield and Playground	Impervious	21,000	
Orchard		26,000	
Parking and Access Road	Impervious	53,200	
Stormwater Swale and Pond		26,100	54%
Open Space, including Wastewater Treatment Area (Leach Field)		341,000	
Total Site Area		676,900	100%

Notes: ¹ For buildings, square footage represents the aggregate building area of the ground floor.
 Source: compiled in 2017 by Ascent Environmental with assistance from [redacted] Congress Environmental and Land Use Planning

SQ. FT.

In further review of DEIR Appendix, A – Hydrology and Water Quality, there appears to be a contradiction. One area states the CCP will NOT alter drainage or increase flooding and yet the DEIR states that construction of the CCP would alter surface flows by regrading contours within the project area and by increasing the amount of impervious surface of the CCP. Though the DEIR does attempt to mitigate some of the storm runoff by use of pervious surfaces on walkways and patios, these pervious areas will still be draining into soils with slow percolation rates which does not negate the flood hazards that drain downstream.

There is concern as to why the County and the consultant doing the DEIR would not further evaluate or elaborate on the drainage patterns or flooding dangers that could potentially take place in the surrounding neighborhoods. SMNA requests the DEIR include:

- Further study of water flow and drainage as it relates to the surrounding neighborhoods of California Ave., Colony Ave., Harding Ave., and Highland Avenue.
- Obtaining and documenting reports from the City of Morgan Hill pertaining to the sewage spills and flooding that has occurred along California Ave., Harding Ave.; in the last 20 years, and the 250,000 gallons of raw sewage that dumped into Llagas Creek due to flooding and drainage issues.

The DEIR states under Project Description 3.2.2 Site Characteristics that, "...*Onsite storm water sheet-flows to the **south-southwest**, away from the northern property boundary and Llagas Creek.*" Based on the surrounding neighborhoods experience of annual flooding we request the DEIR to:

- Include a storm water sheet-flow analysis that runs **west-southwest**. This slight variance may seem marginal, however in review of the photo below one can observe the flooding neighborhood residents have experienced frequently along California Ave., Colony Ave., and Harding Ave.

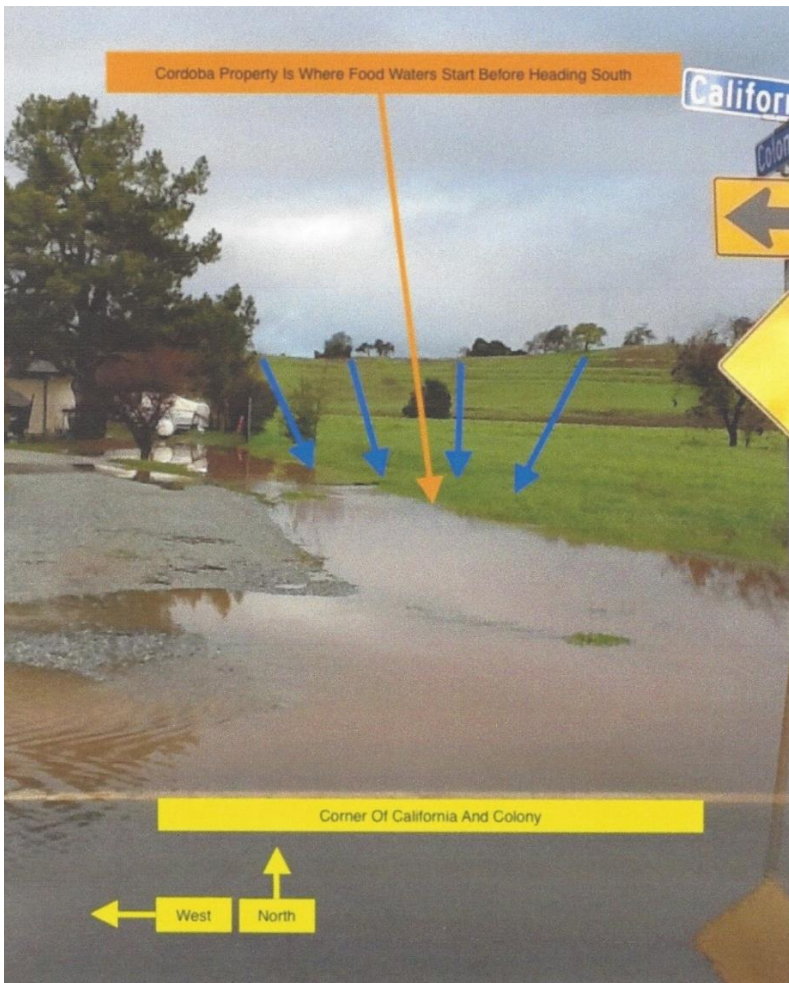
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Within the DEIR under Section 4.4.2 Flood Hazards it states, "*The project site is not located within a 100-year floodplain as defined on the Federal Emergency Management Agency...Llagas Creek is located on the parcel immediately north of the site, because of topography, including the ridge next to the creek on the north end of the project site, the site is not subject to creek flooding.*"

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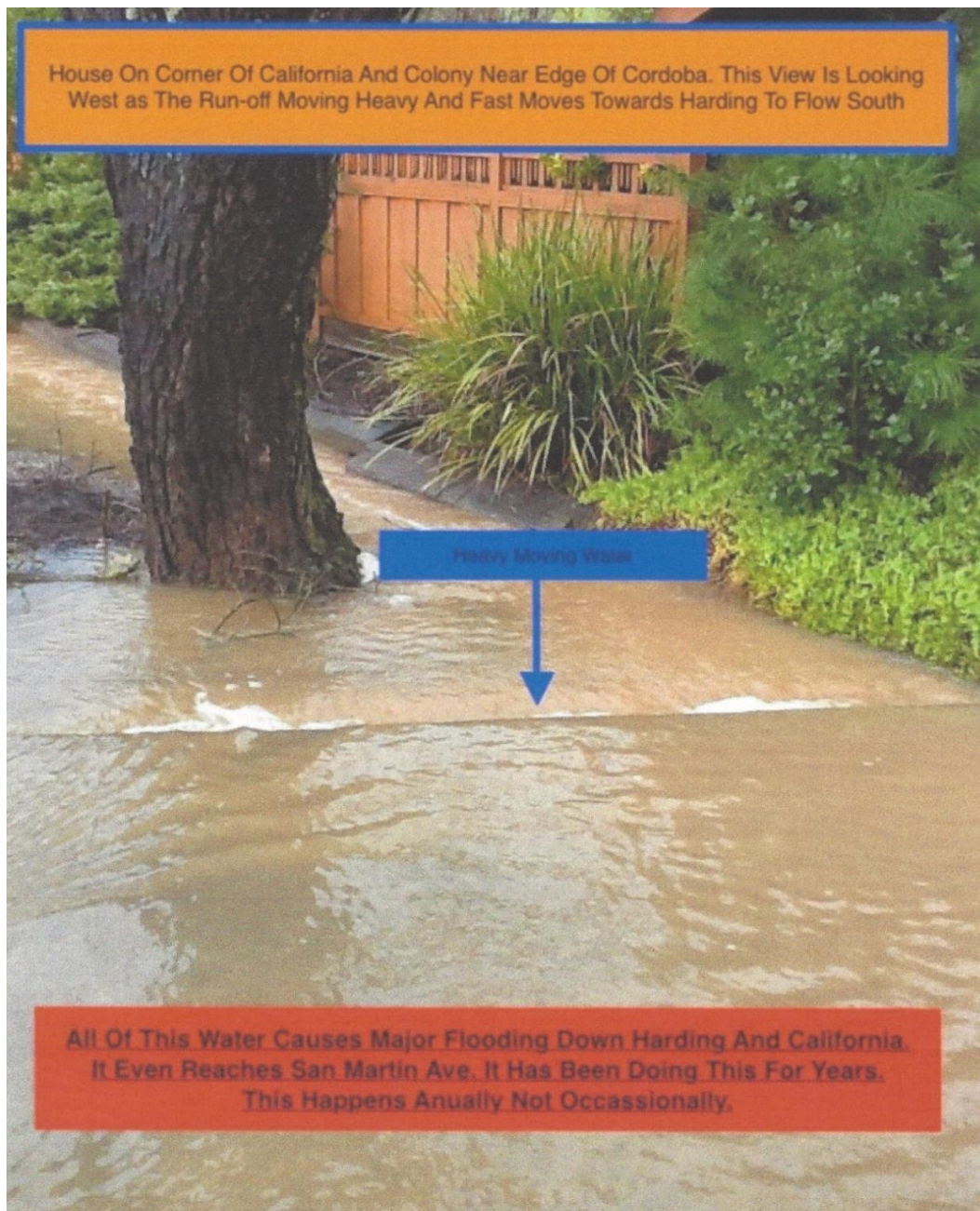
While we recognize that the property itself is not in a FEMA flood zone, the geography and hills of the CCP location does appear to contribute to watersheds that overwhelm and flood neighborhoods downstream.³

Photo 1b – Flood waters at California Ave. and Colony Ave. before heading south.



³ Refer to Drainage Route Map 1a

Photo 1c – Annual south flowing water at the corner of California Ave. and Colony Ave.



(SECTION 4.5) NOISE

We find the DEIR Section 4.5 on Noise to be incomplete and inaccurate in addressing potentially significant adverse noise impacts associated with the proposed project. The proposed mitigation measures also do not meet or address potentially-significant adverse noise impacts. Specifically, the noise and vibration issues associated with the proposed High-Speed Rail (HSR) system on sensitive facilities within the CCP site have not been correctly addressed. As proposed by HSR, noise and vibration impacts are anticipated to be up to six trains an hour in both directions near the CCP site.

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The SMNA Board requests the DEIR include:

- An explanation as to why the **noise sensitive land uses** of the CCP are not identified and measured. The CCP site uses include places of worship, residential dwelling, school, cemetery and recreation areas, and are considered noise sensitive land uses. The DEIR also notes that noise sensitive land uses are also considered to be **vibration sensitive**. 48
- Correction to the DEIR report; as it states the Union Pacific Railroad (UPRR) corridor is **one of the options** being evaluated for the HSR alignment. Based on the California High Speed Rail (CAHSR) public presentations, it is the **ONLY corridor** being evaluated along this section of the HSR route and is currently under construction, including recent soil vibration tests near the proposed CCP. 49
- Disclosure statement regarding the HSR proposed track alignment being next to the CCP and that due to the HSR mandated travel time requirements between San Francisco and Los Angeles, HSR will probably have to realign the existing curved UPRR alignment across Llagas Creek to the west to straighten out the track. 50
- Disclose and include the probability that due to the proposed tracks of HSR, Monterey Road will have to be realigned to the west onto the CCP site to accomplish and achieve the required speed. This has been discussed by CAHSR and by the County at numerous public meetings. 51
- Information showing that CCP site is currently about 100 feet from the UPRR corridor, and the proposed caretaker residence is about 120 feet from the existing UPRR corridor based on the CCP figures. It would be relevant to include that both these distances will likely be reduced in the future to accommodate HSR. 52

According to Figure 3.3-1 and Table 2.2-2 of the County of Santa Clara May 2017 Constraints Analysis of HSR Alternatives, the HSR "Project Footprint" will extend west onto about 200 feet of the CCP site, which will significantly impact numerous facilities, such as: 53

Caretaker Residence	Orchard	Wastewater Processing System
Basketball Court	Ramada	Public Vehicular Access
Parking Lot	Fire Hydrant	Biofiltration and Retention Swale

The DEIR notes that *"CEQA states that the potential for any excessive ground noise and vibration levels must be analyzed."* The DEIR also notes that *"Caltrans and FTA have published reports addressing the analysis of ground noise and vibration relating to transportation and construction-induced vibration."* But the DEIR does not properly discuss the ground noise and vibration impacts of both the construction and long-term operation of the adjacent HSR transportation system on the CCP. 54

The May 2017 Constraints Analysis for the High-Speed Rail Alternatives, Table 2.2-2 HSR Alternatives: San Martin Comparison, prepared by the County of Santa Clara, described the Noise and Vibration conflicts in this area as "Extensive" and "Extreme." 55

TABLE 2.2-2

Table 2.2-2: HSR Alternatives: San Martin Comparison			
Resource Topics	Extent/ Severity	San Martin Embankment	San Martin Viaduct
Agricultural and Forestry Resources	Extent:	Moderate/Localized	Moderate/Localized
	Severity:	Extreme	Moderate
Archaeological Resources	Extent:	Limited - Few or none	Limited - Few or none
	Severity:	Moderate	Moderate
Heritage Trees	Extent:	Moderate/Localized	Moderate/Localized
	Severity:	Moderate	Moderate
Parkland, Open Space, and Trails	Extent:	Limited - Few or none	Limited - Few or none
	Severity:	Moderate	Minimal or none
Historical Resources	Extent:	Limited - Few or none	Limited - Few or none
	Severity:	Moderate	Moderate
Hydrology/Flood Plain Conflicts	Extent:	Moderate/Localized	Moderate/Localized
	Severity:	Moderate	Minimal or none
Construction Air Quality Conflicts	Extent:	Extensive	Extensive
	Severity:	Moderate	Moderate
Noise and Vibration Conflicts	Extent:	Extensive	Extensive
	Severity:	Extreme	Extreme
Traffic and Circulation	Extent:	Extensive	Extensive
	Severity:	Extreme	Moderate
County Assets (County-owned properties not including parks and trails)	Extent:	Limited - Few or none	Limited - Few or none
	Severity:	Moderate	Minimal or none
Visual Resources/Scenic Roads	Extent:	Limited - Few or none	Limited - Few or none
	Severity:	Minimal or none	Moderate
Urban Growth Management Implications	Extent:	Limited - Few or none	Limited - Few or none
	Severity:	Minimal or none	Minimal or none
Community Cohesiveness Implications	Extent:	Extensive	Extensive
	Severity:	Extreme	Extreme
Limited - Few or none	Total Extent:	6	6
Moderate/Localized		3	3
Extensive		4	4
Minimal or None		Total Severity:	2
Moderate	7		7
Extreme	4		2
Notes: Green = Extent: limited- few or none and Severity: minimal or none Yellow = Extent: moderate/localized and Severity: moderate Red = for Extent: extensive and Severity: extreme			

California High Speed Rail San Jose to Merced County
County of Santa Clara

5

Constraints Analysis of HSR Alternatives
May 2017

In recent months, HSR has been conducting soil vibration tests at several locations in San Martin, near the CCP site and elsewhere. These tests are being done at distances further away from the proposed HSR alignment than the CCP. The SMNA Board requests:

- If HSR is concerned about ground vibration issues in the CCP area then the project proponent should also be concerned, and this issue should be properly addressed in the DEIR.

The DEIR Impact 4.5-4: Long-term increase in noise levels from on-site sources, states; *"Because the adjacent residential properties have large rear yards, residents would not typically be outside near the property line before 7 a.m. and after 10 p.m."* The SMNA Board finds this statement to be both incorrect and offensive. San Martin residents can and should be allowed anywhere on their own property both before 7 a.m. and after 10 p.m. and not confined to their rear yards to accommodate a single proposed project. Santa Clara County has nighttime exterior noise standards between 10 p.m. and 7 a.m. and we request that:

- The DEIR implement and enforce the same nighttime exterior noise standards to the CCP.
- Corrections should be made to the DEIR noise impacts of the CCP at night. They are understated and exceed the County's nighttime exterior noise standard at the residential property lines.

The DEIR Mitigation Measure 4.5-4: Install signage to restrict parking in western parking lot says, *"...would prohibit parking during night time hours in areas where noise associated with the parking lot could result in exceedance of the County's nighttime noise standards."* This implies that portions of the CCP parking lot will be in use both before 7 a.m. and after 10 p.m. The DEIR states some events of the CCP will begin at 6 a.m. and some will extend to 11 p.m. and others will be 24 hours a day, which is contrary to the County Ordinance. Additionally, Mitigation Measure 4.5-4 also says, *"Signage shall be...within 120 feet of the western property line. The applicant shall be responsible for enforcing the parking restriction."* The SMNA Board requests the DEIR to:

- Provide explanation as to what Special Provision or Variance Permit to the Noise Standards is being granted to CCP and the DEIR should include any accompanied fee amounts established by the Board of Supervisors that would grant this ordinance exception.
- Include the current noise requirements of at least 10 other institutional facilities in San Martin, so an adequate comparison can be made and to assure that consistency is applied in the rural areas of Santa Clara County.
- Provide the verbiage, size and number of signs required in mitigated measure prohibiting parking during night hours.
- Include what remedies surrounding residents can use, should the applicant fail to be responsible in enforcing the parking restrictions. The SMNA Board would prefer that the DEIR state parking violations are enforceable by County Code Enforcement and the Sheriff Department.
- Parking prohibitions should apply to the entire parking lot...not just the western property line. Other than the proposed caretaker residence, there should be no overnight parking within the main parking lot and signage to that effect should be included in the DEIR.

The “applicant enforcement” mitigation is flawed, and San Martin residents bear the brunt of this flawed system. Presently, reports to the California Highway Patrol (CHP), County Sheriff’s Department and County Code Enforcement are aware of the continued issues of “applicant enforcement” at facilities in San Martin. For emphasis, below are photos of the flawed enforcement system of usage restrictions.

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In our opinion, the Cumulative Impacts 4.5-1 and 4.5-2 and Mitigation Measures 4.5.1 and 4.5.2, do not properly address the short-term construction related noise and vibration impacts of building the adjacent HSR facility and relocating Monterey Road to the west, or the long-term noise and vibration impacts of both the adjacent operating HSR system and relocated Monterey Road traffic on the proposed noise sensitive uses within the CCP site. We would ask that the DEIR include:

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- The cumulative impacts and mitigation measures for these potentially significant short-term and long-term cumulative impacts on the proposed project. Given the proposed construction schedules for both the CCP and HSR projects, it is likely that construction on both projects will occur at the same time and should be addressed cumulatively in the DEIR.

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The Cumulative Impact 4.5.5: Contribution to cumulative short-term construction generated noise, states that *“the closest HSR alternative would be located over 1,400 feet east of the nearest sensitive receptor.”* This is incorrect as shown on Figure 3.3-1 which we include and was prepared by Santa Clara County. According to the DEIR graphics, the HSR will be anywhere from 120 feet to 500 feet away from various proposed buildings of the CCP. The distances could be considerably reduced depending on the curvature and speed design of the HSR tracks across Llagas Creek and the relocation of Monterey Road to the west. The SMNA Board is of the opinion:

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- The noise and vibration impacts are significantly underestimated and need to be recalculated in a cumulative fashion to accurately measure the short-term construction generated noise of the HSR and the CCP projects if built at the same time.
- The distances of the HSR to the nearest sensitive receptor of the CCP is over stated and should be corrected.

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The Cumulative Impact 4.4-6: Contribution to cumulative long-term operational noise levels, states that, *“the two identified HSR alignments...are both located over 1,400 feet from the sensitive receptors closest to the proposed project.”* Again, this is incorrect as noted earlier and as shown on the attached County of Santa Clara Figure 3.3-1 with the main facilities of the CCP all within 600 feet of the **ONLY** proposed HSR alignment. The SMNA Board requests the DEIR:

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- Make a correction to the number of feet the CCP sensitive receptors are to the HSR alignment and that a correction be made to the fact that there is only ONE proposed HSR alignment.
- Include discussion of how many daily or hourly HSR trains are assumed in the cumulative impact analysis and as to the speed trains are expected to be

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traveling. HSR has stated at public meetings that the trains may be travelling at greater than 125 mph through San Martin.

- Define the term "relative infrequency".

The 2017 County Constraints Analysis states, "Noise levels at residences due to train operations would be extensive since approximately 246 residences near this alignment would be affected by HSR operations." The 2017 County Constraints Analysis also states, "High noise and vibration levels would occur at residences within 200 feet (for vibration) and 450 feet (for noise levels) of the HSR". Being that the HSR noise sensitive uses would include the proposed buildings of the CCP and it concludes that any mitigation measures installed would be up to HSR and not the County, the SMNA Board requests:

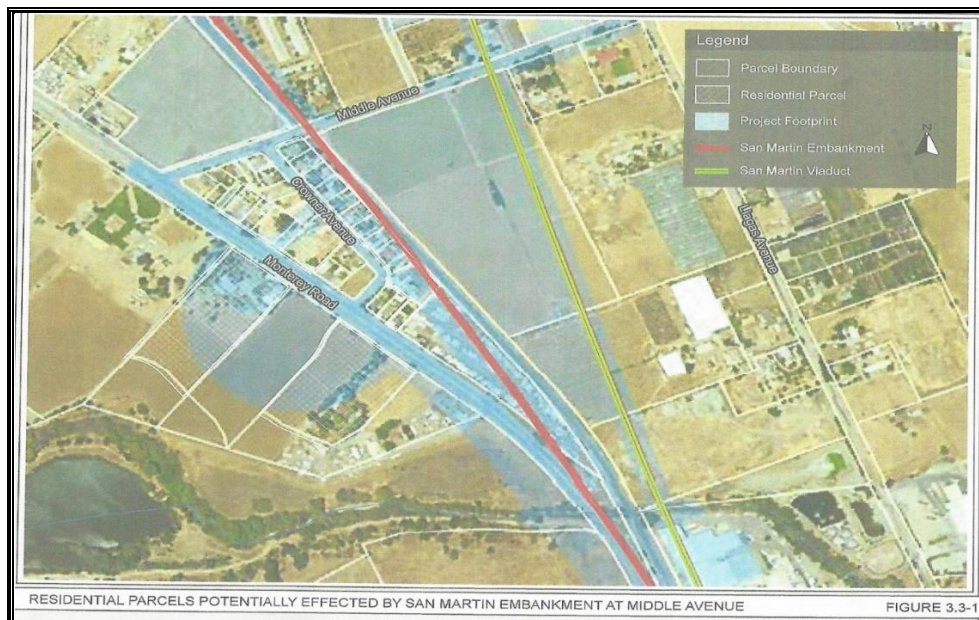
- The potentially significant noise and vibration impacts on the noise and vibration sensitive land uses of the CCP be properly evaluated and reviewed by the public before the DEIR is finalized.

(SECTION 4.6) TRANSPORTATION AND CIRCULATION

The SMNA Board finds Section 4.6: Transportation and Circulation to be incomplete and does not address the potentially significant adverse transportation and circulation impacts associated with the proposed CCP. The proposed mitigation measures also do not address potentially-significant adverse transportation and circulation impacts.

- Section 4.6.3. should state there is **ONLY one proposed alignment alternative being considered by HSR and that it does impact the CCP site**. This alignment will probably require relocation of Monterey Road to the west onto the CCP site to reduce the curvature of the HSR track across Llagas Creek for the required speed of the HSR. (See attached Figure 3.3-1 from the 2017 County of Santa Clara Constraints Analysis High Speed Rail Alternative Summary.)

FIGURE 3.3-1



The DEIR Section 4.6.4 states that existing traffic volumes were obtained only for Saturday through Thursday in February and no traffic counts were made on Fridays which is when *"the proposed project reaches its highest traffic generation"*. According to the DEIR no traffic counts were made during peak traffic months either. Since February 2017, the significant increase in traffic on Monterey Road is partially due to the use of computerized traffic applications that routes vehicles to Monterey Road due to increased congestion on US Highway 101. The traffic volumes through San Martin are considerably understated and have been the subject of meetings with the County Supervisor and staff, California Highway Patrol (CHP), the Sheriff's Department and the San Martin residents. The SMNA Board requests:

- Traffic counts be redone to include the peak days and peak hours for the CCP, as well as peak periods for traffic along Monterey Road.

The Impact and Mitigation Measure 4.6-1 states that because Monterey Road is a *"high speed arterial with existing curvature and limited sight distance.... there is a potential for causing unsafe conditions."* The mitigation measure provided in the DEIR is to restrict all vehicular ingress/egress **during construction** to right-in and right-out turns only. With significantly higher volumes of drivers who are not familiar with the project location, this situation will worsen with significantly higher traffic volumes when the CCP is in operation verses just during construction. The SMNA Board request the DEIR include:

- Similar restriction of only right-in and right-out turns be added to Mitigation Measure 4.6-3 which would restrict vehicular ingress/egress during **operation hours of the CCP** as well as during construction.

In the DEIR on page 4.6-8: County Roads and Airports, notes *"the existing median is inadequate to support northbound vehicles to turn left at the proposed driveway location. In addition, left turns out of the project driveway cannot be made safely due to the curvature of Monterey Road and its significant width."* In our opinion, the traffic situation will only become worse when Monterey Road is relocated to the west to accommodate HSR, as discussed elsewhere in these comments. County Roads further notes that traffic exiting the CCP and headed northbound could potentially make a U-turn at California Ave. This will require the slow-moving CCP exiting traffic to cross two lanes of high-speed southbound through traffic on Monterey Road in less than 600 feet to reach the U-turn lane.

County Roads also notes that the length of the U-turn lane pocket has NOT been calculated. This will create a very hazardous situation. The DEIR states that southbound traffic on Monterey Road could be impeded by vehicles turning right out of the CCP. The situation will be even worse with exiting traffic trying to cross two lanes of Monterey Road to make a U-turn at California Ave. to go northbound.

The DEIR Transportation Analysis Appendix to the DEIR assumes northbound traffic for events will turn left across the Monterey Road median to enter the CCP site. If this movement is considered unsafe for a few construction vehicles, why is it considered safe

for up to 500 visitors? If it is unsafe for construction traffic arriving from the south to make a left turn across the Monterey Road median into the project site, SMNA requests that the DEIR include:

81

- A diagram showing where the U-turn lane pocket, is expected to be when attendees of the CCP are arriving from the south.
- Further discussion and diagram on whether a U-turn is expected at Middle Ave. or some other location for traffic arriving from the south.

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On March 14, 2018 County Roads reiterated "*that left turns in and out of the proposed project driveway would not be allowed unless the project applicant were to provide signalization at the driveway.*" We ask that the DEIR:

84

- Address in the Impacts and Mitigation Measures the fiscal requirements and responsibilities to install signalization at the driveway of the CCP.

The roadway and intersection analysis in the Transportation Analysis Appendix to the DEIR states that "*all queues are less than 25 feet (or one vehicle) for either the eastbound exiting traffic or the northbound traffic turning left to enter the project site.*" In our opinion, this analysis does not make sense for events that are expected to have 500 arriving and 500 exiting visitors at the CCP. The DEIR analysis seems to contradict the County Roads and Airports comments that "*the existing median is inadequate to support northbound vehicles to turn left at the proposed driveway location.*" The SMNA Board requests the DEIR to address:

85

- The conflict with the Transportation Analysis vs. County Roads and Airports comments, as they relate to the length of the U-turn pocket on Monterey Road at California Ave. and as to why only some of the exiting traffic has been calculated.
- That the DEIR elaborate as to why the calculated queue length is for only one vehicle, compared to the queues that already develop at events limited to only 100 visitors at other institutions as illustrated in the attached photographs for the Vu Uu Buddhist Meditation facility.

86

87

The DEIR ignores the potentially significant impact of CCP attendees parking vehicles on the east side of Monterey Road and attempting to cross, on foot, over four lanes of moving traffic and a median. The SMNA Board requests:

88

- The DEIR to address why no crosswalks are proposed for Monterey Road.
- If parking is not allowed on Monterey Road the DEIR should include the installation policy and location requirements for "no parking" signs or "emergency parking only" signs, to ensure the safety of those attending CCP and those travelling along Monterey Road.

89

County Code Enforcement has been notified by San Martin residents, of the significant safety issues of "on-street parking" in San Martin. The SMNA Board is concerned that the County relies on outdated parking requirements which adversely affects the rural community of San Martin. Hazardous situations arise when patrons park their vehicles along both public and private roadways and on private properties.

90

The County has been provided the attached photos of the continued parking problems, yet nothing to date has been done to rectify the situations. The CHP and Sheriff's Department have also been called out to these institutional events that posed safety hazard to both the users of the facility and the residents.

90



Vo Uu Buddhist Meditation Association, Inc. - 1300 Church Ave., San Martin

Permitted for: 9am-4pm 7-days a week w/ allowable occupancy up to 50 persons, and 6-single day special events per year w/ special event allowable attendees over 50 maximum 100.



The SMNA Board would like the DEIR to address:

- How is the County, proponent, and consultant going to solve the potentially hazardous situation of on-street parking along Monterey Road, California Ave., Colony Ave., and any other private property or nearby residence. Current experience in the San Martin community has been that it is basically unenforceable.
- What safety precautions will be put in place to address the hazardous situation when events are held outside daylight hours and people attempt to walk across Monterey Road, in the dark, where there are no crosswalks and no street lights?

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DEIR Mitigation Measure 4.6-3: Traffic safety improvements to site plan, says the CCP shall submit a queuing analysis to determine the length of the left-turn pocket at California Ave.

93

- This mitigation measure needs to be completed and provided to the public for review and comment prior to the DEIR being finalized.
- This mitigation measure should also include the applicant to install traffic lights at the intersection of Monterey Road and California Ave., as suggested by County Roads, to ensure maximum safety of those travelling along Monterey Road.

94

We find the proposed queuing lanes in the CCP to be inadequate based on the queuing that currently takes place at other institutions with considerably fewer than 500 visitors.

To share an example: the Vo Uu Buddhist Meditation facility in San Martin, is limited to 100 peak occupants and the queue for Vo Uu extends along Church Avenue from Columbet Ave. to Center Ave. for events, as shown in the attached photographs. The CCP has proposed to have 500 peak occupants, which makes it unlikely that the total 600 feet between the exit driveway and California Ave. will provide adequate capacity for a left-turn pocket and should be further reviewed.

95

- A physical barrier in the median directly east of the project driveway should be included in Mitigation Measure 4.6-3 to prevent left turns in and out of the CCP. We are requesting this because the proposed facility is intended to primarily serve patrons, 90 percent from outside San Martin.
- It is likely that some CCP patrons may arrive by chartered bus, however the project layout does not provide bus parking or any consideration for buses on the internal roadway. We request that the traffic analysis include potential bus traffic at the CCP site.
- The traffic, roadway design and parking requirements for buses is not discussed in the DEIR, therefore if buses are not to be allowed, it should be clearly stated in the DEIR mitigation measures. Otherwise, buses will be parked alongside public and private roadways, or on the CCP that is not designed for buses, as occurs at other institutions. This creates a safety and traffic hazard as shown in the attached photographs.

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Impact 4.6-4: addresses "Conflict with existing plans and policies regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities." This impact says the project would not conflict with the planned HSR alignment alternatives.

- Exhibit 4-1 is incorrect and should be corrected based on the numerous HSR meetings and presentations that have been given in the San Martin area. The DEIR needs to include the documents provided by HSR and the County of Santa Clara that include the realignment of Monterey Road towards, or onto, the CCP site. 99
- The DEIR should also include that it is HSR who has the power of eminent domain and can acquire all or part of the CCP property if needed for their project. HSR has held public meetings in the area on the use of eminent domain and the County of Santa Clara Figure 3.3-1 shows the HSR "project footprint" could require at least a 200 ft eastern portion of the proposed CCP site. 100
- Discussion of the cumulative construction impacts of building the CCP, HSR and Monterey Road relocation all at the same time, e.g., traffic, noise, vibrations, air quality should be included in the DEIR. The HSR project will most certainly interfere with both the implementation and the operation of the proposed CCP as discussed elsewhere in these comments. 101

The DEIR does not discuss the potential significant impacts of the HSR and Monterey Road relocation projects on the CCP. These projects will have significant traffic impacts on driver line-of-sights along Monterey Road, acceleration and deceleration lanes into and out of the project site, public sidewalks, public vehicular access, parking lot, fire hydrant, Monterey Road U-turns, traffic control systems, etc. The SMNA Board requests that the DEIR include an analysis pertaining to the potential significant impacts HSR will have on the CCP. 102

Section 3.3.6 refers to Infrastructure of the Roadways and Circulation and states that the parking space requirements are based on four persons per vehicle per County Code. In our opinion, the use of four persons per car is woefully inadequate. These same criteria have been presented as a strong concern to County Planning Staff on other institutional projects in San Martin and could easily be proved inaccurate with a traffic and parking survey. Because of this underestimation San Martin can expect CCP patrons to be parked along Monterey Road, California Ave., Colony Ave. and on nearby private properties. 103

In the traffic requirement for the VVGC Hindu Temple Institution Expansion, traffic was based on an actual vehicle occupancy survey. Because of the survey, a vehicle occupancy of 2.7 persons per vehicle was used to determine the traffic requirements as stated in the September 2015 Initial Study/Mitigated Negative Declaration for the VVGC as prepared by the County of Santa Clara. 104

The SMNA Board requests:

- The DEIR and/or County require the applicant to utilize a vehicle occupancy survey to calculate traffic and parking requirements at the CCP.

105

In Appendix E, page 3 it states, "Daily trip rate ... is NOT included in the ITE Trip Generation Manual, and published research is NOT readily available. With 70 percent of the 800 maximum total daily attendees at the CCP (presented in Table 3-2 of the project description) are assumed to attend, which would create two daily trips per attendee (one inbound and one outbound).

106

The SMNA Board would further ask that the DEIR:

- Show how the daily trip rate compares to the transportation and other sections and if needed to find other published sources to use and calculate, being that the ITE Trip Generation Manual was not used. Or conduct vehicle occupancy surveys as previously suggested.

107

(SECTION 4.7) GREENHOUSE GAS EMISSIONS, CLIMATE CHANGE AND ENERGY

The DEIR reiterates the regulatory goal to control and reduce emissions of Greenhouse Gas (GHG) over the next 10-20 years. Table 4.7-1⁴ identifies the Total Project GHG Emissions as 1,178 MT CO₂e/year. How the GHG Emissions were calculated are stated in the DEIR as; *"Further, to evaluate the project's emissions using the service population threshold, the projects' service population was estimated based on the one on-site residence, two employees, and one Imam, resulting in a service population of seven...Based on total annual project emissions of 1,178 MT CO₂e/year and a service population of seven, annual project emission would be 168 MT/SP/year, **exceeding the adjusted 2030 threshold** of 2.8 MT/SP/year."*

108

Several mitigation measures are proposed, however the clear majority of GHG emissions result from vehicle trips per year and the DEIR only discusses that significance AFTER mitigation. It cannot be assumed that implementation of Mitigation Measure 4.7-1 (Prepare and implement GHG-reduction plan) that the project's GHG emissions would be reduced to less-than-significant levels. The DEIR identifies **Impact 4.7-1: Project-generated GHG Emissions**, that would impact and *"...remain **significant and unavoidable** and would constitute a considerable contribution to a cumulative impact after mitigation."*

109

To address the GHG concerns of the San Martin community, the SMNA Board requests that the DEIR clearly show:

110

- The CCP total annual project emissions exceed the adjusted 2030 threshold of 2.8 MT/SP/year; **by SIXTY TIMES**.
- The estimated number of trips per day, per week, per year, and include the estimated number of trips for each event.
- The number of people used to calculate parking spots verses number of people used to calculate vehicle trips, i.e. GHG emissions?

111

112

⁴ DEIR for CCP Table 4.7-1: Project-Generated Greenhouse Gas Emissions (page 4.7-15)

The DEIR further discusses, **Impact 4.7-2: Wasteful, inefficient, or unnecessary consumption of energy, during project construction or operation.** It states that, *"Appendix F of the State CEQA Guidelines require the consideration of the energy implications of a project. CEQA requires mitigation measures to reduce wasteful, inefficient and unnecessary energy usage.⁵ Neither the law nor the State CEQA Guidelines recommend criteria that define wasteful, inefficient, or unnecessary use of energy."* Because there is no definition of "wasteful, inefficient or unnecessary" the DEIR essentially waves their hands and concludes that there is none, and as a result the impact is listed as less-than-significant. However, the DEIR also states, *"...fuel consumption associated with construction activities, building operation, and vehicle trips generated by the project would NOT be inefficient, wasteful, or unnecessary in comparison to **other similar developments** in the region..."*

113

The SMNA Board would furthermore request that the DEIR include:

114

- The list of *"other similar developments in the region"* that were identified and compared with the CCP in determining project significance.
- Definitions and/or how the County measures and interprets the terms; **inefficient, wasteful and unnecessary**, as they relate to the DEIR section, GHG Emissions, Climate Change & Energy.

115

In Appendix A, page 13 it says that there will be a "less than significant" impact on air quality, but Section 4.7 says that the GHG emissions will "result in a significant and unavoidable impact and a considerable contribution to a cumulative impact after mitigation.

116

(SECTION 4.1) AESTHETICS AND VISUAL RESOURCES

The SMNA Board would like to comment on Section - Impact 4.1-1: Have a substantial adverse effect on a scenic vista, as it states, *"There are no designated scenic vistas on the project site. The front portion of the project site is generally not visible from the valley floor; however, a bedrock ridge spans the northern boundary of the project site. The ridge is the most visible portion of the site, although views of the ridge from outside the immediate vicinity of the project are limited by intervening buildings and vegetation. Proposed structures would be subject to various levels of design review (levels depend on building size), including the small accessory structures (tent platforms, bath houses, and water tanks), which are proposed to be located on or near the ridgeline. Compliance with the County's design review process would require appropriate siting and design to visibility of the structures and would reduce potential impacts to a less than-significant level."* The DEIR should include information about:

117

- The impact and view of the CCP will change from OPEN SPACE to buildings that are, in some cases, 35 ft. tall.
- This is the only property within the San Martin Use Permit area designated D1; Santa Clara Valley View shed as referenced 3-20.020-40 103 of the Santa Clara County Zoning Ordinance.

118

119

⁵ Public Resources Code Section 21100, subdivision (b)(3).

- This land is NOT a flat piece of property as noted in the DEIR and this is important to note as there are references that the CCP is not in a FEMA area, however it is near a FEMA area and water travels and flows downward and across the CCP site which creates flooding in surrounding areas.

120

The SMNA Board would like to note that R-LU-119 Non-Residential Development in the San Martin Planning Area **shall conform** to and adopt development and design guidelines of the San Martin Community as contained within the San Martin Integrated Design Plan (SMIDP).

121

On page 4.1-10 of DEIR, per R-LU-119 applicant referenced Section II Non-Residential Guidelines of the SMIDP, Section C - Architecture, Section E - Landscaping, and Section F - Signage and Lighting yet omitted all other sections. The SMNA Board requests the DEIR to include:

- All sections of the SMIDP be identified with comments pertaining to how the CCP will adhere to each one, and if not, the DEIR should include a detailed summary as to what premise an exception is being made. Therefore, the DEIR should include a summary on each Non-residential Design Guideline Components (A thru H) of the SMIDP and structures should be designed and sited to create as little disturbance as possible to the natural landscape.

122

On page 4.1-21 of the DEIR it states: *"In conclusion, the proposed project would change the visual character of the entire site from a vacant field and ridge to an institutional development. The intensity of the development given the sites natural state would constitute a substantial degradation of the existing visual character and quality of the site and its surroundings."* The SMNA Board would like to include comments regarding:

123

- Per the DEIR, trees would not be cut down at the CCP site until nestlings have left the area. Ultimately, this leaves the birds to find other locations to build nests and thus destroys the scenic impact to this location, which is contrary to R-LU 120.1 which states, *"In the vicinity of Llagas Creek the value of the riparian habitat and the beauty of the endangered creek should be maintained and enhanced."*

Santa Clara County Policy R-RC 96 refers to minimize scenic impacts in rural areas through control of allowable development densities. In our opinion, summer camp facilities such as bathhouses and tent areas that will remain up and can be seen from offsite and are poorly mitigated in the DEIR. From the images in Exhibit 4-1-8 of the "Simulated Views of Project with Mature Trees" this is supposed to completely block views of any kind which would mean there would no longer be a scenic view.

124

- The term "bathhouse" needs clarification and should be clearly defined by the County. Presently there is no definition for "bathhouse" in the County ordinance and the definition found in the Oxford Dictionary describes "bathhouse" as, **a building containing baths for communal use**. This definition is vague and for transparency the County should provide a clear explanation of their understanding

125

and expectation of the term “bathhouse”.

125

The CCP site is designated as D1 - Santa Clara Valley View Shed, as referenced by 3-20.020-40 103 of the Santa Clara County Zoning Code. The CCP includes two 5,000-gallon water tanks in the campground area to achieve the required fire flow of 1,500 gallons per minute at 20 pounds per square inch. The establishment of these water tanks could potentially be visible due to the location of the camp. Per the DEIR it is noted that this mapping assumes bare earth conditions and it states a low height of ridge and intervening buildings. This area is in the view of trails that are utilized by hikers, horseback riders and it is an assumption that drivers do not observe the beauty of the ridge.

126

- As was requested in the Notice of Preparation, per R-GD 34, Story Poles have yet to be erected on the CCP site to show the extent of the projected buildings. The potential loss of scenic views to the San Martin community warrant the request for Story Poles to be erected at the CCP prior to project approval and should be included within the DEIR.
- Policy C RC-60, Hillside, Ridgelines, etc. are areas designated as being of **special scenic significance** and should receive additional consideration and protections due to their prominence, visibility and/or symbolic value. The CCP ridge is as unique to San Martin as El Toro ridge is to Morgan Hill and should be identified as “special scenic significance” in the DEIR. Use of one or more of the strategies to maintain scenic values, both natural and built environment, as identified in the Santa Clara County General Plan for Scenic Resources should be used:

127

128

Strategy #1: Manage Growth and Plan for Open Space

Strategy #2: Minimize Development Impacts on Significant Scenic Resources

Strategy #3: Maintain and Enhance the Values of Scenic Urban Settings

Note: the CCP site ridge/hill is one of the scenic natural vistas when entering or driving through San Martin and is a separator to urban development from Morgan Hill.

The DEIR should further include: Policy C-RC 58, which refers to the general approach to **scenic resource preservation** on a countywide basis and should include the following strategies, 1) conserve scenic natural resources through long range, inter-jurisdictional growth management and open space planning, 2) minimize development impacts on highly significant scenic resources, and 3) maintain and enhance scenic settings, such as parks and open space.

129

San Martin is an area that covers a mere 11.6 square miles. By applying the “special scenic significance” policy it reiterates the needed protection in Policy C-RC 61, where it states, “Public and private development and infrastructure located in areas of special scenic significance **should not create major, lasting adverse visual impacts.**”

130

Per County Zoning Ordinance 2.20.090: Local-Serving Uses are to be of **size, scale and intensity**, as well as intended to provide goods and services to the resident rural

131

population. For the purposes of this section, the term “local-serving uses” refers to institutional and commercial uses that may be allowed in rural districts if their size, scale and intensity is typical of local-serving uses in the rural community. Local-serving uses are not exclusive to the resident rural population and may be used by residents not local to the area. However, the following is still expected to be upheld:

1. Aesthetics: The scale and massing of the building(s) and improvements shall be compatible with the existing rural setting, taking into consideration the surrounding open space, scenic resources, ridgelines, agricultural uses, and rural residences.
2. Open Space and Habitat: The use shall be sized and designed to minimize disturbance of natural landscapes and biological communities.
3. Watersheds: The use shall not create a hazard to water quality or create significant drainage, flooding, erosion or sediment impacts. Increases in impervious surface area, drainage volumes and erosion levels shall be quantified and minimized to the extent feasible.

The SMNA Board would note and question when the County File #10571-16Z-14CP was updated regarding **Local-serving Uses in Rural Districts** and approved by the Board of Supervisors. It was intended to be in place for one year and brought back to the Board of Supervisors for additional review based on application of the policy for one year. A revised and amended version of the Local-serving Uses in Rural Districts; went before SMPAC and the Planning Commission, both who recommended approval to the amendments and yet, as of the date of these written DEIR comments, the Board of Supervisors have not given comment or approval to those amendments which would greatly affect the results of the CCP and irreversible affects to the San Martin Community. Therefore, the SMNA Board requests:

- Prior to final approval of the DEIR, County Staff need to present the revised and amended Local-serving Uses in Rural Districts policy to the Board of Supervisors for approval.

The DEIR Impact 4.1-5: Contribution to cumulative effects related to substantial degradation of the existing visual character or quality of the site and its surroundings, states the CCP will be **“less-than-considerable contribution”** and that minimal development is proposed in the region. The SMNA Board disagrees with the DEIR on this as:

- The CCP is a catalyst for other prominent developments proposed in San Martin, which include: two separate RV parks, each located near the CCP site. The visual and cumulative effects of oversized projects within a rural community are significant.
- The CCP is required to be designed to maintain an **appearance that is consistent with the rural character of southern Santa Clara County** and yet the Mitigation Measure 4.1-2, only offers that extensive tree planting be done to minimize the project’s contribution to the combined effect. The DEIR needs to conform to the SMIDP requirements of aesthetics. The CCP land has never

successfully upheld an orchard or mass tree plantings due to flooding. What back-up mitigation is available should tree planting at the CCP site be unsuccessful?

136

Based on the Mission Statement of the County Planning Development Department, the County is to protect its natural resources and ensure quality and sustainable community development...and to protect the public health safety and welfare of the constituents through the application and enforcement of the County of Santa Clara's Ordinance Code and Land Use Policies.

137

The SMNA Board has attempted to work with the proposers to reduce the size, scale and intensity of the CCP to continue to preserve scenic land within Santa Clara County. We believe a reduced size of the CCP should reflect the size and scale of the other institutions within the San Martin Planning Area.

The DEIR states on page 4.1-21: "*In conclusion, **the proposed project would change the visual character of the entire site** from a vacant field and ridge to an institutional development. The intensity of the development given the sites natural state would constitute a substantial degradation of the existing visual character and quality of the site and its surroundings*". The SMNA Board requests the DEIR include additional information from:

138

- Santa Clara Valley Water District, regarding the proposed construction to widen and deepen the flow of water in the Llagas Creek area, to restore and maintain the flow of the Llagas Creek to its original flow.
- The Regional Central Coast Water Quality Control District in San Luis Obispo on their formal position on the CCP being built near Llagas Creek and their comments on the DEIR.
- The California Department of Fish and Game on their formal position on the CCP being built near Llagas Creek and their comments on the DEIR.

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San Martin is an area: 11.6 square miles. Policy C-RC 60: Hillsides, ridgelines, scenic transportation corridors, major county entryways, and other areas designated as being of special scenic significance should receive additional consideration and protections due to their prominence, visibility, or symbolic value.

142

SMNA Board recommendations the DEIR include:

- Reduce the size, scale and intensity of the project to be equivalent in size to other institutional facilities in San Martin.
- Eliminate the campground and cemetery.

143

Other notes and suggestions:

- Reduce building to no more than 2 stories high.
- Eliminate paved roads going up the hillside.
- Eliminate retaining walls and make use of flowering shrubs to keep a scenic view

144

Santa Clara County Policy C-RC 60: *"Hillsides, ridgelines, scenic transportation corridors, major county entryways, and other areas designated as being of special scenic significance should receive additional consideration and protections due to their prominence, visibility, or symbolic value."* And, Policy C-RC 61: *"Public and private development and infrastructure located in areas of special scenic significance should not create major, lasting adverse visual impacts."* The SMNA Board believes, both policies apply to the CCP site. The purpose is to protect the rural environment and prevent overdevelopment. The San Martin infrastructures are not equipped to terms of water/sewage to support such a large project. Additionally, there has been no evidence provided to show that Llagas Creek or surrounding areas will not be affected by the multiple uses proposed by CCP.

145

The SMNA Board requests that the DEIR include:

- An orchard survival test be done to ensure that tree growth along the areas outlined by the CCP will actually take and grow, as well as be feasible.

146

Pending projects in San Martin that pose SIGNICANT IMPACT include and should be included within the DEIR:

147

- Patel RV park---124 spaces-Lodge Building 3600 sq. ft. 89 parking spaces—Footprints and Pool 7200 sq. ft.
- DiVittorio RV park---220 spaces—Manager residence—6 employees residence—Dump Station—Clubhouse and Pool—Convenience Store

148

The DEIR evaluation of lighting at the CCP and with the combined detailed portion of the adjacent Patel RV park would have a significant impact to lighting in this rural area. The idea to use trees to reduce lighting is an inferior method and infers that lighting will be covering the entire site location.

149

(SECTION 4.2) CULTURAL RESOURCES

Site reconnaissance found a small historic rock quarry on the hillside above Llagas Creek. Page 4.2-10 of the DEIR says, *"Office of Historic Preservation has determined the property has potential to contain unrecorded archeological sites and recommended that the property be evaluated by a qualified archeologist."* Mitigation should be applied in the DEIR that addresses this further.

150

The SMNA Board believes the letter dated March of 2017 to a PO Box in Galt that gave the Ohlone Tribal leader 30 days to respond to any possible Indian burial grounds near the CCP site, should be resubmitted.

151

- More than one attempt should be given due to the historic nature and significance the CCP site may hold, and proper research should be done to find more than just a PO Box. According to the historically recognized book San Martin Then & Now, written by Donna Brodsky and published in 2010.

152

- There is archaeological evidence in and around San Martin that shows Native Americans settled along the creeks that flowed through the area at least 8,000 years ago. The Matalan, who resided in the San Martin area are descendants of the Ohlone and many arrowheads, rock mortar and pestles have been found along the Llagas Creek and its tributaries. Small huts with grass bundle thatching from the surrounding area were home to close to twenty-four family members. In 1776 the De Anza expedition arrived just northwest of the San Martin area and cited discovery of a ceremonial site belonging to a village of Matalan Indian. 153
- Outside archaeologists should be on site when digging is to be done in any area of the proposed site to protect and ensure that artifacts are not lost, and resting spots are not disturbed to build or create a new cemetery. 154

GENERAL COMMENTS

We found that many sections propose various mitigations, but in the spirit of “trust but verify”, who verifies? In the experience of San Martin residents and the SMNA Board of Directors we have found that the County code enforcement is stretched too thin to enforce, so on behalf of our rural community we ask; for a project of this magnitude: 155

- Who Monitors, How Often and What Penalties for Non-compliance?

Upon review of the DEIR comments, should new information be added or changed, it is the expectation of the SMNA Board of Directors that prior to preparing a Final EIR (FEIR) a **Recirculated Draft EIR** be prepared and circulated, with a set time frame for public review and public comment on any additions/changes that are made to the DEIR. In our opinion, a **Recirculated Draft EIR** is a reasonable request and should occur prior to the preparation of a Final EIR of the CCP. 156

Thank you for your consideration of these comments. If you have any questions regarding the content of this letter, please contact the SMNA Board of Directors via email @ board@sanmartinneighbor.org.

On behalf of the SMNA Board of Directors,

Sincerely,

Trina Hineser – SMNA President

Art Reidel – SMNA Vice President

Victor Loesche – SMNA Director

Sharon Luna – SMNA Director

Stephen McHenry – SMNA Director

Kimberly Delgado – SMNA Director

4.2.5 Response to Comments from San Martin Neighborhood Alliance

- 5-SMNA-1: Specific responses to comments on the Draft EIR are responded to below.
- 5-SMNA-2: The comment does not cite specific environmental topics where the SMNA Board of Directors feels cumulative impacts or significant and specific impacts are not considered.
- 5-SMNA-3: The comments regarding the size of the proposed project relative to existing institutional facilities are acknowledged. The proposed project would be approximately twice the size of the 50 Percent Reduced Intensity Alternative, which is evaluated in Section 6.4.4 of the Draft EIR. The alternative could feasibly attain most of the basic objectives of the project. The ultimate feasibility of any of the alternatives analyzed will be determined by the Planning Commission, or the Board of Supervisors on appeal.
- 5-SMNA-4: Exhibit 4.4-4 of the Draft EIR shows the nearest residential wells to the proposed cemetery. Impact 4.4-4 evaluates operation of the cemetery and potential impacts of nitrogen levels that could exceed water quality standards for areas served by individual water wells. This evaluation was provided by Questa Engineering in the report, “Cemetery Water Quality Impact Review For Cordoba Center Project Santa Clara County, California” (Appendix F of the Draft EIR). The report’s author, Norman Hantzsche, P.E., has more than 40 years of professional experience in hydrology, water resources and environmental engineering, has been a consultant since 1979, and before that was on the staff of the California State and Regional Water Quality Control Boards. His principal areas of specialization are hydrology and drainage, water quality management, non-point source watershed management, land-based wastewater treatment and disposal, and groundwater hydrology. The comment does not specify what references would suggest that this impact requires further study by technical experts.
- 5-SMNA-5: The comment is not specific about alternatives that have not been explored.
- 5-SMNA-6: Specific responses to comments on the Draft EIR are responded to below.
- 5-SMNA-7: The comment notes correctly that the Draft EIR states that the Local-Serving Threshold Alternative is the environmentally superior alternative besides the No Project Alternative.
- 5-SMNA-8: The comment expresses the opinion that the proposed project is a mixed-use development because of the various uses it encompasses. The Draft EIR evaluated the impacts of all uses of the project site, including the campground, cemetery, and community center.
- 5-SMNA-9: The Draft EIR evaluated all cumulative impacts of the proposed project. Three cumulative aesthetics (visual resources) impacts were evaluated in Section 4.1 under “Cumulative Impacts.” One cumulative impact (cumulative nitrate loading) was

evaluated in Section 4.4. Two cumulative noise impacts were evaluated in Section 4.5. Two cumulative transportation and circulation impacts were evaluated in Section 4.6. The comment is not specific about how this cumulative impact analysis is deficient.

- 5-SMNA-10: The comment is not specific about what potentially significant land use and land use compatibility issues were not addressed in the Draft EIR. See Response 4-LAFCO-2.
- 5-SMNA-11: The growth-inducing impacts of the project were evaluated in Section 5.1.1.
- 5-SMNA-12: The mitigation measures identified by the Draft EIR would be enforced through conditions of approval and a Post-Approval Monitoring program. See Response 5-SMNA-21.
- 5-SMNA-13: The comment quotes section 1.3.2 of the Draft EIR, which summarizes CEQA requirements for evaluation of cumulative impacts in an EIR. As noted under Response #9, the Draft EIR evaluated all cumulative impacts of the proposed project. Whether approval of a project of a certain size creates a precedent leading to larger projects is not related to cumulative impacts. The growth-inducing impacts of the project were evaluated in Section 5.1.1. See Response 4-LAFCO-2.
- 5-SMNA-14: The thresholds under the existing local-serving provisions are not proposed to be updated in the near future. The Department is evaluating holistically allowable uses and the standards within the County rural areas in response to community outreach related to zoning amendments for non-residential assembly uses. Once that evaluation is complete, recommendations will be presented to the Planning Commission and Board of Supervisors.
- 5-SMNA-15: Whether the proposed project is consistent with the San Martin Integrated Design Plan (SMIDP) will be considered by the Planning Commission and potentially by the Board of Supervisors on appeal. The commenter has not identified any specific planning requirements that have not been proposed as a part of the project.
- 5-SMNA-16: The comment is not specific about any environmental impacts resulting from the *camp and retreat* use, or related hours of operation and the temporary proposed residential nature of the project. The comment compares the project to a previously approved religious institution project in San Martin and its conditions of approval. However, each project is reviewed independently by the Planning Commission, for consistency with all County requirements, including for permitted uses, appropriate hours of operation, noise limitations, and onsite restrictions based on the policies, requirements and guidelines of the County statutes. Note that a *Camp and Retreat* use is an allowable use, subject to a Use Permit, in the Rural Residential areas. However, the ultimate decision on the type, nature, and operation of any use approved on site would lie with the Planning Commission, or the Board of Supervisors on appeal. See Response to 5-SMNA-15.

- 5-SMNA-17: Whether future development projects would be required to implement mitigation similar to Mitigation Measures 4.3-1a, 4.3-1b, and 4.3-1c would depend upon the specific characteristics (site conditions, proposed uses) of such development projects, which are not known at this time. Construction mitigation to avoid species and their habitat is routinely and successfully enforced by botanists and wildlife biologists who are conducting required on-site monitoring during construction. Written verification that these mitigation measures have been implemented are provided to the County by these consultants. The County has also significantly expanded its enforcement capabilities.
- 5-SMNA-18: Answers to the questions regarding mitigation compliance are provided below.
- 5-SMNA-19: The County is identified as the lead agency, responsible for monitoring related to several mitigation measures identified in the project and relies on technical experts to provide that information. The party who monitors the site before, during, and after construction depends upon the details of a specific mitigation measure. As examples, for biological resources, it's typically a botanist or wildlife biologist. For cultural resources, it would be an archaeologist or historic resources specialist.
- 5-SMNA-20: The number of site visits depends upon the specific requirements of the mitigation measure and the nature of construction. For example, for tree protection, the monitor would visit once prior to construction to inspect required tree protection measures, such as exclusionary fencing and warning signs. Other visits could occur during and after construction to make sure no damage to trees has occurred.
- 5-SMNA-21: Non-compliance with conditions of approval, which include mitigation measures, can include a halt to construction, non-issuance of a building occupancy permit, modification or revocation of the use permit, and civil or criminal enforcement proceedings.
- 5-SMNA-22: The comment does not specify what sensitive resources are being referred to. Compensatory mitigation amounts for biological resources would be determined by the California Department of Fish and Wildlife and / or the U.S. Fish and Wildlife service as a part of their Incidental Take Permit process, if necessary.
- 5-SMNA-23: Specific responses to the SMNA Board mitigation requests are provided below.
- 5-SMNA-24: Based on the updated, detailed phasing plans for the cemetery submitted by the applicant, the first three phases of burials totaling approximately 800 sites are all located east of the access road through the cemetery, more than 500 feet from any existing off-site well or watercourse. At an annual burial rate of 30 to 50 per year, it would take more than 15 to 20 years to fill the 800 sites. The request to adopt a 500-foot setback distance between cemetery burial plots and down-gradient water wells and watercourses is not supported by any technical analysis. During the first three phases of cemetery operations there would be substantial groundwater monitoring conducted to provide a firm data-driven assessment of the actual water quality effects of the cemetery and allow for any adjustments to the burial operations and/or setback

standards. The proposed phasing and monitoring program, also providing a 500-foot setback buffer, provides equal or greater degree of safety for nearby well owners as compared to the adoption of an arbitrary 500-foot setback requirement.

- 5-SMNA-25: The environmental analysis provided in Impact 4.4-4 addressed the design and operation of the cemetery proposed by the applicant and address potential impacts to specific wells located in the project vicinity. Even if examples of such “green cemeteries” were available, they would provide no information that has not already been taken into consideration in the analysis in the Draft EIR. And such examples would likely not provide useful information regarding the contextual site-specific characteristics, such as hydrogeologic conditions, soil types, and groundwater depth, at the project site or the specific design of the proposed cemetery.
- 5-SMNA-26: As a referral agency, SCVWD would receive the monitoring report when it is submitted to the Planning Office as part of post-approval project monitoring. In its capacity as the groundwater management agency, SCVWD would be able to review the reports and provide feedback to the County. It would not be appropriate for the County to require the project proponent to contract with another public agency, which may or may not agree to provide such a service. The monitoring would be conducted by a qualified third-party consultant selected by the County Planning Department.
- 5-SMNA-27: Under Mitigation Measure 4.4-4, if at any time the groundwater nitrate concentration at monitoring wells along the westerly property line exceed 7.5 mg-N/L, the monitoring wells shall be re-sampled and burials shall cease until monitoring results show the groundwater nitrate concentrations have dropped below the 7.5 mg-N/L evaluation criterion, at which time the County may authorize continued burials. Therefore, monitoring of off-site wells in the vicinity is not necessary to mitigate to less than significant the impact of deterioration of groundwater quality below drinking water standards due to operation of the cemetery. See Response 5-SMNA-25.
- 5-SMNA-28: Drainage problems that have historically occurred along westside San Martin neighborhoods are existing conditions. Section 9.2e) of the Initial Study evaluated whether project development would create or contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems. The project has been designed through use of on-site retention and other measures to retain off-site drainage discharges at pre-development rates for 10-year and 100-year storm events. There is no legal requirement that a development project mitigate existing drainage problems by reducing off-site flows to a greater rate than pre-development conditions. See Response 5-SMNA-37.
- 5-SMNA-29: The comment does not provide evidence that the proposed project would add to the flooding and drainage problems of the neighborhoods along California, Colony, and Harding and Highland Avenues. As noted under Response 5-SMNA-28, the project has been designed through use of on-site retention and other measures to retain off-site drainage discharges at pre-development rates for 10-year and 100-year storm

events. In other words, there would be no additional run-off with project development compared to the existing condition.

- 5-SMNA-30: The calculations used to size the bioretention swale have taken into account all impervious surfaces of the project. Therefore, use of these materials would not contribute to existing downstream flooding because the bioretention swale has been adequately sized to prevent that. In addition, the outlet structure at the southwestern corner of the site would be metered to discharge at the predevelopment 10- and 100-year design storm runoff rate. See Response 5-SMNA-33 and Appendix B of this Final EIR (RI Engineering Letter).
- 5-SMNA-31: See Response 5-SMNA-30.
- 5-SMNA-32: The information regarding past flooding events is acknowledged. See Response 5-SMNA-29.
- 5-SMNA-33: The comment restates a portion of Section 3.3.6 of the Draft EIR regarding drainage features of the project. The comment does not provide evidence that the bioretention swale would not be adequate to contain the water on the project site during heavy rains. Metered runoff would be achieved by using drainage outlet structures with two orifices that are sized to match the pre-development flow rates. During smaller storms, the lower orifice of the proposed on-site drainage system will discharge at the 10-year design rate. During larger storms, a second orifice set at a higher elevation will concurrently release stormwater so that the overall stormwater discharge rate leaving the site will match the 100-year predevelopment discharge rate. See Appendix B of this Final EIR.
- 5-SMNA-34: The proposed project would redirect pre-development drainage flows across the project site into an engineered drainage system designed to retain and meter runoff stormwater so that the overall stormwater discharge rate leaving the site will match predevelopment discharge rates. The proposed drainage system has been reviewed by the County of Santa Clara's Land Development Engineering section, which has preliminarily determined that the system can comply with the requirements of the County Drainage Manual. LDE would need to review and approve the final design of the drainage system prior to issuance of a grading permit. See Response 5-SMNA-37.
- 5-SMNA-35: The comment does not explain the purpose of including examples of existing bioswales and containment ponds in rural residential areas of California where residents are dependent on wells for their drinking water, and such information is unlikely to be helpful in evaluating this project's impacts, which are dependent on site-specific circumstances. Stormwater run-off would have contaminants removed as it passes through vegetated bioswales on its way to the proposed retention pond. This would ensure that any groundwater recharge through retention pond would not significantly affect groundwater quality.
- 5-SMNA-36: As noted above, Section 9.2e) in the Initial Study concluded that the project's contribution to runoff water would not exceed the capacity of existing or planned

stormwater drainage systems; therefore, the impact would be less-than-significant. CEQA requires that a an EIR shall describe a range of reasonable alternatives to the project that would avoid or substantially lessen any of the *significant effects* of the project and evaluate the comparative merits of the alternatives [CEQA Guidelines Section 15126.6(a) (emphasis added)]. The stormwater run-off impact of the alternatives was evaluated qualitatively in Chapter 6 (Project Alternatives) of the Draft EIR and found to be less than significant and similar to that of the proposed project. It should be noted that implementation of the Local-Serving, 25% Reduced Intensity Project, and 50% Reduced Intensity Project would involve engineering the drainage system to meet the same performance standard that would be applied to the proposed project; that is, retention of off-site drainage discharges at pre-development rates. In other words, the performance of the drainage system would be the same for any of these alternatives. The No Project alternative would not develop the site; therefore, the existing pre-development run-off would remain unchanged.

- 5-SMNA-37: The project drainage system was designed to meet the standards of the Santa Clara County Drainage Manual.¹⁶ Section 2.2 (3rd paragraph) of the manual states the following: “Projects in Santa Clara County shall be designed such that the stormwater runoff generated from the 10-year design storm is conveyed in the storm drainage system (underground pipes and/or stable open channels) and the stormwater runoff generated from the 100-year design storm is safely conveyed away from the project site without creating and/or contributing to downstream or upstream flooding conditions.”
- 5-SMNA-38: See Response 5-SMNA-30. The proposed drainage system has been reviewed by the County of Santa Clara’s Land Development Engineering section, which has preliminarily determined that the system can comply with the requirements of the County Drainage Manual. LDE would review and approve the final design of the drainage system prior to issuance of a grading permit.
- 5-SMNA-39: The comment refers to the estimated area of stormwater swale and pond uses of the site, as shown in Table 3-1 of the Draft EIR. The surface area and depth of these swales and ponds was determined by the need to provide an amount of stormwater retention (measured in cubic feet) based on the drainage calculations provide in Appendix B of this Final EIR. These drainage calculations were based on the Rational Method outlined in Chapter 3 of the County’s Drainage Manual. The Rational Method is used to predict peak flows for small drainage areas that can be either natural or developed. The storage capacity of these retention areas is designed to meet the standard described in Response 5-SMNA-37 above.
- 5-SMNA-40: See Response 5-SMNA-36. The Draft EIR concluded that for hydrology and water quality, impacts of the Local-Serving, 25% Reduced Intensity Project, and 50% Reduced Intensity Project would be *similar* to the proposed project. The less-than-significant stormwater run-off from the site under the proposed project and these

¹⁶ Santa Clara County, California. Drainage Manual. 2007.

alternatives would be essentially the same because the drainage systems would be designed to meet the standard in the County's Drainage Manual (see Response 5-SMNA-37). Therefore, it was not necessary to perform these calculations to provide a comparison of the alternatives as required by CEQA.

- 5-SMNA-41: As discussed under Section 9.2c) in the Initial Study, the project would not cause substantial on- or offsite erosion or siltation because, consistent with requirements in the County's Drainage Manual, disturbance of natural drainage features and clearing of native vegetation would be limited, and surface run-off would be directed to a biofiltration swale and connected retention pond. There is no contradiction, because the significance criterion addresses the impact of offsite erosion or siltation, not alteration of drainage patterns in and of themselves.
- 5-SMNA-42: Responses to the specific concerns regarding drainage patterns and flooding are provided below.
- 5-SMNA-43: See Responses 5-SMNA-28 and 5-SMNA-29.
- 5-SMNA-44: See Responses 5-SMNA-28 and 5-SMNA-29. The comment does not address how sewage spills in the City of Morgan Hill that have occurred in the past are connected with stormwater flows of the proposed project. The existing pre-development run-off from the project site would remain unchanged with implementation of the project's proposed drainage system.
- 5-SMNA-45: Taking into consideration the property's orientation in relation to the contours shown on Exhibit 4.1-1 of the Draft EIR, it is accurate to say the onsite storm water sheet-flows to the south-southwest. It should be noted that other, less sloped properties are located between the project site and California, Colony, and Harding Avenues. Therefore, it is possible sheet-flows change direction as they cross these properties or when flows reach the drainage swale along California Avenue. At any rate, the project's proposed drainage system would capture any additional runoff from project development. No change would occur to the existing drainage condition at California, Colony, and Harding Avenues as a result of implementation of the proposed project.
- 5-SMNA-46: The existing pre-development run-off from the project site would remain unchanged with implementation of the project's proposed drainage system. Calculations to design and size the proposed drainage system have taken into account the site's topography.
- 5-SMNA-47: The High-Speed Rail (HSR) system is a future condition because it has not been constructed and is not in operation. But even if it were part of the existing environmental setting near the project site, there would be no requirement under CEQA to analyze its effects on residents or other occupants of the proposed project

site for the reasons cited in the *California Building Industry Association v. Bay Area Air Quality Management District* case¹⁷.

- 5-SMNA-48: See Response 5-SMNA-47. The Draft EIR analyzed the noise and vibrations of the proposed project that could affect sensitive receptors (i.e., residents in the vicinity). No analysis of noise impacts of the environment (current or future) on the users of the project site is required under CEQA.
- 5-SMNA-49: The comment is acknowledged. However, uncertainty still exists with regard to the final alignment of the HSR.
- 5-SMNA-50: See Response 5-SMNA-47. The potential for realignment of Monterey Road due to HSR is too speculative to be considered as information that would affect the environmental analysis in the Draft EIR. The comment does not provide a rationale for why such a disclosure statement would need to be included in the EIR.
- 5-SMNA-51: See Response 5-SMNA-50.
- 5-SMNA-52: See Response 5-SMNA-50.
- 5-SMNA-53: The comment is acknowledged. See Response 5-SMNA-50.
- 5-SMNA-54: See Response 5-SMNA-47. The CEQA requirement that excessive ground noise and vibration be analyzed refers to a proposed project's impact on the environment, not the reverse.
- 5-SMNA-55: See Response 5-SMNA-47.
- 5-SMNA-56: The nighttime exterior noise standards are contained in County ordinance code (Section B11-152 – Exterior noise limits) and as such are enforceable at all times. The Draft EIR uses these standards as the threshold of significance for Impact 4.5-4. Mitigation Measure 4.5-4 is proposed to prevent exceedance of these standards through a prohibition on use of parking spaces within 120 feet of the western property line after 10 p.m. or before 7 a.m. To that extent, the Draft EIR discloses a means to implement and enforce these standards. The comment does not provide evidence that the analysis in the Draft EIR understates noise impacts.
- 5-SMNA-57: The County noise ordinance does not prohibit activities per se. It sets limits on noise levels. The Draft EIR discloses the potential for use of portions of the parking hours after 10 p.m. or before 7 a.m. to cause exceedances of the nighttime exterior noise standards and identifies mitigation to prevent this impact.

¹⁷ The California Supreme Court recently held that “CEQA generally does not require an analysis of how existing environmental conditions will impact a project’s future users or residents.” *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369, 386.

- 5-SMNA-58: No special provision or variance permit has been proposed for Cordoba Center.
- 5-SMNA-59: The Draft EIR evaluated noise impacts of the proposed project. These impacts were found to be less than significant, with one requiring implementation of Mitigation Measure 4.5-4. Comparison with noise requirements of other institutional uses has no bearing on the conclusions of this project's environmental analysis.
- 5-SMNA-60: Specific verbiage, size, and number of signs pursuant to Mitigation Measure 4.5-4 will be established through conditions of the use permit.
- 5-SMNA-61: Violations of Use Permit conditions for any project can be reported to the staff of the Planning Office or the Code Enforcement Division. Parking along streets where parking is prohibited would be enforced by the Sheriff's Office.
- 5-SMNA-62: The comment does not provide a rationale for why parking prohibitions should apply to the entire parking lot. The prohibition in Mitigation Measure 4.5-4 is intended to prevent a specific noise impact; no further restrictions are required to reduce the impact to less than significant. Mitigation Measure 4.5-4 would be enforced through conditions of approval. Note that that Planning Commission, in its discretion, may require additional conditions related to operating hours, subject to appeal to the Board of Supervisors.
- 5-SMNA-63: The comment regarding enforcement is acknowledged. It is not a comment on the environmental analysis in the Draft EIR.
- 5-SMNA-64: See Responses 5-SMNA-47 and 5-SMNA-51.
- 5-SMNA-65: The Draft EIR included construction and operation of the HSR as part of the cumulative impact analysis of the proposed project (see Impacts 4.5-5 and 4.5-6). Although it's possible that there could be some overlap between construction of Cordoba Center and HSR, it is extremely unlikely that specific noise- or vibration-generating activities on the segment of the HSR that is adjacent to the project site would occur simultaneously with similar construction activities for the Cordoba Center. This scenario is too speculative for meaningful consideration. It should also be noted that short-term construction-related impacts of the proposed project were found to be less than significant.
- 5-SMNA-66: The comment is acknowledged. However, substantial uncertainty still exists with regard to the precise distances between the proposed project buildings and whatever is the final alignment of the HSR. In addition, it should be noted that both the construction and operational noise impacts of the project were found to be less than significant with incorporation of mitigation; therefore, a cumulative impact of the project in combination with future operation of the HSR would not occur, regardless of the location of the final HSR alignment.
- 5-SMNA-67: See Response 5-SMNA-65.

- 5-SMNA-68: The buildings of the proposed Cordoba Center are not sensitive receptors with regard to analyzing noise impacts of the project; therefore, this distance is not relevant to the environmental analysis. See Response 5-SMNA-47.
- 5-SMNA-69: See Response 5-SMNA-66.
- 5-SMNA-70: No corrections are required to be made to the estimated number of feet between the HSR or with respect to the contention that there is only one possible alignment. Neither of these contentions are established facts. See Response 5-SMNA-68.
- 5-SMNA-71: A technical report prepared for the California High-Speed Rail Authority describes the frequency of service between the Silicon Valley and North Bakersfield as 2 trains per hour during the peak period and 1 train per hour during the off-peak period.¹⁸
- 5-SMNA-72: See Response 5-SMNA-71. One train passing by the project site every 30 minutes would be considered relatively infrequent compared to the vehicle traffic on Monterey Road, where up to 13 vehicles would be passing by each minute during peak hours.
- 5-SMNA-73: See Response 5-SMNA-47.
- 5-SMNA-74: Responses to the specific concerns regarding traffic and circulation are provided below.
- 5-SMNA-75: See Response 5-SMNA-49.
- 5-SMNA-76: Traffic studies of development projects in Santa Clara County are conducted for typical traffic conditions, which occur during mid-week days (Tuesdays, Wednesdays, and Thursdays) and during the morning and evening commute periods when roadway traffic volumes peak. Traffic counts were conducted at the commencement of the study in February 2017. February is considered a typical month for traffic counts. (Traffic counts are not conducted in the summer when schools are out of session or in late December/early January during the year-end holiday season.) The counts were increased by a growth factor of 1.2 percent per year for 18 years for the cumulative analysis to include projected increases in traffic volumes. Therefore, since the counts were conducted during the standard analysis days/periods and the cumulative conditions analysis contains anticipated growth in traffic volumes, new counts are not needed.
- 5-SMNA-77: See Response 5-SMNA-76.
- 5-SMNA-78: Under Impact 4.6-3 (page 4.6-8 of the Draft EIR), it is noted that the Department of Roads and Airports, which owns and operates Monterey Road, has determined that

¹⁸ 2016 California High-Speed Rail Business Plan Ridership and Revenue Risk Analysis, Table 2.1, page 2-2. Cambridge Systematics, Inc. April 8, 2016.

the existing median is inadequate to support northbound vehicles to turn left at the proposed driveway location. In addition, left turns out of the project driveway cannot be made safely due to the curvature of the road and its significant width. (See Draft EIR Appendix E, March 14, 2018 Memorandum from Count Roads and Airports.) Therefore, the project would be conditioned so that driveway access would be right-in/right-out only, and the Draft EIR analysis of safety impacts has already assumed this condition.

- 5-SMNA-79: Installing a U-turn at California Avenue is not required to mitigate the project's impacts. It is merely a potential method of addressing the inconvenience associated with limiting the turning movements from the project driveway to right-in and right-out turns from and to Monterey Road. U-turns may be made further south at E. San Martin Avenue. See text changes to Section 4.6.4 for clarification of this issue.
- 5-SMNA-80: See Response 5-SMNA-79.
- 5-SMNA-81: The comment is correct that the traffic analysis provided by Fehr and Peers (Appendix E of the Draft EIR) assumed that vehicles could access the project driveway via both left-in/left-out and right-in/right-out turns. However, in the third paragraph of page 4.6-8 of the Draft EIR it is noted that the Department of Roads and Airports has determined that the existing median may not be of adequate length to support northbound vehicles to turn left at the proposed driveway location and that left turns out of the project driveway cannot be made safely due to the curvature of the road and its significant width. This determination occurred after the traffic report was prepared. Mitigation Measure 4.6-3 has been revised to clarify that the project driveway/entrance shall be designed to allow only right-in, right-out operation from and to Monterey Road. See text changes to section 4.6.4. The elimination of the option for left-in/left-out driveway access would not change the conclusions of the level of service analysis for Monterey Road provided by Fehr and Peers.
- 5-SMNA-82: A diagram of the southbound U-turn lane pocket and turning radius is provided in Appendix D of this Final EIR. See also Response 5-SMNA-79.
- 5-SMNA-83: No U-turn is required at Middle Avenue to service the project. Facility users could make a U-turn at E. San Martin Avenue south of the project site.
- 5-SMNA-84: The County is not requiring the driveway to be signalized. It should be noted that the projected peak hour volumes do not meet the peak hour signal warrant. A full traffic signal warrant analysis would be required before traffic signals would be considered.
- 5-SMNA-85: The queue length calculations were conducted for traffic volumes generated during the AM and PM peak hours with CCP volumes presented in Table 4.6-2. Large events with 500 attendees would occur infrequently and would not generate 500 inbound and 500 outbound vehicles in an hour. Many of the attendees would come together (carpool) and they would arrive and depart in a dispersed fashion. The site plan shows that there is sufficient room for exiting vehicles to queue on site. The

165-foot left-turn pocket into the site can accommodate 7 vehicles. Additional vehicles could extend into the taper and painted median if needed.

- 5-SMNA-86: See Responses 5-SMNA-79, 5-SMNA-81, and 5-SNMA-85. The County Roads and Airports Department is the final arbiter on what is feasible with respect to the roads it owns and operates. Queuing for exiting traffic would take place on the project site and does not affect level of service on Monterey Road. And since the project would be conditioned to allow right-in/right out only access, there would be no queueing to turn left into the project from the median
- 5-SMNA-87: See Response 5-SMNA-85. There is no information regarding the attendance for the event depicted in the photographs. A high attendance and lack of parking management could explain the queueing.
- 5-SMNA-88: No parking is permitted on Monterey Highway, and this would be enforced by the Sheriff's Department.
- 5-SMNA-89: See Response 5-SMNA-88.
- 5-SMNA-90: The comment is acknowledged.
- 5-SMNA-91: The comment is acknowledged.
- 5-SMNA-92: The project site is proposed to accommodate parking for up to 125 vehicles in two lots as well as overflow spaces (non-aggregate base surfacing), as shown on Exhibit 3-5 of the Draft EIR. This number is intended to meet the requirement in Chapter 4.30 of the County Code of one space for every four worshipers (including up to 500 for special events), plus one space for mosque staff and 14 spaces for campground users. The Planning Commission in its discretion may require additional parking, if necessary and supported by the traffic analysis. See Response 5-SMNA-88.
- 5-SMNA-93: See Responses 5-SMNA-79 and 5-SMNA-81.
- 5-SMNA-94: County Roads has not indicated that signalization at Monterey Road and California Avenue is required for operation of the proposed project; rather, Roads has stated that left turns in or out of the project driveway would not be allowed unless the driveway is signalized.
- 5-SMNA-95: The general comment regarding queueing capacity is acknowledged. The comment provides no specific information to demonstrate the inadequacy of the proposed queueing lanes.
- 5-SMNA-96: Mitigation Measure 4.6-3 has been revised to require the driveway turning movements to be restricted to right-in/right-out. See text changes to section 4.6.4.
- 5-SMNA-97: The project proponent has not proposed use of chartered buses because it does not anticipate any need. However, there is space beyond both parking lots for van

parking. One or more shuttle vans, if needed, could park in front of the maintenance building or in the 90-ft. long driveway at the caretaker's dwelling.

5-SMNA-98: See Response 5-SMNA-97.

5-SMNA-99: See Response 5-SMNA-49. No revision is required for analysis of cumulative impacts.

5-SMNA-100: Whether or not the HSR Authority can or would acquire portions of the project site for construction of the line is speculative and not an impact of the proposed project on the environment that is required to be analyzed under CEQA.

5-SMNA-101: See Responses 5-SMNA-47 and 5-SMNA-65.

5-SMNA-102: See Response 5-SMNA-47.

5-SMNA-103: See Response 5-SMNA-92.

5-SMNA-104: Trip generation rates from surveys of other mosques were used to estimate the amount of traffic generated during the roadway AM and PM peak hours and peak use hour of the mosque. The rates are published in the Institute of Transportation Engineering (ITE) *Trip Generation Manual*. These survey rates take into consideration vehicle occupancy.

5-SMNA-105: See Responses 5-SMNA-92 and 5-SMNA-104.

5-SMNA-106: The ITE *Trip Generation Manual* has peak hour rates but not daily rates for mosques. Using ITE rates for churches, on a daily basis churches generate 8.5 times their peak hour trips. Applying this rate to the mosque peak-hour trips (113) yields 960 trips. The daily trip projection used in the DEIR of 1,120 trips is similar to this estimate and therefore is reasonably conservative.

5-SMNA-107: See Response 5-SMNA-106.

5-SMNA-108: The comment summarizes portions of Impact 4.7-1.

5-SMNA-109: The comment restates the conclusion that Impact 4.7-1 would be significant and unavoidable.

5-SMNA-110: Responses to the specific requests are provided below.

5-SMNA-111: The comment regarding the ratio of the unmitigated project emissions to the significance threshold is acknowledged. Since the Draft EIR has already established the difference between these two numbers in Impact 4.7-1, inclusion of a ratio is not necessary.

- 5-SMNA-112: As stated under “Operational Emissions” in Section 4.7.4, the mobile source GHG emissions (emissions from vehicles) were modeled based on the estimated daily vehicle miles traveled (VMT) to the mosque by visitors. The VMT analysis is contained on pages 9-11 of the “Transportation Analysis for Cordoba Center in San Martin” memorandum by Fehr & Peers (Appendix E of the Draft EIR). Table 1 shows average daily trips of 1,151, which were derived from daily trip estimates for the major uses of the proposed project (mosque, cemetery, maintenance building, and caretaker’s dwelling). Table 6 shows how daily VMT was derived from daily trips. Annual VMT of 425,408 is derived from daily VMT, as shown on the first page of Appendix C of the Draft EIR, which is titled, “CalEEMod VMT Calculator (UNMITIGATED SCENARIO).” Because GHG emissions are measured in terms of metric tons of CO₂ equivalent per year, it is only necessary to use total annual VMT to derive the metric tons for mobile sources. Inclusion of trips per week or per event is not necessary to estimate GHG emissions from mobile sources.
- 5-SMNA-113: As discussed above, the VMT calculation used to estimate GHG emissions is derived from daily trips per project site land uses. The number of parking spaces does not determine VMT. The 125 parking spaces proposed is intended to meet the requirement in Chapter 4.30 of the County Code of one space for every four attendees, which could be up to 500 during special events. The Planning Commission, in its discretion may require additional parking spaces.
- 5-SMNA-114: The comment restates portions of Impact 4.7-2. Efficiency with respect to fuel consumption is largely determined by Federal and State regulations, such as federal Corporate Average Fuel Economy (CAFE) that is required average fuel economy for a vehicle manufacturer’s entire fleet of passenger cars and light-duty trucks for each model year. Since vehicles used in association with the proposed project would be similar to other developments in the area, this aspect of fuel consumption would not be comparatively inefficient. Likewise, because this is a rural area highly dependent upon motor vehicles for transportation, VMT for this project would also be comparable.
- 5-SMNA-115: Other similar developments were used as a qualitative comparison, (see Response 5-SMNA-114), and no list was prepared for this assessment.
- 5-SMNA-116: The air quality impact conclusion in Appendix A, page 13, is in relation to criteria pollutants (e.g., particulate matter and nitrogen dioxide), not GHG emissions. GHG emissions are a separate topic addressed in Section 4.7 of the Draft EIR.
- 5-SMNA-117: The comment restates Impact 4.1-1.
- 5-SMNA-118: This information was fully disclosed in the Draft EIR. Building height is described under “Building Design” in Section 3.3.4. Exhibit 3-5 shows the footprint of the buildings and associated infrastructure. Exhibits 4.1-4 through 4.1-7 show development of the site from several views. Finally, in Impact 4.1-2 under “Operation Impacts,” the first sentence states: ...” a significant portion of the project site would be developed with structures; associated parking areas, walkways, plazas, and

landscaping; a driveway; recreational facilities, including play fields and a youth camp; stormwater and wastewater treatment areas; two 5,000-gallon water tanks; and a cemetery. The proposed structures include a two-story 8,900 s.f. mosque that would include two domes at a maximum height of 35 feet...”

5-SMNA-119: The statement that the Cordoba Center project site is the only property within the San Martin Use Permit area that has a zoning overlay designation of d1 (design review required) is correct.

5-SMNA-120: See Responses 5-SMNA-28 and 5-SMNA-29 regarding drainage and flooding.

5-SMNA-121: Policy R-LU 119 is included on page 4.1-8 of the Draft EIR.

5-SMNA-122: The determination of whether or how the project is consistent with the San Martin Integrated Design Plan will be provided in a staff report to the Planning Commission.

5-SMNA-123: With respect to R-LU 120.1, potential effects to riparian habitat were addressed in Section 4.2b) of the Initial Study (Appendix A of the Draft EIR), which notes that the area identified for development does not contain riparian habitat. It should also be noted that because the project site is separated from the creek by the ridgeline and the proposed project would retain and treat stormwater runoff through its own drainage system, there would be no discharges by the project to the creek.

5-SMNA-124: Mitigation Measure 4.1-2 is designed specifically to address screening of all project structures as well as the youth summer camp. This mitigation measure has been updated to require preparation of a revised landscape plan and additional visual simulations prior to a public hearing before the Planning Commission to confirm that these performance standards would be achieved.

5-SMNA-125: The bathhouses are defined in the Draft EIR in Section 3.3.3 under “Youth Summer Camp,” where it is noted that separate 290-s.f. bathhouses would be provided, one for girls and one for boys; each would include shower and toilet facilities. It is also noted here that the canvas tents would be erected on the platforms only when camp is in session, which would be during up to nine, one-week camps per summer.

5-SMNA-126: See Response 5-SMNA-24. The water tanks are considered structures that would be subject to Mitigation Measure 4.1-2.

5-SMNA-127: The request is noted and is included in the Final EIR. Story pole requirements are described on page 4.-9 of the Draft EIR. The role of the Draft EIR is to analyze impacts of the proposed project; it is not a planning document with the authority to grant formal designations for scenic resources. The zoning of -d1 combining district on the subject site requires design review for all proposed structures to ensure consistency with the general plan policies for protections of scenic resources.

5-SMNA-128: Impact 4.1-2 characterizes the ridge as one of the scenic resources on the project site. With the exception of the summer camp and water tanks, the development footprint is

well below the ridgeline, including the portion that would be visible from off the project site. See Response 5-SMNA-124 above regarding screening of the summer camp and water tanks.

5-SMNA-129: Because of its general nature and lack of applicability to the proposed project, Policy C-RC 58 was not included in the Draft EIR.

5-SMNA-130: The comment is acknowledged. The Draft EIR concluded that aesthetic impacts would be either less than significant or less than significant with incorporation of mitigation.

5-SMNA-131: An analysis of the project's conformity with policies regarding Local-Serving Uses in Rural Districts will be provided in the staff report to the Planning Commission. See Response 4-LAFCO-2.

5-SMNA-132: See Response 5-SMNA-131.

5-SMNA-133: See Responses 5-SMNA-131 and 5-SMNA-132.

5-SMNA-134: The comment is acknowledged. Responses to the specific concerns on cumulative effects are provided below.

5-SMNA-135: The proposed RV Park (Patel) (File PLN15-2229) is located adjacent the project site. The Di Vittorio RV Park (File PLN18-10824) is proposed to be located on a parcel approximately ½ mile north of the Cordoba Center project site. It is a matter of speculation whether the Cordoba Center application is a catalyst for these proposed RV parks or any other project in the San Martin Area. The Draft EIR evaluates growth-inducing impacts in Chapter 5. Because it is located adjacent to the Cordoba Center project site, the Patel RV Park was included in the cumulative aesthetic analysis (Impacts 4.1-4, Impact 4.1-5, and 4.1-6).

5-SMNA-136: The Draft EIR evaluated aesthetic impacts based on the significance criteria listed on page 4.1-11. Whether the proposed project would have an appearance that is consistent with the rural character of southern Santa Clara County is a policy determination that will be made by the Planning Commission. Mitigation Measure 4.1-2 requires that the updated landscaping plan be consistent with the San Martin Integrated Design Plan.

5-SMNA-137: The Draft EIR evaluated reduced size alternatives in Chapter 6. These alternatives may be considered by the Planning Commission.

5-SMNA-138: The comment is acknowledged. Responses to the specific requests are provided below.

5-SMNA-139: The comment does not provide a reason why the SCVWD's plans regarding Llagas Creek are relevant to the analysis of the proposed project. Section 9.2e) of the Initial Study evaluated whether project development would create or contribute to runoff

water that would exceed the capacity of existing or planned stormwater drainage systems.

5-SMNA-140: The Central Coast Regional Water Quality Control Board has not provided comments on the Draft EIR. However, the Regional Board copied the County on a January 3, 2019 letter regarding the proposed project, which responded to a letter from the People's Coalition for Government Accountability. This letter is contained in Appendix E of this Final EIR.

5-SMNA-141: A letter from the California Department of Fish and Wildlife is included under Agency comments, and responses to those comments are provided on page 37 of this Final EIR.

5-SMNA-142: See Response 5-SMNA-127.

5-SMNA-143: A Local-Serving Threshold Alternative, involves the development of a much smaller religious center that meets the 75th percentile value for building floor area and people in the County's Local Serving Data document is evaluated in Section 6.4.2 of the Draft EIR. Alternatives involving removal of the cemetery or the campground were not evaluated because such alternatives would not reduce the one significant and unavoidable impact of the project, greenhouse gas emissions.

5-SMNA-144: The suggestions are acknowledged and are part of the record for consideration by the Planning Commission.

5-SMNA-145: The adequacy of the proposed wastewater treatment system is addressed in Impact 4.4-2, which found the system could meet County standards with implementation of Mitigation Measure 4.4-2. See Response to 3-LAFCO-2 regarding the project's water supply. The Draft EIR evaluated wastewater in Section 4.4. Regarding impacts to Llagas Creek, see Response 5-SMNA-123.

5-SMNA-146: As the project site and others in the vicinity historically were used for productive orchard use, there is substantial evidence to support the assumption that the orchard will be feasible and thrive. From a CEQA standpoint, although the orchard would provide some visual screening of the project site, because the orchard trees are deciduous, evergreen plantings will provide the primary screening of the project, per Mitigation Measure 4.1-2.

5-SMNA-147: Table 4-1 lists probably future projects considered in the development and analysis of potential cumulative impacts. The proposed Patel RV Park is included.

5-SMNA-148: The proposed Di Vittorio RV Park was not included in this list because it is located approximately ½ mile from the Cordoba Center project site. Therefore, it would not have the possibility of interacting with the proposed project to generate a cumulative impact (based on proximity and construction schedule).

- 5-SMNA-149: As noted under “Outdoor Lighting” on page 3-21 of the Draft EIR, outdoor lighting would include outdoor security lighting on buildings that is downward directed and shielded, and low voltage lighting in landscaped areas. Pole lighting in parking areas would also be directed downward and shielded. Impact 4.1-3 concluded that it was these features of the lighting plan in combination with adherence to County requirements that would reduce the impact to less than significant. The impact discussion notes additionally that some screening would be provided by trees lining Monterey Road and the project driveway.
- 5-SMNA-150: As discussed on page 4.2-4 of the Draft EIR under “Archaeological Resource Literature Review,” a Cultural Resource Evaluation was prepared by Archaeological Resource Management for the project site on October 15, 2007, and the results are discussed. Regarding unrecorded archaeological sites, Mitigation Measures 4.2-2a and 4.2-2b address the potential for ground-disturbance during construction to expose unknown, buried cultural resources.
- 5-SMNA-151: The PO Box in Galt is the address that was provided to the County by the Native American Heritage Commission, Native American Contacts.
- 5-SMNA-152: The comment is acknowledged. The County has complied with State requirements regarding tribal notification.
- 5-SMNA-153: The comment is acknowledged. The Cultural Resource Evaluation prepared by Archaeological Resource Management did not find such evidence on the project site. In addition, the proposed development observes a 150-foot riparian setback and is separated from Llagas Creek by a ridge.
- 5-SMNA-154: The County has determined that because no archaeological resources have been identified within the area of project development, the requirement to stop work and contact a professional archaeologist is sufficient mitigation for this impact. This requirement is contained in Mitigation Measure 4.2-2b.
- 5-SMNA-155: See Response 5-SMNA-12.
- 5-SMNA-156: The comment is acknowledged. The determination would be made according to the provisions of Section 15088.5. Recirculation of an EIR Prior to Certification in the CEQA Guidelines.



Resolution in Support of Cordoba Center San Martin

WHEREAS, The Freedom to worship as one chooses is a fundamental American right under the U.S. Constitution; and

WHEREAS, The South Valley Islamic Community has complied with all requirements and reviews necessary for the approval of the Cordoba Center, a new Islamic Community Center that they seek to build in San Martin, including reviews confirming no substantial impact to the surrounding ground water and traffic; and

WHEREAS, the South County Democratic Club stands in support of our neighbors who wish to peacefully practice their faith.

THEREFORE, be it resolved that the South County Democratic Club calls on all governmental bodies, agencies, and boards with jurisdiction to expeditiously approve the Draft EIR and all subsequent permit applications submitted in order to allow the South Valley Islamic Community to construct the Cordoba Center in San Martin.

ATTEST: Sousan Manteghi-Safakish, President of the South County Democratic Club

Signed: Sousan Manteghi-Safakish Date: 7-21-2018

Authored by: Kyle McElroy

4.2.6

Response to Comments from South County Democratic Club

- 6-SCDC-1: Approval of the EIR and proposed project will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Gemma Abels](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center
Date: Sunday, July 8, 2018 8:52:47 AM

Mr. Hoem,

Thanks to you and your staff for such a detailed and comprehensive study on the effects of the proposed Cordoba Center in San Martin.

It seems that any effects can be mitigated easily by the Silicon Valley Islamic Community is they continue their fight to build a place of worship that will serve families in South County for generations. The perseverance of this community to build a mosque is undeniable. Their leaders and congregation are willing to follow all guidelines and necessary changes to be in compliance (or above measures). This has been true throughout the length of this project.

The Islamic community is one that venerates the land and nature. It is simply discrimination and religious intolerance that brings groups like the Gilroy-Morgan Hill "Patriots" to continue their opposition to the building of this mosque. Since 2012 this group has targeted the South Valley Islamic Community even though they are built on small government and individual rights. In fact, they believe that their white privilege rights usurp the right of any other group in South County.

I will be out of town on July 12. Please note my name as supporting the building of the Cordoba Center.

Respectfully,
Gemma Abels

4.3.1 Response to Comments from Abels, Gemma

- 1-Abels-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Honna Afzal](#)
To: [CordobaEIRComments](#)
Subject: Support Cordoba Project
Date: Sunday, July 29, 2018 1:14:38 PM

Good Afternoon,

I live in rural Gilroy and I fully support the Cordoba Project based on the EIR findings. Cordoba project site is located in a sparsely populated area surrounded by mostly opens fields and industrial developments. There's more noise generated by traffic on Monterey Hwy and adjacent train tracks then with any proposed on-site activities. All outdoor lighting will be low impact and downward projected for minimal dispersion.

The EIR indicates *no significant impact with mitigation's* for this project being built. I request that the County again to approve this application for the Cordoba Center based on the scientific results stated in EIR findings. Cordoba Center is a good project that meets or exceeds all applicable regulatory ordinances and it serves specific needs of a local citizens, and it does not infringe upon the rights of the neighbors or the community at large. Thank you assistance. Honna Afzal, unincorporated Gilroy CA

4.3.2 Response to Comments from Afzal, Honna

2-Afzal-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Naeem Afzal](#)
To: [CordobaEIRComments](#)
Subject: In support of Córdoba center
Date: Sunday, July 29, 2018 1:11:30 PM

Hello

I live in unincorporated Gilroy and I fully support the Cordoba Project based on the EIR findings. Cordoba cemetery is designed to be aesthetically and ecologically friendly, providing an open space and natural habitats conservatory. It offers a sustainable model of natural burials, a growing trend in our society. There will be no above ground tombstones; natural flora and fauna of the land will be maintained. The EIR indicates no significant impact with mitigation's for this project being built which is the primary evidentiary document in the due process. I request that the County again to approve this application for the Cordoba Center based on the results stated in EIR findings, as it previously received unanimous approval of both the Planning Commission and Board of Supervisors. We urge your decision to be based solely upon empirical evidence and rule of law, and not opinions, not beliefs or baseless fears the opposition who have their own agenda.

Thank you for your time.

Naeem Afzal, unincorporated Gilroy CA

4.3.3 Response to Comments from Afzal, Naeem

- 3-Afzal-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name:

Noshaba

Organization (if any):

Address (optional):

City, State, Zip:

Gilroy, CA 95020

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

- Our family is in our 4th generation of farming & we live right here in the rural south county. I'm an educator & counselor who has served Public Schools locally for over 2 decades, and my family has also continued our farming tradition.
- We have thoroughly read the EIR and **we fully support** the Cordoba Project **based on the EIR facts**.
- We've heard some individuals express concerns about groundwater, cemetery, flooding, noise etc.
- As a mother, we take these concerns **VERY** seriously as **OUR children will be the first to be drinking any ground water**. In an effort to understand the base of these concerns, we have spent the last month personally meeting with **dozens** of neighbors to develop an understanding of the misconceptions being expressed.
- What's become **VERY clear** is the fact some of individuals who have fears, will continue to have fears, **REGARDLESS** of all the **Independent County** testing conducted by experts, and **regardless of the results proving, no significant impact with mitigations.**

(More space on reverse side)



- We have found the **small**, but loud, organized opposition who've tried intimidation & harassment tactics to silence any supporters, but we know they are NOT representative of the wonderful rural community we live in... The opposition has invited White Supremacists to our serene community to incite hate against the Muslim community on at least 2 occasions to oppose the project but they hide behind unfounded 'water' 'flooding' concerns. Most recently, their leader spoke at the public meeting & referred to pictures on posters they brought to show the flooding on Harding & California Ave-which is actually *several parcels away* (which is over 10+ away) from the Cordoba property. The Cordoba property is elevated and the highest point along Monterey Rd in San Martin according to the county maps. The elevation of San Martin lies at an elevation of about 86 m (**282 ft**) above [MSL](#). *Lowest* elevation point on Cordoba property: **lowest 300ft** to **highest point 385ft**. On average the Cordoba Property is 18-103 ft above the elevation of San Martin so it does not flood. This elevated *bedrock* hill also prevents any runoff from the property from flowing into Llagas Creek.
- The **vast majority** of our community at large who have read the EIR are fully supporting this project based on the facts vs fears.
- **We ask the county to approve this project based on the EIR findings** so we can finally build our place of worship; and continue to peacefully practice our faith in San Martin as the SVIC community has done for decades now. Thanks for your time.

Send comments to:

Christopher Hoem, Senior Planner
County Government Center, East Wing, 7th Floor
70 W. Hedding Street, San Jose 95110
CordobaEIRComments@pln.sccgov.org

4.3.4 Response to Comments from Afzal, Noshaba

- 4-Afzal-1: Groundwater quality is evaluated in Section 4.4 of the Draft EIR. Noise is evaluated in Section 4.5. Flood conditions are evaluated in Section 9.2 of the Initial Study (Appendix A of the Draft EIR).
- 4-Afzal-2: Flood conditions are evaluated in Section 9.2 of the Initial Study (Appendix A of the Draft EIR).
- 4-Afzal-3: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Sana Afzal](#)
To: [CordobaEIRComments](#)
Subject: Support Cordoba Center
Date: Sunday, July 29, 2018 1:00:10 PM

To whom it may concern,

I fully support the Cordoba Project based on the EIR findings. I live in rural Gilroy, and the fact that this project has facilitates that are much needed to provide local services to the community is critical for our basic rights to practice our religion peacefully. As additional safety measures, there will be an acceleration/deceleration lane built in front of the project site so vehicles entering and exiting the facility will not affect the flow of traffic on Monterey. The EIR indicates no significant impact with mitigation's for this project being built. It is a religious and constitutional right of the Muslim community to have this center built. I ask that the County approve this application for the Cordoba Center based on the results stated in EIR findings. Thank you!

Sana Afzal, unincorporated Gilroy CA

4.3.5 Response to Comments from Afzal, Sana

5-Afzal-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Nadi Akhter](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Project Facts on flooding and water contamination
Date: Monday, July 30, 2018 5:33:09 PM

To Planning Commission and Staff:

I am a realtor who work and reside in Rural South County and have closed several home transactions in the area.

- Per Department of real estate regulations, as part of each transaction it is disclosed to buyer and sellers if the property is in FEMA designated flood zone or not. This is a common practice and FEMA maps are considered as industry standard. **EIR report provides evidence that Cordoba Center site is NOT in the FEMA flood zone and is separated from Llagas creek by a Hill.** Upon physical visit to the site it is evident that this lot is one of the highest point along Monterey road in San Martin. 1
- **Per EIR the lateral and vertical separations of Cemetery from water table or another well, exceeds county and state limits by over 100% margin and pose no risk to ground water.** Cordoba Cemetery use natural burial methods and does not use any embalming fluids or ornate caskets. Embalming fluids and certain materials used in those caskets can be harmful for the environment. In contrast, Most County properties have septic tank within 50-100 feet of the drinking well and still pose no contamination risks besides what we pour down in our septic systems, human excrement and detergents, which are far worse to our health than a naturally biodegradable human body. Yet, we don't even think twice about it. 2
- US Geological Survey, California State Water Quality Board, Santa Clara Valley Water District, and most non- profit water conservation groups cite primary sources of ground water pollution to be agricultural fertilizers, animal manure, industrial waste, sewage plants, and septic systems. **Cemeteries are not listed as a source of significant ground water contaminants by these agencies. It is therefore not surprising that EIR has also found no significant impacts from the Cordoba Cemetery** 3

Based on above findings in EIR prepared by County designated professionals the Concerns of Flooding and ground water contaminations by the project opponents are Baseless and do not support any data on EIR. These concerns are false and intentionally created just for the sake of opposition and to spread fears among people.

I support Cordoba Center project because I find that Cordoba project is a unique and beautiful sanctuary in San Martin amidst an area dotted with industrial and commercial developments. The Cordoba cemetery provides an ecological conservatory and a model for environmentally friendly natural burials of our loved ones. 4

I encourage you to make your decision based solely upon empirical and scientific evidence ... not opinions, not beliefs

Thank you,

Nadi Akhter

Principal Broker

BRE#: 01879632

4.3.6 Response to Comments from Akhter, Nadi

- 6-Akhter-1: Flood conditions are evaluated in Section 9.2 of the Initial Study (Appendix A of the Draft EIR).
- 6-Akhter-2: The comment is acknowledged. Impact 4.4-4 evaluated operation of the proposed cemetery.
- 6-Akhter-3: The comment is acknowledged. Impact 4.4-4 evaluated operation of the proposed cemetery.
- 6-Akhter-4: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [nuzhat alavi](#)
To: [CordobaEIRComments](#)
Subject: BENEFITS OF CORDOBA CENTER
Date: Monday, July 30, 2018 1:04:09 AM

1. The Cordoba Center is a project that should be approved for just reasons of having a religious place of worship and meetings for the Muslim community of South County. There is no other place of worship for them and thus it is fair to have a place for them, like many other religious communities enjoy in South County, more specifically in San Martin. It is a place of worship which will NOT impact traffic, noise or light issues as per the DRAFT EIR results. It meets or exceeds all applicable regulatory ordinances. It is a constitutional right of any religious community to have a place of worship where there is none. In South County there is none for the Muslim community.
There is no other Muslim place of worship or Muslim burials in the South County area. On its completion, it will be a serene sanctuary in San Martin to contrast with an area dotted with industrial and commercial developments. About 15 acres of open space, preserving and promoting natural habitats, adding hundreds of native trees to enhance the the serenity and greenery of San Martin. 1
 2. As per the EIR results it will have no negative effect on the neighboring areas or the community at large. 2
 3. The Cordoba Cemetery is a natural burial place. NO embalming, NO caskets with lacquer and other paints which may leach into the earth. **It can be a model for environment friendly burial practice. Cordoba cemetery exceeds County's established safe ground water separation standards by a very significant margin, well over 100%.** 3
 4. Having the Cordoba Center will enhance social diversity to the area. We can learn about the practices of the Muslim community and create an atmosphere of understanding rather than an atmosphere of fear 4
-
- The total Building footprint at the Cordoba site is merely 4% of the available 16-acre site. • Total on-site improvements, including parking and recreational facilities, use only 24% of the site. • Cordoba project is among the least dense projects of its kind in all of South County. The proposed RV park next to the Cordoba project site will add 124 housing spaces and will use up virtually all of that 14-acre site. • The Boccardo Family Center down the road from the Cordoba site is another high-density, high intensity residential development in San Martin that has existed for many years. • Building size at the Cordoba Center is regulated by California Building Code for 300 persons capacity. • There are other religious institutions in San Martin (existing and in development) of similar size and capacity. • Cordoba Center is not a residential facility like the RV park or Boccardo Center. 5
 - It is supported by the results of the Draft EIR, the primary evidentiary document in the due process. • It has previously received unanimous approval of both the Planning Commission and Board of Supervisors.
 - Your decision should be based solely upon empirical evidence and rule of law... not opinions,

not beliefs.

4.3.7 Response to Comments from Alavi, Nuzhat

- 7-Alavi-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 7-Alavi-2: The comment is not specific about effects on neighboring areas evaluated in the Draft EIR.
- 7-Alavi-3: The comment is acknowledged. Impact 4.4-4 evaluated operation of the proposed cemetery.
- 7-Alavi-4: The comment is acknowledged; this is not a comment on the Draft EIR.
- 7-Alavi-5: The comment is acknowledged. See Response 7-Alavi-1.

From: [nuzhat alavi](#)
To: [CordobaEIRComments](#)
Subject: Yes on Cordoba Center
Date: Monday, July 30, 2018 1:20:54 AM

1. The Cordoba Center is a project that should be approved for just reasons of having a religious place of worship and gatherings for the Muslim community of South County. There is no other place of worship for them and thus it is fair to have a place for them, like many other religious communities enjoy in South County, more specifically in San Martin. It is a place of worship which will NOT impact traffic, noise or light issues as per the DRAFT EIR results. It meets or exceeds all applicable regulatory ordinances. 1
 2. It is a constitutional right of any religious community to have a place of worship where there is none. In South County there is none for the Muslim community.
There is no other Muslim place of worship or Muslim burials in the South County area. 2
On its completion, it will be a serene sanctuary in San Martin to contrast with an area dotted with industrial and commercial developments; about 15 acres of open space, preserving and promoting natural habitats, adding hundreds of native trees to enhance the the serenity and greenery of San Martin.
 3. As per the EIR results it will have no negative effect on the neighboring areas or the community at large. 3
 4. The Cordoba Cemetery is a natural burial place. NO embalming, NO caskets with lacquer and other paints which may leach into the earth. **It can be a model for environment friendly burial practice. Cordoba cemetery exceeds County's established safe ground water separation standards by a very significant margin, well over 100%.** 4
 5. Having the Cordoba Center will enhance social diversity of the area. We can learn about the practices of the Muslim community and create an atmosphere of understanding rather than an atmosphere of fear 5
-
- The total Building footprint at the Cordoba site is merely 4% of the available 16-acre site. • Total on-site improvements, including parking and recreational facilities, use only 24% of the site. • Cordoba project is among the least dense projects of its kind in all of South County. The proposed RV park next to the Cordoba project site will add 124 housing spaces and will use up virtually all of that 14-acre site. • The 6

Boccardo Family Center down the road from the Cordoba site is another high-density, high intensity residential development in San Martin that has existed for many years. • Building size at the Cordoba Center is regulated by California Building Code for 300 persons capacity. • There are other religious institutions in San Martin (existing and in development) of similar size and capacity. • Cordoba Center is not a residential facility like the RV park or Boccardo Center.

- It is supported by the results of the Draft EIR, the primary evidentiary document in the due process.

- It has previously received unanimous approval of both the Planning Commission and Board of Supervisors.

- **Please base your decision solely upon evidence supplied, and rule of law.**

4.3.8 Response to Comments from Alavi, Nuzhat

8-Alavi-1: See Response 7-Alavi-1

8-Alavi-2: See Response 7-Alavi-2

8-Alavi-3: See Response 7-Alavi-3

8-Alavi-4: See Response 7-Alavi-4

8-Alavi-5: See Response 7-Alavi-5

8-Alavi-6: See Response 7-Alavi-6

8-Alavi-7: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [nuzi alavi](#)
To: [CordobaEIRComments](#)
Subject: Yes On Cordoba Center
Date: Monday, July 30, 2018 1:18:45 AM

1. The Cordoba Center is a project that should be approved for just reasons of having a religious place of worship and gatherings for the Muslim community of South County. There is no other place of worship for them and thus it is fair to have a place for them, like many other religious communities enjoy in South County, more specifically in San Martin. It is a place of worship which will NOT impact traffic, noise or light issues as per the DRAFT EIR results. It meets or exceeds all applicable regulatory ordinances.

1

2. It is a constitutional right of any religious community to have a place of worship where there is none. In South County there is none for the Muslim community.

There is no other Muslim place of worship or Muslim burials in the South County area.

2

On its completion, it will be a serene sanctuary in San Martin to contrast with an area dotted with industrial and commercial developments; about 15 acres of open space, preserving and promoting natural habitats, adding hundreds of native trees to enhance the the serenity and greenery of San Martin.

3. As per the EIR results it will have no negative effect on the neighboring areas or the community at large.

3

4. The Cordoba Cemetery is a natural burial place. NO embalming, NO caskets with lacquer and other paints which may leach into the earth. **It can be a model for environment friendly burial practice. Cordoba cemetery exceeds County's established safe ground water separation standards by a very significant margin, well over 100%.**

4

5. Having the Cordoba Center will enhance social diversity of the area. We can learn about the practices of the Muslim community and create an atmosphere of understanding rather than an atmosphere of fear

5

• The total Building footprint at the Cordoba site is merely 4% of the available 16-acre site. • Total on-site improvements, including parking and recreational facilities, use only 24% of the site. • Cordoba project is among the least dense projects of its kind in all of South County. The proposed RV park next to the Cordoba project site will add 124 housing spaces and will use up virtually all of that 14-acre site. • The

6

Boccardo Family Center down the road from the Cordoba site is another high-density, high intensity residential development in San Martin that has existed for many years. • Building size at the Cordoba Center is regulated by California Building Code for 300 persons capacity. • There are other religious institutions in San Martin (existing and in development) of similar size and capacity. • Cordoba Center is not a residential facility like the RV park or Boccardo Center.

6

- It is supported by the results of the Draft EIR, the primary evidentiary document in the due process.

- It has previously received unanimous approval of both the Planning Commission and Board of Supervisors.

7

- **Please base your decision solely upon evidence supplied, and rule of law.**

4.3.9 Response to Comments from Alavi, Nuzi

9-Alavi-1: See Response 7-Alavi-1

9-Alavi-2: See Response 7-Alavi-2

9-Alavi-3: See Response 7-Alavi-3

9-Alavi-4: See Response 7-Alavi-4

9-Alavi-5: See Response 7-Alavi-5

9-Alavi-6: See Response 7-Alavi-6

9-Alavi-7: See Response 8-Alavi-7

From: [Carla Aliberti](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center Project
Date: Monday, July 30, 2018 12:58:54 PM

I live in Morgan Hill (South County) but I lived in San Martin for 15 years prior.
I have read the Talking Points and I believe that the proposed project is lawful and should be approved.

Carla Aliberti


4.3.10 Response to Comments from Aliberti, Carla

10-Aliberti-1: Comments in support of the proposed project will be considered by the Planning Commission when it considers whether or not to approve it.

From: [Peter Anderson](#)
To: [CordobaEIRComments](#)
Subject: SVIC Cordoba Center, San Martin
Date: Saturday, July 28, 2018 2:47:33 PM

To: Members of the County of Santa Clara Planning Department

Re: Cordoba Center, San Martin

I would like to express my support for the Cordoba Center in San Martin as proposed by the South Valley Islamic Center (SVIC).

As a 40-year resident of Morgan Hill I have studied a myriad of development proposals for our region, including the Hayes Valley Ranch to Corde Val golf course, various Sargent Ranch proposals, the failed Chiala subdivision proposal, John Fry's AIM "castle", and many more. In the process, I have developed strong confidence that our governmental review processes ultimately generate good decisions.

As a California licensed engineering geologist (CEG #1189) I have been involved as a consultant for many proposed land development projects, and I have been involved in the technical review of many such proposed projects for local jurisdictions. Over the years I and my company have worked as geologic and geotechnical peer review consultants for half a dozen Bay Area cities (including Morgan Hill) and three counties. Twenty five years ago I prepared a set of geologic hazards maps for the City of Morgan Hill and subsequently helped them develop the geologic hazards ordinance that is in effect today.

I have been following the Cordoba project since its initial proposal almost 15 years ago, and it is my professional opinion that the conclusions of the Ascent Environmental report are reasonable: environmental impacts associated with the project are either low or can be mitigated to become low.

As an observer of the general public's response to the potential social change implied by the introduction of anything different, I have concerns but not fears. It is human nature to be cautious. But our American society has experienced social change with every wave of immigration and every introduction of different ideas and different cultures. It has defined the very fabric of our society since the birth of our nation, and ultimately we have benefited from it. In the large scale from allowing women to vote, assimilating minority immigrants, to the election of a Catholic President and later an African-American President. And in the small scale by the introduction of religious and ethnic minorities to our communities, and election of those minorities to our local governing bodies.

As an individual who has lived in two different cultural environments (Catholic Argentina and Moslem Nigeria), I am pleased with the observation that my fellow Americans are more accepting of social change than those in the other two other communities. That being said, it is important to note that acceptance of ethnic, racial or religious minorities doesn't happen easily and isn't proven until those minorities are welcomed into the host communities.

Religious freedoms are guaranteed by founding documents of our country, and it is every American's responsibility to abide by those principles and by the accompanying rules. I was saddened to hear prejudicial remarks against Moslems at the public hearing in Morgan Hill on July 11, but not surprised. It is common when there has been little exposure to Moslems or other minorities. It is apparent that such prejudices don't go away until their owners have had the experience of observing and interacting with individuals belonging to that religious minority. When that occurs, over time they realize that their new neighbors are Americans just like they are. Just like the Hindu Americans living in their midst. And Jewish Americans. And Sikh Americans. And Buddhist Americans. They are Americans like everyone else, just choosing to worship in a different house than the majority Christian Americans. Our Moslem Americans need to be

welcomed into our community.

According to Accent Environmental, the proposed Cordoba Center conforms with all pertinent County requirements, so the SVIC property owners should be awarded their development rights.

2

The Cordoba Center offers the opportunity for us South County residents to interact with this American minority group, so the project will peacefully augment one tiny facet of the on-going social change that has always defined our country.

3

I strongly support the Cordoba Center project.

I would be terribly disappointed in our jurisdictional review process if the project is denied.

Very truly yours,

Peter C. Anderson

A solid black rectangular box used to redact the signature of Peter C. Anderson.

Morgan Hill, CA 95037

4.3.11 Response to Comments from Anderson, Peter

- 11-And-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 11-And-2: The adequacy of the EIR will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 11-And-3: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

Cordoba Center

We are longtime residents of San Martin (44 years).

San Martin is a quiet, rural area that raises horses, cows, pigs, sheep, goats and chickens. It is a great area for 4-H and FFA children.

We are all on private wells which we maintain ourselves. In the past few years we have had lots of problems with our water and we are still trying to clear it up. We all have to have bottled water delivered for drinking and cooking.

We feel that the Cordoba Center will contribute to more contamination of our water with their burial beliefs. This is a pilot program for them. Nobody knows what will happen to our water once those bodies start leaching into our water. The EIR can't say it will do nothing when this is new to them. Once it is built who will be responsible for our water.

My other concern is traffic. The traffic has gotten worse out here with commuters taking the back roads to avoid the back up on the freeway. Bring in 500 or more people to go to the Mosque and that is going to make more traffic. 101 and Monterey road always has a lot of traffic, we do not need to add more cars on our roads.

My next concern is the trailer park. Why do they need a trailer park? Is it for people to live in? More money for them, no money for San Martin.

I understand that they need a place to pray but we feel that this is too large a project for San Martin. We do not have that many Muslims in our community.

I also feel that they should have to go through the same procedures that everyone else has to go through to get a permit. I do not see that happening. Also the number of people using this facility keeps going up. Started with 60 people now it is 500. It will be more when it gets built. When they have a burial everyone comes from all over, not just the local Muslim community which are only 90 people. They plan to bury 5,000 people there. That is a little excessive. This HAS to have an impact on our community. They say that they need this facility for South County but they have a facility in Evergreen, Blossom Valley, San Jose, Santa Clara. They do not need one here. Especially one that size. The people of San Martin SHOULD have a say on what comes into our community. It should only be projects that benefit the people of San Martin. Not San Jose to Hollister. . It is no benefit to the people of San Martin, Morgan Hill or Gilroy. All the other churches in our area let us use their community centers but we will not be able to use theirs.

At the last meeting in Morgan Hill, the citizens of San Martin were not rude like the Morgan Hill Times wrote in their paper. The Muslim people were very rude. We are talking about our environment, they were talking about religion. We are not bigots like they seem to think we are. We are just concerned about our community.

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4.3.12 Response to Comments from Anonymous

- 12-Anon-1: The comment is acknowledged.
- 12-Anon-2: Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.
- 12-Anon-3: Traffic impacts are evaluated in Section 4.6 of the Draft EIR. As shown on Table 3-2 of the Draft EIR, attendance of 500 would be for Eid Prayers, which would occur only twice a year. Attendance at most events would range from 100 to 300.
- 12-Anon-4: The proposed Patel RV Park has no connection to the Cordoba Center project other than being proposed on neighboring parcels.
- 12-Anon-5: The comment regarding the size of the project is acknowledged.
- 12-Anon-6: The proposed project is subject to the same permitting requirements and procedures as any other project that would require a Use Permit from the County.
- 12-Anon-7: The size of the Cordoba Center proposal has not changed since the application for a Use Permit was submitted to the County in 2016. Text changes have been made to page 3-5 of the Draft EIR based on an updated cemetery plan submitted by the applicant in July of 2018 (Appendix C of this Final EIR). The updated cemetery plan shows the maximum density of graves would be 562 per acre for a total capacity of 1,996 grave sites. Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 12-Anon-8: The comment is not a comment on the Draft EIR.

From: [Sandhir, Manira](#)
To: [Hoem, Christopher](#); [Rader, David](#); [Eastwood, Rob](#)
Subject: Fwd: Cordoba Center in San Martin
Date: Thursday, June 21, 2018 3:29:16 PM

Fyi...

Awkwardly sent from my iPhone

Manira Sandhir, AICP
Principal Planner
Santa Clara County - Planning and Development
(408) 299-5787

Begin forwarded message:

From: Rebeca Armendariz [REDACTED]
Date: June 21, 2018 at 2:42:22 PM PDT
To: manira.sandhir@pln.sccgov.org
Cc: mike.wasserman@bos.sccgov.org, [REDACTED]
Subject: Cordoba Center in San Martin

Good Afternoon,

I am a lifelong Gilroy resident, and my property lies on the northern city limits of Gilroy and the County line. I am writing to express support for the Cordoba Center to be built in San Martin.

I think the mosque and cultural center would be a beautiful addition to our county, both architecturally and culturally, as a place of culture and worship for our residents and visitors.

I understand that the EIR found "no significant impacts" from the project and therefore the application should not encounter any threat of rejection from the County. I have reviewed the plans and they also look aesthetically pleasing and in concert with the landscape and developments nearby on Santa Teresa Boulevard.

The applicant has done its due diligence and appears to be vested in our community. They deserve to be granted approval for all of the reasons stated above.

Thank you,

4.3.13 Response to Comments from Armendariz, Rebeca

- 13-Arm-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name: Aziz Baameur

Organization (if any):

Address (optional): [REDACTED]

City, State, Zip: Morgan Hill, CA 95037

E-mail: [REDACTED]

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

Dear Mr. Christopher Hoem, Senior Planner.

Regarding the cemetery 5 year trial.

I would like to comment on one aspect of the report regarding the cemetery. As it is now, the Muslim community is restricted to no more than 30 burials a year. If in 5 years, the monitoring wells show no effect, the number can go up to 50.

I would respectfully suggest a downward stepwise method as a more statistically sound approach. In this approach, the tester would start with highest level thought to trigger a response, 50 burials/year, if such a number is ever attained.

If no above background levels nitrate is detected the agreed upon period, then 50 burials per year would be the norm.

If, However within a year or two of the trial, negative impact is detected, and no mitigating approaches can remedy the situation, then a downward stepwise approach would be adopted. The number would go down to the next reasonable level. In this case it would be 45 or 40 for the remainder of the trial period.

Again, if no impact over the remainder of the trial period, no further action is required. This number would be the basis of recommendation. If detection there is a positive presence of nitrate during this period, a lower value would be used. The cycle would repeat as many times as needed until a no-detection point is reached.

I think the stepwise approach would save time, effort, and expense.

Regards, Aziz Baameur

4.3.14 Response to Comments from Baameur, Aziz

14-Baameur-1: See Response 2-DB-23.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name: Aziz Baameur

Organization (if any):

Address (optional):

City, State, Zip: Morgan Hill, CA 95037

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

Dear Mr. Christopher Hoem, Senior Planner.

Reading the County staff EIR report, it is obvious to the casual reader that the various agencies that work on the Cordoba Center future site did not find any problem with the design, construction, and components of the project. "No significant impact" kept coming back at each aspect of the evaluation.

I would like to commend the different agencies and entities that generated the underlying data for the Cordoba Center EIR report. It certainly helped focus the discussion on objectively scientific methods stripping the dialogue of antagonism and mistrust. It consistently concluded that this project will pose no significant impact on the environment, traffic, water flow, erosion, noise, light pollution, esthetics or visual obstruction, or air pollution. Furthermore, it clearly states that in the unlikely event a negative impact occurs, mitigation efforts as outlined in the report will be enacted.

I respectfully ask that you stick to the outlined recommendation as stated in the EIR.

Regards, Aziz Baameur

4.3.15 Response to Comments from Baameur, Aziz

15-Baameur-1: The adequacy of the Environmental Impact Report will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [AK Baameur](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center Project
Date: Sunday, July 29, 2018 2:56:57 PM

Dear members of the South County Planning Commission,
I have lived in South County for the past 16 years, and am a member of SVIC (South Valley Islamic Center).

I attended the July 12th hearing about the EIR report for the Cordoba Center Project in San Martin. I'd like to address two issues that seem to be the most important concerns (the ground water and flooding) for the residents of San Martin.

I noticed that the pictures of the flooded areas that were held up during the hearing by the San Martin residents were deceptive in that the flooded areas shown in the pictures were not on the Cordoba Project site, but were further south on California Ave. Also, the people's concern about a cemetery on the land affecting the ground water is based on fear rather than facts. Muslim burials do not use any embalming fluids (great contaminants) or ornate caskets (made with harmful materials), therefore, Muslim burials are less harmful to the environment.

When making your decision about this project, please keep in mind that the Cordoba Center Project meets or exceeds all regulatory ordinances that apply. The EIR found no flooding risk at the project site, and the Proposed Cordoba Project cemetery exceeds the county's established safe ground water separation standards by over 100%.
Thank you,
Kathy Baameur

Sent from my new Underwood itypewriter

4.3.16 Response to Comments from Baameur, Kathy

16-Baameur-1: The comments regarding community concerns are acknowledged. The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Melisse Basso](#)
To: [CordobaEIRComments](#)
Subject: Comments on the Draft EIR
Date: Monday, July 2, 2018 12:30:09 PM

February 13, 2017

County of Santa Clara
Department of Planning and Development
Attn: Jim Reilly
County Government Center
70 West Hedding Street
San Jose, CA 95110

Ref: File 2145 - Cordoba Center and File 2229 - Patel RV Park

Dear Mr. Reilly,

We have been a resident of San Martin for over 18 years. We have already had to deal with the perchlorate issue, which to this day has not been fully taken care of. We have a well on our property and have such high amounts of nitrates in our water, that we must purchase bottled water for everything. We can't drink our water, cook with our water, or clean our fruits and vegetables with our water. In light of this, we now have to be concerned about other environmental affects on our drinking water due to the proposed Codoba Center and cemetery.

We agree with Mr. Martin Grant's assessments and the following represents our concerns as well:

1. Riparian zone, septic systems, storm water run-off and water usage

Installing multiple commercial sized septic systems on a concentrated area, requires thorough study. The proximity of the Cordoba septic system to the Llagas Creek and the elevated location of the leach lines are bordering on the minimum separation distance from the creek. Note: the creek is at elevated levels due to the current seasonal run-off. The rain water run-off from both projects has always been a concern for decades. The historic trend is for both properties to drain in a south-westerly direction into the three adjoining properties on the west side of both projects. Pooling occurs at the NW corner of California and Colony Aves. even after rainfall in drier years. The run-off then continues to eventually pool at a 12" culvert

running under California Ave. Photos and videos are available that show this run-off in the current season as well as the past multiple drought years. Projected water usage of both properties needs to be critically analyzed. Will both properties be serviced from their own independent wells? The addition of literally multiple hundreds of individuals in a concentrated area and their respective annual water usage will severely tax a centralized aquifer.

3

2. Cemetery

The addition of a concentrated burial area, and the effects on area run-off and ground water, lends added concern since all adjoining properties utilize wells. The addition of the cemetery effectively condemns the property in perpetuity. The ablation facility on the property is near a residential well. Photos are available of standing water at the perc test site in the recent drought years. What is the expected burial rate? Once the cemetery is full – what happens? What does the State require vs the County in terms of cemetery construction and monitoring? Does State Law usurp County Law concerning cemetery requirements? Does the cemetery require a separate EIR? What are the implications of the Cordoba Center approval without the approval of a cemetery? Does the property owner know that the City of San Jose has approved a new non-denominational cemetery, yet undeveloped, in the remote hills near Cinnabar Hills Golf Course? This is a much more fitting location for a cemetery rather than on a major thorough fare of the South County regardless of the rural residential “country” setting.

4

We oppose this center for the reasons listed above and think the county should reconsider moving this center to another better suited area.

5

Sincerely,

Melisse Basso

4.3.17 Response to Comments from Basso, Melisse

- 17-Basso-1: Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center. Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.
- 17-Basso-2: The comment is not specific about concerns regarding the issues of the riparian zone, septic systems, storm water run-off and water usage. All of these topics are evaluated in the Draft EIR and Initial Study.
- 17-Basso-3: Impacts to groundwater quality from the on-site wastewater treatment system were evaluated under Impacts 4.4-2 and 4.4-3, and implementation of respective mitigation measures would reduce these impacts to less than significant. The septic system maintains more than the minimum required setback of 100 feet from Llagas Creek. See Response 36-Groen-13. Water supply is addressed in Section 18.2d) of the Initial Study (Appendix A of the Draft EIR). Potable water would be supplied by West San Martin Water Works. Landscape irrigation would be provided by rehabilitation of an existing on-site well. The effects of the proposed project on groundwater supplies are evaluated in Section 9.2 b) of the Initial Study.
- 17-Basso-4: Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant. It is not clear from the comment what the ablation (sic) facility is that it is being referred to. The comment does not explanation the relationship of standing water in the perc test site to the evaluation of environmental impacts in the Draft EIR. The burial rate is set at 30 per year for the first 5 years, as discussed in Mitigation Measure 4.4-4. If the cemetery were to reach capacity, no more burials could take place. See Response to 58-Lefaver-6 regarding State regulations on cemeteries. As part of the proposed project, the cemetery is evaluated in this Draft EIR and does not require a separate EIR. See Response 36-Groen-5.
- 17-Basso-5: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Jeff Berta](#)
To: [CordobaEIRComments](#)
Subject: Córdoba Center EIR findings
Date: Monday, July 30, 2018 2:49:03 PM

To Whom it may concern,

I'm writing this letter in support of the Córdoba Center. My family lives in unincorporated San Martin/Gilroy and we are Muslim. Our mosque is currently in a converted barn. The Córdoba Center is very important to me because it will provide a place for our community to pray, have fellowship and a local place to be buried.

Another reason for me writing this letter in response to the findings of the EIR. The opponents of the project have cited various reasons for not wanting the Córdoba Center. These issues include contaminating the water, flooding, too much noise/light, increase in traffic, etc.. However, the EIR report has clearly proven that the opposition's concerns though heard are not justified given the facts. Therefore, due to the findings of the EIR it is imperative that you support and approve the building of the Córdoba Center.

Thank you for your time.

Jeffrey Francis Berta

4.3.18 Response to Comments from Berta, Jeff

- 18-Berta-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name:

Claudia Blodgett

Organization (if any):

Address (optional):

355 Roosevelt Av

City, State, Zip:

San Martin, CA 95046

E-mail:

claudiablodgett@gmail.com

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

Looking over the traffic EIR, I am wondering about the accuracy of the information. The peak AM traffic times cited were between 7am to 9 am, with the project peak time between 6am to 7 am. It would seem the traffic study should have collected information from 6am to 8 am. I generally commute to San Jose about this time and seems there is more traffic at these earlier times than suggested by the report.

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I am also wondering the days of the study, as it is not clear to me. The days (if reading correctly) seem to have fallen on a week containing the start of a holiday, suggesting less traffic. Many of the schools were

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(More space on reverse side)



off starting on March 30, 2018. If they studied in 2017, there was a
“no school” day on March 31, 2017. How many drivers decide to
take a few extra days or the week when there is ‘freebie’ day in the
week?

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The last concern, and more importantly, is the consideration of
the second project of the RV park located at the corner of California
and Monterey. Was this project also included in the numbers?

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Are there any recommendations for making it safe to turn north
northbound from California? Would there be a recommendation of
center merge lane? How can we make it safer to turn right onto
California when going south bound?

4

Send comments to:

Christopher Hoem, Senior Planner
County Government Center, East Wing, 7th Floor
70 W. Hedding Street, San Jose 95110
CordobaEIRComments@pln.sccgov.org

4.3.19 Response to Comments from Blodgett, Claudia

- 19-Blod-1: A typical traffic AM peak period is between 7 and 9 am. As the commenter notes, the AM peak hour on Monterey Highway is earlier. Based on the traffic counts, the AM Peak Hour occurred between 5:45 and 6:45 AM on Tuesday and Thursday and between 6-7 AM on Wednesday. The traffic volumes for these time periods were averaged and used as the AM peak hour volumes in the analysis. The times of the counts are shown on the count sheets. Please refer to Appendix F of this Final EIR.
- 19-Blod-2: The counts were conducted from February 11 through February 16, 2017. The President's holiday was on February 20. The dates of the counts are shown on the count sheets. Please refer to Appendix F of this Final EIR.
- 19-Blod-3: The traffic volumes on Monterey Highway were increased by a growth factor of 1.2 percent per year for 18 years for the cumulative analysis to take into consideration of proposed projects such as the Patel RV park.
- 19-Blod-4: The Draft EIR evaluated the intersection of California Avenue only to the extent that vehicles exiting the right-turn-only project driveway would make U-turns there in order to travel north. The Draft EIR did not identify a safety impact of the project with respect to vehicles turning north or south from California Avenue because even with the increase in traffic volume from the proposed project, Monterey Road would continue to operate at Level of Service B. The County of Santa Clara Roads and Airports Department has not identified a need for safety improvements at the intersection of California Avenue and Monterey Road, such as a center merge lane or signalization.

From: [Linda Cambareri](#)
To: [CordobaEIRComments](#)
Cc: [Wasserman, Mike](#)
Subject: Cordoba Project San Martin
Date: Sunday, July 29, 2018 4:32:46 PM

I live across the street from this proposed sight. I am concerned with the draft EIR for the following reasons:

Is the cemetery going to have cement around the graves? In their plan it does but was told it will not and they are changing the plan.

There will be an increase in Nitrates however the mitigation is to bury bodies up higher in the NE corner? And then what? Who will monitor that? With no added tax revenue I doubt that will happen. It will be almost impossible to prove that the cemetery caused my water to have an increase in Nitrates but We will all we know it came from the cemetery.

The mitigation concerning noise after 10 pm is to put no parking signs up. I actually laughed out loud at that.

I find it concerning that this same group that wants to put an enormous building and cemetery is at a sight now that was remodeled and HAS NO PERMIT FOR IT!!

Do you think they will follow anything you have to say? They clearly have no respect for the county.

The traffic portion in the draft EIR is concerning as well. They do not see traffic an issue even though 90% will come from Gilroy, Watsonville and Morgan Hill and only 10% from San Martin?

San Martin (and the county) will receive no tax revenue, how will they make sure they are following all the rules the county lays out?

I lived next to someone here in San Martin that continually operated without licenses from the county. They had loud large gatherings without the proper licenses and even sold Alcohol without a permit. It took me years for the county to do anything about it. Do I have to go through this again?

I do not feel the EIR even took into account the RV PARK (no tax revenue for the county either by the way) that is proposed next to Cordoba. Traffic, noise Sewer issue etc.

The integrated design plan does not allow multi housing, and let us be clear that is what an RV park here is.

San Martin has dealt with water contamination before, shouldn't the county go the extra mile for us? What has been done about MH sewer line failing and spilling sewer on our streets?

Now we are adding more crap here?

I moved here because I wanted to get away from overcrowding. I commute a long way for it. Now I am in the midst of losing clean drinking water, and peace.

This is not a place for an enormous building and cemetery. The cemetery should be in a place where they have city water, and city sewer do you not agree?

Please reference my letter below concerning the cemetery.

1

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copy of letter Sent to Mike Wasserman and Robert Robertson (CA Water quality)

I am concerned about the Safety of the resident's water in San Martin with respect to the Cordoba Project. It appears the County is using San Martin residents as guinea pigs for Cordoba's **experimental – one of a kind - type cemetery** they have proposed.

Please review "Impact of cemeteries on groundwater contamination by bacteria and viruses – a review. Jozef Zychowski and Tomasz Bryndal"

https://www.researchgate.net/publication/277713489_Impact_of_cemeteries_on_groundwater_contamination_by_bacteria_and_viruses_-_a_review that warns of the dangers of what this project proposes.

1. Please send me a copy of the County's current studies done at the proposed site of the Cordoba Project confirming the proposed cemetery **will not contaminate the groundwater of San Martin resident's wells.** If none exist, state none exist. What studies, if any, does the County proposes to implement re **this** issue and when?
2. Tell me where I can find current cases in the United States where the same circumstances as the proposed Cordoba cemetery are currently in effect and operating safely. (i.e. cemetery location, soil type, no city water or sewer services available at site, dead buried directly in the ground (no caskets) using concrete casing to stabilizes the walls of each grave, distance to neighboring resident's well, etc.) If none exist, please state none exist.

If no cemeteries exist in the U.S. with the same circumstances as this proposed cemetery, and no studies have been done to prove the cemetery won't contaminate the resident's well water, how can the County guarantee the safety of the resident's groundwater in San Martin?

I look forward to your response.

Thank you Linda Cambareri



San Martin CA

4.3.20

Response to Comments from Cambareri, Linda

- 20-Camb-1: The proposed cemetery would not have cement around the graves. Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the potential nitrate impact to less than significant. Nitrate concentrations were evaluated based on different annual burial rates (see Table 4.4-2). Burials would start in the northeastern corner of the cemetery and proceed down-hill (southerly) to maintain the maximum buffer distance between the graves and the westerly property line. Monitoring wells (three within the cemetery area; two along the westerly property line; and one along the southerly property line) would collect data on nitrate concentrations. If at any time the groundwater nitrate concentration at monitoring wells along the westerly property line exceed 7.5 mg-N/L, the monitoring wells shall be re-sampled and burials shall cease until monitoring results show the groundwater nitrate concentrations have dropped below the 7.5 mg-N/L evaluation criterion. The rate of 30 burials per year established in Mitigation Measure 4.4-4 is expected to limit localized groundwater nitrate concentrations to less than 7.5 mg/L at the nearest potential water well location (50 feet into adjoining properties) assuming 25 percent nitrogen removal through soil absorption, denitrification, and plant uptake, as shown in Table 4.4-2.
- 20-Camb-2: The general comment regarding noise mitigation is acknowledged.
- 20-Camb-3: The comment is acknowledged; however, it is not a comment on the Draft EIR.
- 20-Camb-4: Impact 4.6-2 concluded that the project would have a less-than-significant impact on the level of service of the surrounding roadway system. The comment does not explain why the trip distribution developed by Fehr and Peers (Figure 2 of the traffic study in Appendix E of the Draft EIR) should lead to a different impact determination.
- 20-Camb-5: The cost of post-approval monitoring and reporting to the Planning Commission to ensure adherence to conditions of approval is funded by the project proponent.
- 20-Camb-6: The comment is acknowledged; however, it is not a comment on the Draft EIR.
- 20-Camb-7: The Draft EIR considered the proposed Patel RV Park in a number of cumulative impact evaluations in Chapter 4, including under Impacts 4.1-4, 4.1-5, 4.1-6, 4.4-5, 4.5-5, 4.4-6, and 4.6-6. The question of whether the RV Park would be in conformance with the San Martin Integrated Design Plan is not within the scope of the Cordoba Center project or the Draft EIR.
- 20-Camb-8: Impacts to groundwater quality from the on-site wastewater treatment system were evaluated under Impacts 4.4-2 and 4.4-3, and implementation of respective mitigation measures would reduce these impacts to less than significant. Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant. Any deficiencies with

the Morgan Hill sewer line is an existing condition not related to the proposed project.

20-Camb-9: The comment is acknowledged; however, it is not a comment on the Draft EIR.

20-Camb-10: Section 3.3.6 of the Draft EIR describes the project's water supply and wastewater generation and treatment. Section 4.4 provides further detail regarding these issues and includes mitigation measures 4.4-2, 4.4-3, and 4.4-4 to address potential wastewater groundwater impacts.

20-Camb-11: Regarding the comments in the referenced letter, see Responses to 114-Zilliox-2 and 115-Zilliox-3.

From: Valeria Kira
To: CordobaEIRComments
Subject: FW: Cordoba Cemetery San Martin
Date: Monday, July 30, 2018 4:37:49 PM

From: Linda Cambareri [REDACTED]
Date: July 29, 2018 at 3:55:08 PM PDT
To: mike.wasserman@bos.sccgov.org, John.Robertson@waterboards.ca.gov
Subject: Cordoba Cemetery San Martin

Dear Supervisor Wasserman and John Robertson:

I am concerned about the Safety of the resident's water in San Martin with respect to the Cordoba Project. It appears the County is using San Martin residents as guinea pigs for Cordoba's **experimental – one of a kind - type cemetery** they have proposed. Please review "Impact of cemeteries on groundwater contamination by bacteria and viruses – a review. Jozef Zychowski and Tomasz Bryndal"

https://www.researchgate.net/publication/277713489_Impact_of_cemeteries_on_groundwater_contamination_by_bacteria_and_viruses_-_a_review that warns of the dangers of what this project proposes.

1 Please send me a copy of the County's current studies done at the proposed site of the Cordoba Project confirming the proposed cemetery **will not contaminate the groundwater of San Martin resident's wells**. If none exist, state none exist. What studies, if any, does the County proposes to implement re **this** issue and when?

2 Tell me where I can find current cases in the United States where the same circumstances as the proposed Cordoba cemetery are currently in effect and operating safely. (i.e. cemetery location, soil type, no city water or sewer services available at site, dead buried directly in the ground (no caskets) using concrete casing to stabilizes the walls of each grave, distance to neighboring resident's well, etc.) If none exist, please state none exist.

If no cemeteries exist in the U.S. with the same circumstances as this proposed cemetery, and no studies have been done to prove the cemetery won't contaminate the resident's well water, how can the County guarantee the safety of the resident's groundwater in San Martin?

I look forward to your response.

Linda and Joe Cambareri
[REDACTED]

1

2

4.3.21 Response to Comments from Cambareri, Linda

21-Camb-1: See Response to 114-Zilliox-2.

21-Camb-2: See Response to 115-Zilliox 3.

From: [Nichola Carpendale](#)
To: [CordobaEIRComments](#)
Subject: cordoba center
Date: Monday, July 23, 2018 4:56:46 PM

To; Chris Hoem

I am writing to voice my support for the Cordoba Center in San Martin based on the facts in the EIR.

1

thank you,
Nichola Carpendale
Morgan Hill

4.3.22 Response to Comments from Carpendale, Nichola

22-Carp-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Laura Changaran-Quemada](#)
To: [CordobaEIRComments](#)
Subject: Noise question/comment
Date: Monday, July 30, 2018 4:53:22 PM

Dear Sir,

I have one question regarding the proposed Cordoba Center in San Martin, CA. Will there be a Muslim call to prayer broadcast five times a day? I have a concern regarding this issue. Please let me know.

Regards,

Laura Quemada

[REDACTED]

Morgan Hill, CA
95037

4.3.23 Response to Comments from Changaran-Quemada, Laura

23-Chan-1: The project does not propose to broadcast a call to prayer five times a day. No outdoor amplified sound is proposed.

From: [K chivo](#)
To: [CordobaEIRComments](#)
Subject: Mosque
Date: Monday, July 30, 2018 8:16:11 AM

First I want to start with this process has been one sided from the start. Some of the meetings its as if the county is building a free hospital for the world. I have never seen so many country resources lined up to support a project. In the past those who would use a specific church move in to the area buying houses and starting businesses until the area has a population that clearly supports a need for a church. In this case they are forcing this project in an area where there at best couple local residents who will use it. The county is acting like a religious building should by pass any law and laws should be changed to meet whatever the religious project wants. Our laws were not made for this purpose. They were enacted not to allow buildings for those who wish to promote a religion but to keep the government from knocking down doors and arresting people because of their religion. They are in place to stop the government not to force the public to submit to the will of a religion.

1

Items:

1. Sound system - At every meeting we are assured mostly by some county official there will be no out door sound system. As if they are trying to ease the public fears of having to listen to a call to prayer 5 times a day. This is a joke because they sound system will not be outside the speaker will be inside and project the sound outside. We know from the past if the mosque is built once it is there they will do as they wish I live close to the site at night I hear the freeway the sound bounces off the hills. In the past when there were activities at the Ludwig ranch I could hear the music to the point of having to close windows to watch TV. I have little doubt once the mosque is in place I will hear the call to prayer over everything while sitting in my living room.

2

2. Clearly the grave yard is a huge problem, not only will this effect land values who will want to buy a home rows of dead bodies. This is the most obscene miss use of public influence. I wonder what the county board would do if their neighbors began burring dead animals in their front yards. I can bet there would be swift action.

3

3. The RV park - this is being over looked by everyone I feel. What is the connection with the RV park to the mosque ? Does the RV park have a religious exemption? If the RV park is allowed in an area where on an acre I cannot build a second home can I now place 30 or 40 small homes on my lot and turn it into small home complex ? If the county is allowing the RV park then each lot owner in San Martin should be allowed to add an equal amount of trailers or homes to their lots. Why not turn San Martin into cheaply built high density housing. The county is not willing to support the current land use limits when a country supervisor supports a development projects it seems only fair there every land owner be giving the same privilege to profit from placing as many units as they can fit on each acre. I would gladly add 30 units to my lot and rent them out.

4

The RV park is over 100 spaces which will bring more than 400 people ?

4. Mosque bathrooms - At the last meeting the details of the bathroom facilities are not public could this be because it will give a clear indication of the level of attendees expected. One of the most obscene comments I have seen from the county was when one of the country officials opined he used the bathroom before going to church so the restroom facilities were not important. This is the kind of crazy mindset showing a clear biased by the country. It is clear there have been some sort of marching orders in support of the mosque project.

5

5. Where is the money funding the mosque coming from ?

6

6. Changing how the public land surrounding the mosque is used - everyday I see people jog in this area around the mosque mostly during the day time and more than half are women. Having spent time in muslim countries I have little doubt this is likely to become a problem at some point. I have witnessed muslims attempt to attack tourist because she was not covered.

7

We have seen in other cities where in muslim areas they establish their own No go areas by harassing anyone

they feel should not use the area. This can be seen in places like Dearborn Michigan. I think before the country and the planning commission vote on this project they should visit places like Dearborn and ask the residents who were impacted how they feel about these types of projects. I have little doubt at some point this project will cause my family to leave California. Being disabled once I sell my home I will not be able to afford to live in California

7

7. I would like to see public disclosure of every county official who has taken money from those in support of the mosques who anyone who will profit in anyway from the mosque construction.

I am not a religious person. The county should not business be in the region business supporting religious projects is not the job of a government. County employees and elected should be prevented from attending and supporting any type of religious event as part of their official duty. It's one thing to allow people to choose a religion but the government should not be allowed to promote any type or religion.

8

The last meeting I attended a woman in the back of the room yelled "Allah Akbar" clear meant as an insult. The reaction of one of the Mosque supporters was as expected he was upset and his reaction was to the point I began to wonder just how safe it is to oppose the mosque. We have seen in the past violent attacks when someone opposes Islam. in this case it was the behavior of this man who was visibly upset and ready to fight. the only thing that I believe stopped him was he could not figure out who made the comment . The same man latter went to the mic to address the group publicly where he claimed the term, " Alah Akbar" was meaningless, this is the kind of dishonestly that causes distrust. Why would he be so upset if he did not take the comment as an insult. You have to be living in a cave to not know the term is used as a battle cry of sorts. The same term maybe interchangeable but it goes to show the mindset.

9

When it comes to religion there may be positives but as an intelligent people we should be progressing away from things we know are not real.

forgive my typos my disability limits the time I can spent authoring a letter.

4.3.24 Response to Comments from Chivo, K.

- 24-Chivo-1: The comment is acknowledged.
- 24-Chivo-2: No outside sound system is proposed. Assembly uses, such as religious institutions, community buildings, and auditoriums generally have indoor amplification. Impact 4.5-4 evaluated long-term increases in noise levels from on-site sources. As discussed in the 3rd paragraph on page 4.5-16 of the Draft EIR and as shown in Table 4.5-10, indoor noise was estimated to be less than 35 dBA L_{max} at the nearest sensitive receptor, which is below the 45 dBA L₅₀ (nighttime standard).
- 24-Chivo-3: Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.
- 24-Chivo-4: The proposed Patel RV Park has no connection to the Cordoba Center project other than their proposed location on neighboring parcels. With that in mind, the Draft EIR considered the RV park in a number of cumulative impact evaluations in Chapter 4, including under Impacts 4.1-4, 4.1-5, 4.1-6, 4.4-5, 4.5-5, 4.4-6, and 4.6-6.
- 24-Chivo-5: Floor plans showing bathroom stalls in the mosque, community building, caretaker's resident, and summer camp bathhouses are available for public review at the County Planning Office and on the Planning Department's web site (<https://www.sccgov.org/sites/dpd/Development/Current/Pages/2145.aspx>). The Draft EIR evaluated the wastewater discharge of all bathroom use.
- 24-Chivo-6: How the project is funded is not relevant to the project's environmental review.
- 24-Chivo-7: The comment does not regard an environmental issue required to be addressed under CEQA.
- 24-Chivo-8: The County is required by law to consider applications for proposed projects. This does not constitute the promotion of religion.
- 24-Chivo-9: The comment does not regard an environmental issue required to be addressed under CEQA.

From: [Gabriel Clark](#)
To: [CordobaEIRComments](#)
Subject: Yes
Date: Friday, July 20, 2018 4:23:42 PM

The proposed mosque and center would be a great addition to South Santa Clara.
The delays must stop. In the words of Moses, " Let my people go".

FYI I am a cis-gendered white male of 63 and a registered voter.

Gabriel Clark

4.3.25 Response to Comments from Clark, Gabriel

25-Clark-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

7/25/12

Item No. 13

Supplemental Information No.

4

Regadanz, Lynn

From: Philip Coop (pcoop) [REDACTED]
Sent: Monday, September 24, 2012 11:44 AM
To: Wasserman, Mike
Cc: Supervisor.Shirakawa; Cortese, Dave; Supervisor Yeager; Kniss, Liz; Regadanz, Lynn
Subject: Cordoba Project and Groundwater Concerns for upcoming Board Meeting

"10 August, 2001, 08:29 GMT09:29UK

Water tainted by corpse bacteria

DanescourtCemetery, where the tests were carried out

BBC West Midlands science correspondent David Gregory reports

Scientists studying a graveyard inWolverhamptonhave found that water is being contaminated underground by bacteria from decaying bodies.

The finding has come from the first ever study of the impact of graveyards on groundwater.

Two years agoDanescourtCemeteryon the edge ofWolverhampton suffered massive subsidence in heavy rain.

Scientists from the British Geological Survey (BGS) were called in to determine what happened.

At the same time it was decided to take advantage of this opportunity to place bore holes in the cemetery and test the groundwater some 10 metres below the surface.

They discovered the water was contaminated with bacteria, including faecal streptococci indicating a human source.

The groundwater also contained Staphylococcus aureus, a bacterium found on human skin this is responsible for most hospital-acquired infections and it is unusual to find it in groundwater.

Julian Trick, from the BGS, said: "We found bacteria which, along with other analyses, indicate a human source.

"We suspect now that bacteria involved in the decaying process are actually reaching the groundwater."

According to the World Health Organisation, the groundwater was so badly affected it was described as "heavily contaminated".

Dear Supervisor,

I am writing to you to address the potential contamination that can be posed to the residence on San Martin, especially those of us that live in close proximity to the Cordoba center proposal to have a cemetery on the premises. I believe that a proper study wasn't conducted to the neighboring wells based on seasonal changes and during flooding off of California Ave. The above article is from the BBC that shows that bacterial contamination is possible and has been shown in testing. The World Health Organization has also done studies in this matter and believes that there is potential for groundwater contamination. I don't feel that proper testing has been done during all seasonal changes and worse case flooding to safely allow a cemetery on this property.

I have included links to the WHO report along with reports from Portugal, England and Ohio for your review.

[http://whqlibdoc.who.int/euro/1998-99/eur_icp_ehna_01_04_01\(a\).pdf](http://whqlibdoc.who.int/euro/1998-99/eur_icp_ehna_01_04_01(a).pdf)

<http://research.chemistry.ohio-state.edu/reel/research-modules/environmental-chemistry/student-1/group-26/>

<http://publications.environment-agency.gov.uk/PDF/SCHO0404BGLA-E-E.pdf>

[http://waylandwells.com/WaylandWells/Get_Involved_files/Groundwater%20Contamination%20from%20Cemeteries%20-%20Case%20Studies%20\(2010\).pdf](http://waylandwells.com/WaylandWells/Get_Involved_files/Groundwater%20Contamination%20from%20Cemeteries%20-%20Case%20Studies%20(2010).pdf)

Regards,

Philip Coop
San Martin Resident

4.3.26 Response to Comments from Coop, Phillip

26-Coop-1: See Response to 114-Zilliox-2. The comment does not provide an explanation for how Impact 4.4 has any connection to existing conditions of flooding off of California Avenue.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.

Name:

LON DAVIS

Organization (if any):

Address (optional):

City, State, Zip:

SAN MARTIN, CA 95046

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

1
MY CONCERNS & COMMENTS ARE RELATIVE TO THE VISUAL EFFECT OF
THE STRUCTURES PROPOSED FOR THIS PROJECT. THE EIR DOES NOT REALLY
REVIEW THE CHARACTER, STYLE, SIZE, SITING, ETC. OF THE STRUCTURES.
THE EIR REFERS TO THE COUNTY'S DESIGN REVIEW PROCESS TO REQUIRE
APPROPRIATE SITING & DESIGN WHICH WOULD REDUCE POTENTIAL
IMPACTS. HOWEVER THE PLANS I HAVE SEEN TO DATE FOR THIS PROJECT
DO NOT APPEAR TO BE CONSISTANT WITH THE SAN MARTIN INTEGRATED
DESIGN PLAN & GUIDELINES OR COUNTY GENERAL DESIGN REVIEW
STANDARDS FOR RURAL DEVELOPMENT RELATIVE TO THE ARCHITECTURAL

(More space on reverse side)



County of Santa Clara
Department of Planning and Development

1 STYLE, MASSING, & SITING OF THE STRUCTURES FOR THIS RURAL AREA. I WAS ON THE SAN MARTIN PLANNING COMMITTEE FOR 16 YRS. DURING WHICH TIME THE SAN MARTIN GUIDELINES WERE DEVELOPED. NOBODY INVOLVED WITH FORMING THOSE GUIDELINES (STAFF, CONSULTANTS OR COMMITTEE) WOULD HAVE EVER ENVISIONED OR CONSIDERED THIS STRUCTURE, AS PROPOSED, TO BE CONSISTENT WITH THE RURAL CHARACTER INTENDED FOR THIS AREA.

2 THE USE OF TREES FOR SCREENING (AFTER SEVERAL YEARS GROWTH) SHOULD NOT BE USED IN LIEU OF A BLDG. MORE CONSISTANT WITH THE INTENTION OF THE GUIDELINES. IN REGARD TO THE RIDGELINE DEVELOPMENT THE EIR INDICATES MOST OF THE STRUCTURES ARE TEMPORARY HOWEVER THE SUMMER, WHEN IN USE, IS THE TIME WHEN MORE PEOPLE ARE ACTIVE OUTSIDE INCREASING THE CHANCE OF VISUAL INTERACTION WITH THE RIDGELINE. THE EIR CONSIDERS THIS A MINOR IMPACT BUT WHY IS IT NECESSARY AT ALL. WITH A 15 ACRE SITE THERE MUST BE SOMEWHERE BESIDES THE RIDGE THAT THE CAMP COULD BE LOCATED.

Send comments to:

Christopher Hoem, Senior Planner

County Government Center, East Wing, 7th Floor

70 W. Hedding Street, San Jose 95110

CordobaEIRComments@pln.sccgov.org

4.3.27 Response to Comments from Davis, Von

27-Davis-1: Impact 4.1-2 evaluated developing the structures and other facilities on the project site that are identified on Exhibit 3-5 of the Draft EIR. Visual simulations from four different views around the project site show the structures in their proposed locations. With implementation of revised Mitigation Measure 4.1-2 (see text edits in Section 3.0), evergreen trees would be planted (consistent with the San Martin Integrated Design Plan and Guidelines) that would eventually grow to a height that would substantially screen the proposed structures from visibility year-round. This would reduce impacts associated with changes to the character of the site to a less-than-significant level. The landscape screening is used to address the visual impact under CEQA. Consistency of the mosque, community building, and other structures with Architecture and Site Approval standards and the San Martin Integrated Design Plan and Guidelines is a separate process that will be conducted by staff with recommendations included in the staff report to the Planning Commission.

From: [Mari Decker](#)
To: [CordobaEIRComments](#)
Subject: Mosque
Date: Tuesday, July 10, 2018 12:23:33 PM

With regards to the proposed Mosque to potentially be located at California and Monterey aroad in San Martin I have a few questions. It is my understanding (and please correct me if I'm wrong), that this faith believes in burying their dead without anything but a linen shroud between it and the earth. Again, correct me if I'm wrong, but isn't San Martin's water supply all well and ground water? Won't the combination of these two issues be a problem for the citizens of San Martin? Is there any preventative measures being considered? This is truly horrifying to me if nothing is planned to be done to prevent "leaching." With California being such an environmentally conscious state, I can't believe nobody is talking about this.

I believe if these questions aren't adequately answered the press should be notified of this potential environmental impact and then possibly the real solution can be found.

Sincerely,

Mari Decker
San Martin, CA

[Sent from Yahoo Mail on Android](#)

4.3.28 Response to Comments from Decker, Mari

28-Decker-1: Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant. This analysis incorporated the burial practice proposed by the project proponent, which is that the shrouded body is removed from the coffin and placed directly on dirt at the bottom of the grave (see page 3-19 of the Draft EIR for additional details on the burial process).

From: [Michael Diegnan](#)
To: [CordobaEIRComments](#)
Subject: Cordoba EIR Comments
Date: Wednesday, May 30, 2018 3:53:51 PM

Hello,
I am completely for approval of EIR for the Cordoba project and looking forward to the meeting July 12th.

Regards,
Michael Diegnan

4.3.29 Response to Comments from Diegnan, Michael

29-Diegnan-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Michael Diegnan](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Project
Date: Wednesday, July 18, 2018 1:17:05 PM

Hello,
I believe the Cordoba project should be approved. Much of the opposition is just plain bigotry. I have see it first hand. They have done the EIR and it appears to be a solid plan for development.

Michael Diegnan
[REDACTED]
Morgan Hill CA. 95037

4.3.30 Response to Comments from Diegnan, Michael

30-Diegnan-2: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

Mr. Chris Hoem
Santa Clara County Planning Office
County Government Center
70 W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

Re: Concerns Regarding Proposed Cordoba Center in San Martin, CA

Dear Mr. Hoem,

As owners of the property directly adjacent (Southwest) to the proposed center location, and the closest well to the proposed cemetery (350 ft.), we have serious concerns about the ways in which this project is going to impact our safety and quality of life. After reading the draft Environmental Impact Report (EIR), we remain unconvinced that this project as it is currently proposed will not present a significant detriment to the quality of our well water our as well as the already difficult traffic situation on Monterey Hwy.

1

Our households are totally dependent on water from wells that are in the direct path of rain runoff over and through the proposed location of the cemetery, especially the residential well at the back of our property. Over the years, our family has, on more than one occasion, relied on that well when our other well had mechanical problems or went dry. Consequently, we are extremely concerned that the combination of the proposed wastewater treatment facilities and cemetery will not only produce groundwater nitrate levels in neighboring wells far in excess of acceptable limits but also flow directly into our principal water sources.

2

We understand that there has been an extensive effort to mitigate potential groundwater contamination in the surrounding area, but the supporting data and spurious estimates in the draft EIR do not, in any way, alleviate our concerns. Moreover, this EIR has no provision that mandates regular water testing as well as the disclosure of regular water test reports. In that regard, this project has absolutely no mechanism to provide ongoing support to its claim that the project presents no significant water quality impact. In other words, you are asking us to take your word for it, now and forever.

3

This project also does not exist in isolation. An RV park housing 124 units is also currently being proposed for the lot next to the Cordoba Center and directly behind our property. As it stands, the draft EIR fails to take into consideration the potential cumulative effects posed by the combination of these projects on our water quality.

4

We also recently became aware of a proposal by Brandenburg Properties to develop a new memorial park located in San Jose near Bailey Avenue and Mc Kean Road. The Heritage Oaks Memorial Park will include a non-denominational cemetery on approximately one-hundred acres that will serve a multitude of religious and ethnic groups.

5

Heritage Oak Memorial Park is an interconnected, environmentally sustainable, and multi-denominational space designed to support a variety of burial practices. In this regard, Heritage Oaks—which has already been unanimously approved—addresses environmental sustainability concerns, presents no significant impact to any residential water sources, and provides a respectful and positive space for communities to preserve and honor their legacies.

In addition to our concerns about water safety, this project also presents a number of traffic concerns. As any resident of California Ave will attest, the traffic situation for us on Monterey Hwy is already unsafe. Cars travel in excess of 70 mph down Monterey and taking the California Ave exit is an already difficult and dangerous task—so much so that we have to use the bus stop as a deceleration lane. During events that may draw a large number of people to the Cordoba Center, we are concerned that the deceleration lane will not be sufficient to support the amount of traffic, dangerously compounding conditions along that stretch of Monterey during peak traffic hours.

6

Furthermore, you mention that Monterey Hwy is situated in a sparsely populated part of town. While that may be true in terms of population density, Monterey Hwy is a principal thoroughfare for commuters. As a commuter who uses Monterey Hwy every day, I can attest to the density of cars traveling along Monterey. The introduction of the entrance into the Cordoba Center—lane or otherwise—compounds the traffic problems in that area. And, again, this project does not exist in isolation. If the proposed RV park is also approved, there will be another entrance/exit along Monterey as well as an

7

entrance on California. The cumulative effects of these two projects represent a major impact on traffic flow and safety to us and our neighbors, not to mention the quality of our lives and every other resident of California Ave.

7

In consideration of the aforementioned concerns and the availability of well-conceived alternatives, we would like to advocate the use of this new cemetery by members of the Cordoba Center in lieu of the proposed cemetery at the center in San Martin. The Heritage Oaks cemetery would be easily accessible from the Cordoba Center via Monterey Road and Bailey Avenue, and would sufficiently provide important memorial services to our community without impacting our homes or surrounding environment.

8

With regard to our concerns about traffic flow, we ask that the EIR traffic assessment is redrafted to account for the actual traffic conditions on Monterey Hwy rather than population density as well as the cumulative effects created by the Cordoba Center in conjunction with the RV park. If those findings then present significant traffic problems, we request that additional traffic lanes, as well as additional acceleration and deceleration lanes, be added to Monterey to accommodate residents and commuters alike.

9

Sincerely,

The Diven Family
275A California Avenue
San Martin, CA

4.3.31 Response to Comments from Diven

- 31-Diven-1: Responses to specific comments on the Draft EIR are provided below.
- 31-Diven-2: The Draft EIR provides extensive review and analysis of potential impacts from the proposed cemetery and on-site wastewater treatment system (see Section 4.4 and Appendix F). The water quality analysis and mitigation measures were peer-reviewed by SCVWD groundwater specialists and Central Coast Regional Water Board staff. The resulting recommendations and requirements err on the safe side in regard to groundwater protection by imposing an ongoing monitoring and assessment program and phased cemetery burials as specified in Mitigation Measure 4.4-4 and summarized in Response 31-Diven-3.
- 31-Diven-3: The issues raised in this comment are addressed in Mitigation Measure 4.4-4, which requires (a) phased sequencing of cemetery burials from east to west, (b) restriction on the number of burials to 30 per year for the first five years, and (c) on-going water quality monitoring and evaluation to determine the potential effects of the cemetery on local groundwater conditions, with adjustment to operations as warranted. Mitigation Measure 4.4-4 requires regular (quarterly) reporting of results to the County Department of Environmental Health for review, along with requirements for additional sampling and restrictions on burials in the event of non-compliant test results. As a referral agency, SCVWD would receive the monitoring report when it is submitted to the Planning Office as part of post-approval project monitoring.
- 31-Diven-4: The commenter is referred to page 4.4-28 of the DEIR for review of potential cumulative impacts on groundwater quality posed by the proposed project. Further detail on the methodology, analysis and results are provided in Appendix F (Questa, 2017a). The cumulative impact analysis takes into consideration the combined effects of the proposed project, the neighboring RV Park proposal, and the existing 14 nearby rural residential properties located west and southwest of the project site.
- 31-Diven-5: The comment is acknowledged. The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level. See Response 31-Diven-3.
- 31-Diven-6: Use of the proposed project driveway would affect vehicles turning right from Monterey Highway to California Avenue and using the bus stop area as a deceleration lane because the driveway is approximately 600 feet north of the California Avenue intersection. See Response to 115-Zill-1.
- 31-Diven-7: Traffic counts were conducted to measure the amount of traffic traveling on Monterey Highway and used in the traffic analysis. The existing traffic volumes on Monterey Highway were increased by a growth factor of 1.2 percent per year for 18 years for the cumulative analysis to take into consideration proposed projects such as the RV park. The intersection analysis evaluates how the driveway would affect traffic on Monterey Highway. Impact 4.6-2 concluded that the project's impact on

level of service on Monterey Road would be less than significant. Impact 4.6-6 evaluated road safety hazards of the project driveway in conjunction with the project driveway of the proposed Patel RV park and concluded that the impact would be less than significant. The traffic analysis required as part of environmental review of the proposed Patel RV park would similarly evaluate the impacts of its added driveway in conjunction with the Cordoba Center project.

31-Diven-8: See Response 31-Diven-5.

31-Diven-9: Please see Responses 31-Diven-6 and 31-Diven-7.

From: [David Eby](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center Comments
Date: Sunday, July 29, 2018 2:04:17 PM

I live approximately a block away from the proposed project site and have done so for over 30 years. As such I have been following this proposed project with interest and attended the various meetings where the proposal has been discussed.

1

I had come to accept the proposed, at the time, 500 grave site cemetery given the nature of the burials and departure from the accepted standard practices. While it does not directly impact me, the property does flood from winter rains, some years more extensively than others, but it does flood. I do not know of any proposed remedy or mitigation to address the flooding as it relates to this project.

2

The original plans depicted a single story ranch style structure to be used for prayer, reflection, occasional celebrations and events for the congregation. Members of the congregation stated that they wanted a place of their own for a small group. There are many such places and structures for religious gathering scattered throughout the San Martin area. In fact one is just a 1/2 block from my home. All of them that I have seen fit into and blend with their surrounding neighborhoods and embrace the rural nature of our community.

3

I was shocked when I saw the current proposal. The new cemetery proposal is 8 1/2 times greater at over 4000 burials. The structure proposal is now 2 stories with a large plaza, play fields, youth camp, bath house and I'm sure more. The structure size itself is many times more than the original proposal. No longer is this a place for a small congregation, as they presented themselves, to practice their faith, but rather a recreational facility. This project no longer fits into the surrounding neighborhood or the rural nature that the master plan for San Martin set forth.

4

Further, less than a mile North, on Monterey Road, is property available, outside of San Martin, that is much more suited to this proposed project. It would fit the nature and character of the neighborhood at that location.

5

Given that this current proposal does not fit the immediate area with its rural atmosphere, and that a site is available that is much better suited to this purpose, I oppose and strongly encourage that this project be rejected.

6

David Eby

4.3.32 Response to Comments from Eby, David

- 32-Eby-1: The general comment is acknowledged.
- 32-Eby-2: See Response 5-SMNA-28.
- 32-Eby-3: The comment regards a previous version of the project. Draft EIR evaluated the currently proposed project.
- 32-Eby-4: A revised cemetery site plan (see Appendix C of this Final EIR) indicates that the cemetery capacity would be 1,996. See Response 32-Eby-3.
- 32-Eby-5: The Draft EIR considered the possibility of an off-site alternative (Section 6.3.1 on page 6-5) but found it to be infeasible because the project site is the only vacant property SVIC owns. In addition, text has been added to this section to explain that a different project site would not avoid or reduce the significant and unavoidable impact of greenhouse gas emissions, and would likely involve similar impacts to other environmental resources (all of which would be mitigated to less-than-significant levels).
- 32-Eby-6: Comments in opposition to the proposed project will be considered by the Planning Commission when it considers whether or not to approve it, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Tim Edes](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center
Date: Monday, July 30, 2018 12:36:02 PM

I am NOT in favor of the Cordoba Center for the following reasons....

- | | |
|--|---|
| 1. more un-needed traffic in a rural area of our County | 1 |
| 2. The "non-casketed" burial grounds will be detrimental to the water table. Common sense would tell you that without a study. | 2 |
| 4. Noise pollution.....especially from "call to prayers" that will eventually happen | 3 |

Tim Edes

4.3.33 Response to Comments from Edes, Tim

- 33-Edes-1: The Draft EIR evaluated traffic in Section 4.6.
- 33-Edes-2: Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.
- 33-Edes-3: The Draft EIR evaluated project noise in Section 4.5.

From: [Swanee Edwards](#)
To: [CordobaEIRComments](#)
Cc: [Wasserman, Mike](#); [Sanford, Elizabeth](#)
Subject: Public comments re: The Cordoba Center in San Martin
Date: Wednesday, July 11, 2018 1:56:32 PM

Dear Santa Clara County Planning Commission and the Honorable Mike Wasserman, Supervisor District1,

I am a resident of Morgan Hill. I live within walking distance of the Cordoba Center site in unincorporated San Martin. I would like to comment on the proposed Mosque Site and the proposed plan to build on this site:

We are in total and complete support of the Cordoba Center. After nearly 13 years as a member of the PCAG (Perchlorate Community Advisory Group) that successfully mitigated the contamination of San Martin water (wells) I am especially concerned about the Environment both, of our water and our air, and have found no reason to be concerned at all about the plan or the proposed cemetery.

After 12+ years of Community outreach, and re-application for the Use and Building permits, and now with the information in the DEIR, we feel that this project is sound and that the SVIC has gone above and beyond to assure the County and the residents that this will be a good project for the Community.

Thank you for your hard work for this underserved community, and while there will continue to be unhappy attitudes regarding this Mosque, we are confident that once it is built, the community will rally in support.

Ever Onward,

Swanee Edwards
Morgan Hill, CA 95037

4.3.34 Response to Comments from Edwards, Swanee

34-Edwards-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [AK Baameur](#)
To: [CordobaEIRComments](#)
Subject: letter of support for EIR
Date: Monday, July 30, 2018 2:02:57 PM

On Jun 29, 2018, at 3:21 PM, Susan Fletcher [REDACTED] wrote:

Dear Friends,

These past 30 years, I have enjoyed a wonderful friendship with my dear friend Nuzi Alavi. Over the past 12 years Nuzi, and her fellow Muslims have been working on acquiring land and building their own place of worship in San Martin. The Muslim community has been very active in the South Valley Interfaith Community. The interfaith events offered an opportunity to learn about the many faiths practiced, and enjoy meeting people of other faiths living in our neighborhoods. All the necessary codes and studies for the center have been done and approved. They have diligently fulfilled all requirements necessary for the commencement of construction of THE CORDOBA CENTER, a multi use facility including a worship area, meeting rooms, a library on 1/8 of the 16 acre property. The remaining acreage will have gardens, open space and a cemetery. Following are more details about the project and the announcement of informative meetings to which all of you are invited, warmly welcomed, and encouraged to attend.

Thank you for your attention.

Susan

4.3.35 Response to Comments from Fletcher, Susan

35-Fletcher-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Julia Garcia](#)
To: [CordobaEIRComments](#)
Subject: Islamic Center in San Martin
Date: Friday, July 20, 2018 1:41:01 PM

Our family living in Morgan Hill are not in support of the building of the Islamic Center in San Martin. We are concerned about the effect it will have on our already poor infrastructure, traffic, the ground water and our safety.

1

Julie Garcia

4.3.36 Response to Comments from Garcia, Julia

36-Garcia-1: The comment is not specific about what impacts to infrastructure would occur. Impact 4.6-2 evaluated the project's impact on level of service on Monterey Road and concluded it would be less than significant. The Draft EIR evaluated the hazards associated with site access under Impact 4.6-3. Implementation of Mitigation Measure 4.6-3 would reduce this impact to a less-than-significant level. Impacts to groundwater quality from the on-site wastewater treatment system were evaluated under Impacts 4.4-2 and 4.4-3, and implementation of respective mitigation measures would reduce these impacts to less than significant. Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.

July 30, 2018

Mr. Chris Hoem
Santa Clara County Planning Office
County Government Center
70 West Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

Rebuttal and Comments to the proposed Cordoba Center Project in San Martin, CA

Please note all of the listed “talking points” in this document are raised by the applicant and proponents of the Cordoba Project. They are copied verbatim and commented on exactly as presented in their document.

Talking Points Key Areas of Discussion:

1. Ground Water
2. Flooding
3. Traffic
4. Noise & Lighting
5. Size & Intensity
6. Cordoba Cemetery

Note: You’re advised to identify only your area of residence (South County), and not your home address.

Rebuttal and Comments provided by:

Martin Groen

[REDACTED]

San Martin, CA 95046

Executor RJ Groen Trust et al

This parcel shares its entire eastern boarder with the proposed Cordoba site

How to Describe the Project:

- It is a unique and beautiful sanctuary in San Martin amidst an area dotted with industrial and commercial developments.

Please note: Industrial buildings are located to the east across Monterey Road. One large commercial building has recently been demolished.

- It dedicates over 15 acres of land to open space, preserving local hillsides and the rural character of San Martin.

What is the total footprint of all development proposed on the site – buildings, camp ground area at top of hill – possible influence to hilltop sight lines, parking lots, road way, septic system, impervious area?

1

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- It promotes plant ecology and natural habitats by planting hundreds of native trees next to the busy Monterey Road commercial corridor.

Please note: The applicant's wording lists Monterey Road as "busy" – hence the DEIR requirements for construction of a deceleration lane into the property. We also applaud the construction of an acceleration lane to the south toward California Ave. A traffic speed study was conducted a few years ago on both north and south bound Monterey. Speeds in both directions appear to be above posted limits at all times of the day.

- The Cordoba cemetery provides an ecological conservatory and a model for environmentally friendly natural burials of our loved ones.

Please note: There is a viable alternative to adding a limited capacity cemetery to the Cordoba site. The City of San Jose has approved a new public cemetery on McKean Road proposed by Brandenburg Properties – Heritage Oaks Memorial Park. We have confirmed in writing with the management of Brandenburg Properties construction start is scheduled to begin in 2020. A document listing the Environmental Stewardship Commitments for the cemetery is available on their web site.

Draft EIR: <http://www.sanjoseca.gov/documentcenter/view/37223>

<https://www.brandenburg-properties.com/in-development-california> (see pdf document)

Comments from Brandenburg officials:

"In response to your inquiry, be advised that the planned Heritage Oaks cemetery will move forward.

It's approved City of San Jose PD Zoning envisions a project spanning 102 acres on a 275 acre site encompassing a vast majority of acres to remain as natural open space.

The 102 acres of cemetery set high above the Coyote Valley—though not visible from it—contemplate a largely non-denominational place of eternal rest to serve our entire Santa Clara County population for generations to come.

We contemplate PD permit likely in 2020 with construction to commence shortly thereafter.

Will the cemetery include an option for green burial?

Absolutely. A growing trend that must and will be accommodated. Again, we're not out to deliver a product that sets burial practices, rather is sensitively responsive to both long held burial practices and respectful of growing trends".

Please also note: No other houses of worship located in San Martin have cemeteries located on or associated with their sites.

- It utilizes sustainable energy sources for its operation, and recycled water for irrigation of its extensive botanical preserves.

****Please note: The recycled water for irrigation will be generated on site. It is essentially their processed septic system water to be dispersed across the entire property for irrigation. This irrigation water and related sight runoff will be added to and incorporated into the existing aquifer.***

- It adds social and cultural diversity to our neighborhood.
- It facilitates much needed local services to the community.

1. Ground Water:

- Everyone in rural area has a septic system and many also have water wells on the property, often within 50- 100 feet of each other.

****Please note: A large septic system will be added to the property to handle the projected attendance. HOWEVER – The potable water feed to the Cordoba Project will be supplied by the West San Martin Water Works. The project will NOT be using an available well currently located on the site for potable water consumption.***

****Please note: Report from West San Martin Works
Water<http://wsmwater.com/documents/2017CCR.pdf>***

****Please also note: The West San Martin Water Works experienced a fecal coliform related issue in late 2017. The proposed water source for the Cordoba project and related West San Martin community experienced an out of limit incident.
<http://wsmwater.com/documents/Resolved%20Coliform%202-2018.pdf>***

- What we pour down in our septic systems, human excrement and detergents, are far worse to our health than a naturally biodegradable human body. Yet, we don't even think twice about it.

Please note: A large septic system will be added to the site. Since this issue is listed as a concern the main sewer lines connecting the City of Morgan Hill and the Gilroy Waste Water Treatment Plant run under Monterey Road adjacent to the property.

- San Martin has two waste recycling facilities, including a "hazardous waste" site, and waste water percolation ponds right next to the banks of Llagas Creek. Yet, there's no public outcry about those facilities.

- If septic systems and hazardous waste facilities can safely co-exist with our water wells, so can a green cemetery.

- Cordoba cemetery does not use any embalming fluids or ornate caskets. Embalming fluids and certain materials used in those caskets can be harmful for the environment.

****Please see comments related to the Brandenburg Properties approved development above. Specific religious burial practices will be accommodated in the Heritage Oaks Memorial Park.***

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• Cordoba cemetery exceeds County's established safe ground water separation standards by a very significant margin, well over 100%.

• Both Cities of Morgan Hill and Gilroy have long established cemeteries (over 100 years old). Both Cities also draw their drinking water primarily from water wells. Morgan Hill has 15 wells, Gilroy has 9 wells. We have never heard about contamination to their water supply from those cemeteries.

Please note: This is a San Martin, in unincorporated Santa Clara County, issue and does not involve the neighboring cities. Also all of the local City potable water sources are chemically treated. Water quality reports are publicly available – including the West San Martin Water Works.

Please also note: All of the private wells drawing from the aquifer adjoining the Cordoba Project are not chemically treated – therefore the immediate and surrounding properties will be subject to any and all ground water related issues generated by the Cordoba project. It's all the same aquifer regardless of domestic well or agricultural well!

• US Geological Survey, California State Water Quality Board, Santa Clara Valley Water District, and most nonprofit water conservation groups cite primary sources of ground water pollution to be agricultural fertilizers, animal manure, industrial waste, sewage plants, and septic systems. Cemeteries are not listed as a source of significant ground water contaminants by these agencies.

• It is therefore not surprising that EIR has also found no significant impacts from the Cordoba Cemetery.

Please note: The DEIR stipulates an initial limited burial rate for a set period of time. It also stipulates the periodic sampling of the test wells near the proposed cemetery. Will the testing be conducted by an independent third party? Will these results be publicly available for review and comment? How will compliance of this requirement/limitation be monitored and reported?

Please also note: What is the total capacity on the cemetery when full? There are conflicting numbers of total burial sites to be contained within the 3.55 acres. Which agency will monitor the site to determine capacity limits? When is the cemetery projected to reach capacity? Will a request for expansion be proposed in the future when capacity is reached?

2. Flooding:

• Cordoba site is NOT in a flood zone. It is notably the highest ground along Monterey Rd in San Martin. • There may be flooding in other low-lying areas of San Martin, south of California Ave, but never on the Cordoba project site. It didn't flood even during those heavy rains two years ago.

Please note: Water flows and collects at the lowest point = gravity... Annual rainfall, and potential recycled water irrigation runoff, from the currently undeveloped Cordoba site flow in a South to Southwest direction into ALL of the neighboring properties to the West and South. This runoff then continues to California Ave. and either flows under (and occasionally over) the roadway into additional properties. Photos and videos of the standing water on the property and excessive runoff can be supplied. The photos and videos include water runoff events during the recent drought years.

We will have future seasons of excessive rainfall. We request the applicant be required to install a runoff containment collection area at the lowest point on the property.

13

- Llagas Creek is on the other (north) side of the hill from the property, separated by a ridge of bedrock.

- Water does not flow uphill or penetrate thru bedrock. EIR found no flooding risk at the project site.

14

Please note: As referenced above the Cordoba site is the highest ground along Monterey Road. All adjoining properties are subject to the runoff generated by the Cordoba property.

3. Traffic:

- Unlike most other religious institutions in San Martin that lie on neighborhood residential streets, Cordoba site is situated on 4-lane Monterey Hwy, in a sparsely populated area of town.

- Only entry and exit to the project site is from Monterey Hwy so there's no need for visitors to enter neighborhood streets to use the facility.

Please note: The entrance to the property from south bound Monterey Road is effectively located after a bridge and "blind corner". We request that no left turns be allowed from the property onto north bound Monterey Road.

Since there is also a proposed RV park for the adjoining property we request a traffic study to investigate the feasibility of adding a stop light at California Ave. similar to one located at the corner of Monterey Road and Highland Ave. Santa Clara County offices and facilities are located at this intersection.

15

- There're ample parking facilities and overflow areas on the 16-acre Cordoba site and hence no need for visitors to ever park on public streets.

- Monterey Hwy is a major inter-city arterial and carries so much traffic that additional vehicles from Cordoba visitors will make no discernable impact to area traffic.

- EIR results show no significant impacts for traffic from the Cordoba project.

Please note: See comments above

- As additional safety measure, there will be an acceleration/deceleration lane built in front of the project site so vehicles entering and exiting the facility will not affect the flow of traffic on Monterey.

Please note: See comments above

4. Noise & Lighting:

- Cordoba project site is located in a sparsely populated area surrounded by mostly opens fields and industrial developments.

- There's more noise generated by traffic on Monterey Hwy and adjacent train tracks then with any proposed on-site activities.

16

- All outdoor lighting will be low impact and downward projected for minimal dispersion. • There will be no outdoor traditional Muslim “call to prayers” on loudspeakers.
- Project site will be surrounded by trees along the perimeter, an orchard fronting Monterey Road, and other thick foliage to provide an adequate noise and lighting barrier.
- Cordoba Center is a “Religious Sanctuary,” not a public events center. As such there are no loud noises or intense lighting anticipated with the use of this facility.
- EIR found no significant noise or lighting impact from the use of this facility.

16

5. Size & Intensity:

- The total Building footprint at the Cordoba site is merely 4% of the available 16-acre site.

Please note: Since this is actually a sizable development to the local area and property. We request the erection of “story poles” to accurately comprehend the total area to be developed. Please also include the planned campsite buildings and related facilities to be located on the hilltop.

17

- Total on-site improvements, including parking and recreational facilities, use only 24% of the site.
- Cordoba project is among the least dense and intense projects of its kind in all of South County.
- There are many large industrial and commercial buildings in the immediate vicinity of project site.
- There are many homes in San Martin that are larger than 10,000 square foot in size, including the second largest home in all of Santa Clara County at over 24,000 square feet.

Please note: None of these building are located near the proposed Cordoba site.

- The proposed RV park next to the Cordoba project site will add 124 housing spaces and will use up virtually all of that 14-acre site.

Please note: We request additional investigation as to the combined effects of both proposed developments on Monterey Road traffic (ingress and egress), ground water influences and runoff.

18

- The Boccardo Family Center down the road from the Cordoba site is another high-density, high intensity residential development in San Martin that has existed for many years.

- Building size at the Cordoba Center is regulated by California Building Code for 300 persons capacity. • There are other religious institutions in San Martin (existing and in development) of similar size and capacity.

- Cordoba Center is not a residential facility like the RV park or Boccardo Center. It is a limited use religious institution that also meets County’s Architectural Design Guidelines for San Martin. 6. Cordoba Cemetery:

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- Cordoba cemetery is designed to be esthetically and ecologically friendly, providing an open space and natural habitats conservatory. It offers a sustainable model of natural burials, a growing trend in our society.

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Please note: Refer to earlier comments related to the approved Heritage Oaks Memorial Park located in the hills west of San Jose serving the entire local area population.

- There will be no above ground tombstones; natural flora and fauna of the land will be maintained.
- Key Requests and Reminders to Decision Makers:

- Cordoba Center is a good project that meets or exceeds all applicable regulatory ordinances.
- It is a lawful right of the property owner, and it serves specific needs of a local people.
- It is a religious and constitutional right of the Muslim community in South County.
- There is no other Muslim place of worship or Muslim burials in the South County area.

22

Please note: There are burial options in the local area.

<https://www.findagrave.com/cemetery/1979587/islamic-cemetery>

- It does not infringe upon the rights of the neighbors or the community at large.
- It is supported by the results of the Draft EIR, the primary evidentiary document in the due process.
- It has previously received unanimous approval of both the Planning Commission and Board of Supervisors.
- Your decision should be based solely upon empirical evidence and rule of law... not opinions, not beliefs.

23

4.3.37 Response to Comments from Groen, Martin

- 37-Groen-1: The specific issues raised by the comment letter are addressed in the responses below.
- 37-Groen-2: The industrial facilities are noted in Section 4.1 (Aesthetics and Visual Resources) in the first paragraph on page 4.1-3 of the Draft EIR.
- 37-Groen-3: The footprint of the project features are shown on Exhibit 3-5 of the Draft EIR. The County estimates that the proposed buildings would cover approximately 4 percent of the project site. If all proposed development is included (including the cemetery), nearly 73 percent of the site would be developed, and approximately 37% of the project site would remain open space.
- 37-Groen-4: The improvements referred to by the comment are contained in Mitigation Measure 4.6-3 (Traffic safety improvements to site plans).
- 37-Groen-5: An alternative eliminating the cemetery, with the project proponent using a cemetery in another location, was not evaluated because such an alternative would not reduce the one significant impact of the proposed project, greenhouse gas emissions.
- 37-Groen-6: As noted in the 3rd paragraph under “Water Supply” (page 3-20 of the Draft EIR) an existing well on the site would be rehabilitated and used to irrigate site landscaping. There is no proposal to irrigate using recycled wastewater. Any irrigation of on-site vegetation through discharge of wastewater to the drainfields shown on Exhibit 3-5 would be incidental.
- 37-Groen-7: The comment is correct regarding the source of potable water for the proposed project. The reference to reports of fecal coliform incidents reported by West San Martin Water Works is acknowledged. However, this is not a comment on the analysis of the proposed project on the environment provided in the Draft EIR.
- 37-Groen-8: Impacts to groundwater quality from the on-site wastewater treatment system were evaluated under Impacts 4.4-2 and 4.4-3, and implementation of respective mitigation measures would reduce these impacts to less than significant. Concerns regarding the sewer lines connecting the City of Morgan Hill and the Gilroy Waste Water Treatment Plant relate to an existing condition rather than to analysis of the proposed project on the environment provided in the Draft EIR.
- 37-Groen-9: See Response 36-Groen-5.
- 37-Groen-10: Impacts to groundwater quality from the on-site wastewater treatment system were evaluated under Impacts 4.4-2 and 4.4-3, and implementation of respective mitigation measures would reduce these impacts to less than significant. Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.

- 37-Groen-11: The monitoring specified in Mitigation Measure 4.4-4 would be conducted by an independent third party approved by the County Planning Office, and the results would be available to the public.
- 37-Groen-12: Text changes have been made to page 3-5 of the Draft EIR based on an updated cemetery plan submitted by the applicant in July of 2018 (Appendix C of this Final EIR). The updated cemetery plan shows the maximum density of graves would be 562 per acre for a total capacity of 1,996 grave sites.
- 37-Groen-13: The proposed project would redirect pre-development drainage flows across the project site into an engineered drainage system designed to retain and meter runoff stormwater so that the overall stormwater discharge rate leaving the site will match predevelopment discharge rates. The proposed drainage system has been reviewed by the County of Santa Clara's Land Development Engineering section, which has preliminarily determined that the system can comply with the requirements of the County Drainage Manual. LDE would need to review and approve the final design of the drainage system prior to issuance of a grading permit. The project's proposed drainage system would capture any additional runoff from project development. No change would occur to the existing drainage condition at California, Colony, and Harding Avenues as a result of implementation of the proposed project.
- 37-Groen-14: See Response 36-Groen-13.
- 37-Groen-15: Regarding the request for no left turns into the project site, the following is noted in the first bullet under Impact 4.6-3 in the Draft EIR: "The existing median is inadequate to support northbound vehicles to turn left at the proposed driveway location. In addition, left turns out of the project driveway cannot be made safely due to the curvature of the road and its significant width." The project's contribution to cumulative road safety hazards (Impact 4.4-6) takes into account operation of the Cordoba Center project driveway in conjunction with the driveway of the proposed RV Park. As discussed under Impact 4.6-3, both projects can operate safely using acceleration and deceleration lanes, and no traffic light at California Avenue is required.
- 37-Groen-16: The comment references talking points from another source; this is not a comment on the Draft EIR.
- 37-Groen-17: Story pole requirements are described on page 4.-9 of the Draft EIR.
- 37-Groen-18: The comment references talking points from another source; this is not a comment on the Draft EIR.
- 37-Groen-19: The Draft EIR considered the RV park in a number of cumulative impact evaluations in Chapter 4, including under Impacts 4.1-4, 4.1-5, 4.1-6, 4.4-5, 4.5-5, 4.4-6, and 4.6-6. The comment is not specific about what additional investigation as to the combine effects of both proposed projects is being requested.

37-Groen-20: See Response 36-Groen-5.

37-Groen-21: See Response 36-Groen-5.

37-Groen-22: See Response 36-Groen-5.

37-Groen-23: The comment references talking points from another source; this is not a comment on the Draft EIR.

From: [John H](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center Use Permit Draft EIR Comment
Date: Monday, July 30, 2018 8:54:28 PM

Hi planning commissioners and staff,

I had a few comments regarding the draft EIR:

First in regards to Land use and memorial parks (aka 'cemeteries'): There are no memorial parks "permitted by right" in any zoning in Santa Clara County (SCC zoning ordinance; table 2.20-2, page 50 of 317). This is **important** point because there is no ideal or perfect land zoning for this use and it makes this type of project unique in this county. This means that projects which are "not permitted by right" in any zoning are bound to have potential impacts on their corresponding projects sites - after all, that is why they go in front of the planning commission for review. **Therefore, potential impacts caused by a memorial park should be addressed through proper EIR mitigation plans rather than by simple dichotomous options of project "approval" or "denial"**. I believe this project has demonstrated proper and thorough mitigations which are suffice for the site - and I believe the project should be approved..

Please also keep in mind that there has been no new memorial park in Santa Clara County in nearly 5 decades (most recently by 'gate of heaven' which established in 1971; http://www.ba-fca.org/CemeteriesByCOUNTY_Santa_Clara.pdf) while the population of Santa Clara County has grown nearly by double with a additional growth of nearly 800,000 people since 1970 (<http://www.bayareacensus.ca.gov/counties/SantaClaraCounty50.htm>) . There is a growing community need for new memorial parks that serve our county, especially as many sites are at max capacity for ground burials (see the previous link). We need this use in our county.

On emissions: To encourage electric and hybrid vehicles, I would add that electric car charging capable electric outlets be available to encourage those who have plug-in hybrids or electric vehicles to bring their cords to allow charging at the site. On that point, I also think the emissions calculated are highly speculative in the EIR. I don't think there will be a significant emissions impact on the environment and

1

2

3

strongly I believe the mitigations outlined in the EIR are sufficient to bring the impact of this project to a level of 'not significant with mitigations'.

3

Additionally, **Vehicle trips are diverted from going further to San Jose, the next closest religious center - hence reducing the overall CO2 emissions produced.**

85% of the traffic will have to travel less or the same distance if the project is located at the proposed site - with at least 55% of those traveling 4-60 miles a round trip less than if they were to go to San Jose (those coming from Gilroy, Watsonville, or Morgan Hill).

4

On the traffic: I think it is important to take into account that that vehicle trips are not sustained on daily basis. Just as a church will have most traffic on a Sunday, this community center will have its weekly peak traffic at 1pm-2pm on Friday (non-commute hours). It is also worth noting that the EIR mentions that there will be little new traffic generated - most of the traffic is already on Monterey and it would not exacerbate the problem.

5

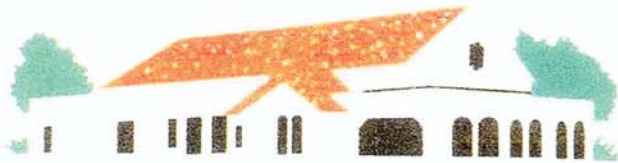
I strongly support this project and think it will be a unique addition to the city and county. I also believe the EIR mitigations are well sought out and that the planning commission should strongly support and approve this project.

6

Thank you very much for your time and commitment to the people of Santa Clara County.

4.3.38 Response to Comments from H, John

- 38-H-1: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4. Implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level.
- 38-H-2: The comment regarding the need for new memorial parks in Santa Clara County is acknowledged.
- 38-H-3: As explained under “Significance after Mitigation” on page 4.7-17, the conclusion of significant and unavoidable for GHG emissions was in part determined due to the current uncertainty over what the applicable threshold is for a project of this type due to the transition in regulatory standards. Without substantial evidence of what threshold(s) would be consistent with the State’s GHG reduction targets for 2030 and 2050, it would be speculative at this time for the County to make a determination that this impact would be less than significant after mitigation.
- 38-H-4: See Response to 2-BD-9B.
- 38-H-5: The comment is acknowledged. Impact 4.6-2 evaluated the project’s impact on level of service on Monterey Road and concluded it would be less than significant.
- 38-H-6: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



Habing Family Funeral Home
Mt. Hope Memorial Park
Gavilan Hills Memorial Park

129 - 4th St. Gilroy, CA

408.847.4040

HabingFamilyFuneralHome.com

To Whom It May Concern:

The Habing family has owned and operated Gavilan Hills Memorial Park in Gilroy, CA since 1989, and Mount Hope Memorial Park in Morgan Hill, CA since 2005. Our family has lived in the local South County community for generations and has been in this line of work since 1936. It has been our experience over these years that properly operated and maintained cemeteries do not pose any danger to the environment in general or ground water resources specifically.

Both cities of Gilroy and Morgan Hill draw their drinking water from ground water wells around town. In addition, we have a water well within Gavilan Hills Memorial Park in Gilroy. To my knowledge we have never experienced any water contamination issues in our own well, nor have we been cited by any regulatory agency for contamination of local ground water resources from the operation of these cemeteries.

Both Gavilan Hills and Mount Hope Memorial Parks were established over 100 years ago and continue to operate today without any report of environmental contamination.

Sincerely,

Jim Habing

4.3.39 Response to Comments from Habing, Jim

39-Habing-1: The comments regarding Gavilan Hills Memorial Park in Gilroy are acknowledged.

From: [Sal](#)
To: [CordobaEIRComments](#)
Subject: Support for the Córdoba project
Date: Sunday, July 29, 2018 12:21:09 AM

In 1999 I started asking people in the Morgan hill area to join me in prayer and we established SVIC, a dream realized for Muslims who didn't want to drive all the way to San Jose to pray.

We worked hard to save money so we would one day have our own place of worship, like any other American community. Over the years, we served the community at large, and our activities benefited people regardless of their background.

We submitted all the necessary paperwork, and met all requirements. We deserve to be treated the same as any other community.

I believe in the American way, and I trust the Planning Commission is going to approve the Cordoba project.

Thank you,
Salah Hamed

Sent from my iPhone

4.3.40 Response to Comments from Hamed, Salah

40-Hamed-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Rose Hernandez](#)
To: [CordobaEIRComments](#); [Rose Hernandez](#)
Subject: We're all One
Date: Monday, June 18, 2018 11:32:33 AM

To whom it May Concern:

It is my dream to live in a community where fears are lessened and differences are embraced. I recall learning in grade school that pilgrims came from England to America seeking freedom of religion. The Muslim faith has deep roots and longevity. It is an authentic religion honoring the same God Christians and Jews honor, as there is only one God. I know exemplary people who embrace and practice the Muslim religion.

I have seen the plans for the Cordoba proposal. They have been made with the utmost of care so as not to be intrusive to the neighbors. The cemetery is situated so that it has a natural barrier to mitigate any health concerns. The buildings proposal is compatible in size with the surrounding developments. Since all buildings in the Cordoba plans are situated in one area, there are many acres between it and the neighbors in much of the development.

"To know one, is to love one". It is my prayer that the opposition to the Cordoba is not being based on the negative press about Islam. True Christians know that we are all children of God and that He has given us free will to express His love differently.

With gratitude and respect,

Rose M Hernandez

4.3.41 Response to Comments from Hernandez, Rose

41-Hern-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Trina Hineser](#)
To: [CordobaEIRComments](#)
Cc: [John English](#); [Eastwood, Rob](#)
Subject: Request at July 12th Public Meeting
Date: Wednesday, June 20, 2018 7:01:51 PM
Attachments: [image003.png](#)
Importance: High

Hello Christopher Hoem,

I am reaching out to you regarding the July 12th Public Meeting scheduled for the Cordoba EIR.
Being that the County estimates a large number of people to be in attendance, it would be helpful to include the "speaker cards" in the agenda packet that is sent out prior to the actual meeting.
This would eliminate the bottleneck situation we have seen at prior meetings and would expedite things for people who plan on attending.
Thank you in advance, as I appreciate your consideration of this request.

Sincerely,
Trina Hineser – SMNA President
trina.hineser@sanmartinneighbor.org
San Martin Neighborhood Alliance



"Together We Make A Difference"

From: CordobaEIRComments
Sent: Tuesday, May 15, 2018 11:16 AM
To: CordobaEIRComments <CordobaEIRComments@pln.sccgov.org>
Subject: Cordoba Center Use Permit Draft EIR

Cordoba Center Use Permit Draft EIR

I would like to let you know that the Cordoba Center Use Permit Draft EIR is anticipated to be released by the week of May 21, 2018 for a 60-day public review and comment period.

We are providing you with advance notice of the release date in order to provide you with an early notice so you have adequate time to review the Draft EIR and submit your comments within the public review period. Note that there will also tentatively be a joint Planning Commission/San Martin Planning Advisory Committee meeting in South County in July to provide you with an opportunity to provide oral comments on the Draft EIR. The details will be forthcoming with the Draft EIR Notice of Availability.

We have created a web page for the project and will be providing a link to the Draft EIR, when it is released. Currently, you can find links to all the application material and technical reports on the web page at this link: <https://www.sccgov.org/sites/dpd/Development/Current/Pages/2145.aspx>

We look forward to working with you.

Christopher Hoem, AICP

Santa Clara County Senior Planner

408-299-5784

Please visit our website at www.sccplanning.org

To look up unincorporated property zoning information: www.SCCpropertyinfo.org

Questions on Plan Check Status?, please e-mail: PLN-PermitCenter@pln.sccgov.org

4.3.42 Response to Comments from Hineser, Trina

42-Hineser-1: Speaker cards were provided by the Planning Office at the July 12, 2018 Draft EIR comment meeting.

From: [Richard Hinnenkamp](#)
To: [CordobaEIRComments](#)
Subject: Cordoba support
Date: Monday, July 30, 2018 12:39:33 PM

I'm a long time resident of Morgan Hill and proud supporter of the Cordoba project. I was the general contractor for my home located on the shore of Andersen Lake. I am very familiar with many of the issues that were brought up at the last meeting that I attended at the MH community center.

To many, the objections may have seemed reasonable and well researched, but based on my experience, **none held any merit as is borne out by the EIR.**

I've spent many days separated from family and friends during my nearly 30 years of military service defending the rights of ALL Americans.

It was encouraging that none of the objectors were doing so because of religious bias, because none of wants to live in a community that supports religious bigots.

I encourage you to respect and follow the technical findings and allow these people, good people, exercise their right to religious freedom.

We here in the south bay have much to be thankful for and proud of, and this place of worship in our community deserves our/your support.

Richard A. Hinnenkamp

4.3.43 Response to Comments from Hinnenkamp, Richard

43-Hinn-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [hoskin](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center Draft EIR Comments
Date: Monday, July 30, 2018 10:23:06 AM

Dear Mr. Hoem,

I hope not using the form is permissible.

My name is Sandra Hoskin, and I live in San Martin.

I would like to support the use permit to allow the construction of the Cordoba Center next to Monterey Highway.

I have seen the DEIR, which reports that the land is in the correctly zoned area of San Martin. It looks like a project that will add beauty and diversity to San Martin.

I look forward to having it in the area.

thank you,

Sandra Hoskin

4.3.44**Response to Comments from Hoskin, Sandra**

- 44-Hoskin-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



County of Santa Clara
Department of Planning and Development

Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **February 2, 2018**.*

Name:

JAMES K. HOWELL

Organization (if any):

—

Address (optional):

City, State, Zip:

MORGAN HILL, CA 95037

E-mail:

[REDACTED]

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

After attending the Santa Clara County Planning Department meeting on July 12, 2018 at the Morgan Hill Community Cultural Center, and reading the Draft EIR, I feel that the Cordoba Center project is too large for the project's desired location in San Martin, and there are several negative impacts to the nearby community.

Negative impacts due to water and drainage issues:

- Questionable wastewater treatment and drainage capability, causing contamination to nearby well-water sources.
- Likelihood of additional seasonal flooding, due to more runoff and waste water.
- Insufficient fresh water sources (especially during drought years).

The negative impacts listed above must be addressed more completely, and fully mitigated before such a large project can be acceptable for the desired location, which has a history of flooding and contaminated well water. Even with the waste treatment facilities listed in the project plan, there is no guarantee that additional flooding and contamination in the surrounding area will not increase.

(More space on reverse side)



(CONTINUED)

Santa Clara County's Standards and Policies Manual states on page E1.3 that "many areas of the South County do not have adequate natural water courses, improved channels or storm sewers. In these cases, tentative approval for the project **cannot be granted** unless it is demonstrated by the applicant's engineer that it can be adequately drained, that it will not cause problems to nearby property, that it is not subject to significant damage from the one percent flood, and that the on-site drainage will be controlled in such a manner as to not increase the downstream peak flow or cause a hazard or public nuisance." I don't believe that the current project plans are sufficient in alleviating all of the above negative impacts.

2

Negative impacts due to road and traffic issues:

Because of the large Cordoba facilities and subsequent large number of vehicles to get there, there will be a high increase in traffic entering and exiting the Cordoba Center from the heavily traveled Monterey Road (especially during the "Late Afternoon", "Sunset" and "Night" Prayer activities, when approximately 200 projected attendees are expected for each prayer session.) Many arriving visitors may be attempting to make left-hand turns into the Cordoba Center, where there is no left-turn lane available. The current speed limit along that stretch is 45 mph, which places even more danger for all traffic, caused by the high speed, high volume traffic, and new traffic attempting a left turn into the new Cordoba street.

3

Road improvements and repairs have historically been very poor and slow due to budget cuts and staffing issues in the South Valley. Enforcement of highway and road laws (speeding and overweight vehicles) has also been very poor due to staffing shortages and budget cuts. Since nearby Highway 101 traffic is often backed up with heavy traffic (especially during commuter hours), much of the traffic exits 101 and travels on Monterey Road, causing constant and heavy traffic past the proposed Cordoba Center. (I can provide back-up information on the road and traffic enforcement shortcomings, if helpful.) Any doubt in the unsafe Monterey Road speeding and road conditions may be quickly eliminated by anyone driving on that route on any afternoon commute day. I live 2 miles north of the proposed Center, and have a clear awareness of the potential hazards. If this project is allowed to get approved without solutions to these unsafe issues, it would be a huge disservice to all local citizens, commuters and Cordoba attendees.

4

J K Howe

Send comments to:

Christopher Hoem, Senior Planner
County Government Center, East Wing, 7th Floor
70 W. Hedding Street, San Jose 95110
CordobaEIRComments@pln.sccgov.org

4.3.45 Response to Comments from Howell, James

- 45-Howell-1: The Draft EIR evaluated drainage and stormwater runoff in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR), and both impacts were found to be less than significant. Impact 4.4-2 evaluated wastewater treatment (pages 4.4-19 through 4.4-21) and concluded that the impact would be less than significant with implementation of Mitigation Measure 4.4-2. Water supply for the proposed project is evaluated on page A-44 of the Initial Study, the discussion of which has been revised to incorporate updated information from West San Martin Water Works (see text revisions in Section 3.0).
- 45-Howell-2: See Responses 5-SMNA-37 and 5-SMNA-38.
- 45-Howell-3: The project would be conditioned to restrict driveway access to right-in / right-out only. See text revisions to section 4.6.4 and Mitigation Measure 4.6-3.
- 45-Howell-4: The Draft EIR evaluated the hazards associated with site access under Impact 4.6-3. Implementation of Mitigation Measure 4.6-3 would reduce this impact to a less-than-significant level.

From: [REDACTED]
To: [CordobaEIRComments](#)
Subject: Córdoba Project
Date: Monday, July 30, 2018 11:33:59 AM

My name is Malka Hussain and I am a resident of San Martin since 1988. I am also a member of South Valley Islamic Center(SVIC)

The SVIC has been very working very hard to get approval to build our Mosque. We have complied with all the regulations and procedures of the county and state as required.

Our Muslim community in this area, from Hollister to Morgan Hill have to drive to San Jose to worship. We have a small place we use at the moment but it has outgrown in size. Our children have no place to learn and be involved with our programs and retreats in the future.

We have to and it is absolutely necessary for society to provide our future generation with proper tools to become productive citizens of the community.

Please help us to move forward with this project by granting us the approval of the Environmental Impact Report.

Thank you very much for your help and service.

Malka Hussain

[Sent from Yahoo Mail for iPhone](#)

4.3.46 Response to Comments from Hussain, Malka

46-Hussain-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Mohammed Hussain](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Project
Date: Monday, July 30, 2018 10:31:18 AM

My name is Mohammed Hussain, and a Vietnam veteran so are my two son in laws. Who just got honorable discharged as majors out of air force and army. My family and I have been living in San Martin since 1988 and a matter of fact this July will be 30 years. Before south valley Muslim community came in to existence my family and I had to go to San Jose for all our religious functions. We have been fighting an uphill battle for our community center and for no reasons except for one and one only no matter how you slice it. So please except our EIR report which I believe it answered all the requirements of the issues.

Thank you for your help
Mohammed Hussain

Sent from my iPhone

4.3.47 Response to Comments from Hussain, Mohammed

47-Hussain-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Hazakat Ikram](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center
Date: Monday, July 30, 2018 11:44:56 PM

HI,
i have been living in Santa Clara County last twenty four years i strongly support Cordoba Center Project
envirnmental lmoact report. thanks
thanks

4.3.48 Response to Comments from Ikram, Hazakat

48-Ikram-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Katja Irvin](#)
To: [CordobaEIRComments](#)
Subject: Comment about Cordoba Center Draft EIR
Date: Monday, July 30, 2018 4:48:42 PM

Dear Mr. Hoem,

I have two small comments on the Cordoba Center Draft EIR.

- To mitigate impacts of GHG emissions caused by the project, consider the adding a mitigation measure that prohibits disking/tilling soil in the open space areas of the project that may need to be cleared for fire protection. This will preserve soil health and maintain the ability of the soil on the site to sequester carbon 1
- To mitigate the impacts of summer camp activities on the riparian habitat and prevent possible damage caused by such activities, consider adding a mitigation measure to install wildlife-friendly fencing to prevent encroachment, or add signs to stay on the trail (made of natural material such as wood). 2

Thank you for your consideration.

Katja Irvin
San Jose Resident


4.3.49 Response to Comments from Irvin, Katja

- 49-Irvin-1: Mitigation Measure 4.7-1 is structured such that the project proponent may employ measures not specifically listed as long as they would reduce GHG emissions, as verified by the County Planning Office.
- 49-Irvin-2: The suggested wildlife fencing would not be necessary to reduce impacts to biological resources under CEQA, as these impacts were found to be less than significant.

From: [Debbie Israel](#)
To: [CordobaEIRComments](#)
Subject: Cordoba Center Project
Date: Monday, July 30, 2018 12:02:01 PM

I am the Rabbi of the Jewish community of South County.

It has become obvious to me that, with a few exceptions, most of the objections to the Cordoba Center are the result of either bias or unfounded fears rather than an objection review of the facts. The Islamic community has invested large amounts of money and time to accommodate the concerns of their prospective neighbors. As a result of their efforts, the EIR finds no environmental impact of the proposed project. The concerns about ground water, potential for flooding, negative traffic impact, noise, and lighting have all been satisfactorily addressed resulting in the elimination of just cause for ongoing concern. My own concern, as a community religious leader, is that the Islamic community of South County be enabled to cease their struggle for their right to express their religious beliefs in their own house of worship. Thank you for gathering community responses and for objectively and impartially evaluating the data presented to the panel.

***Shalom uv'racha - Peace and blessing,
Rabbi Debbie Israel***

Rabbi Debbie Israel
Congregation Emeth


Temple office: 408-778-8200
www.Emeth.net

Through faith we experience the meaning of the world; through action we give the world meaning.

- Rabbi Leo Baeck

4.3.50 Response to Comments from Israel, Debbie

50-Israel-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name: Wajid Jalaldin & Family

Organization (if any):

Address (optional): 16467 Oak Glen Ave.

City, State, Zip: Morgan Hill, CA 95037

E-mail: wajid_jalaldin@yahoo.com

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

My family has just moved to Morgan Hill area last month.

This project came to my attention and I found that it

preserves our open lands since the land usage will be on
less than 10% land.

Secondly, if we want to preserve our views and open
landscapes then a cemetery ensures this purpose. I do not
see people constructing on the graves. Lastly, Muslim burial
is free of any chemicals so there is no ground level harm.

(More space on reverse side)



County of Santa Clara
Department of Planning and Development

Considering the above and as your new resident on behalf of eight
adult family members in our house. I would like strongly urge
the Department of Planning and Development to approve this
project.

Sincerely,

The Jalaldin Family

1

Send comments to:

Christopher Hoem, Senior Planner
County Government Center, East Wing, 7th Floor
70 W. Hedding Street, San Jose 95110
CordobaEIRComments@pln.sccgov.org

4.3.51 Response to Comments from Jalaldin, Wajid

51-Jal-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name: **Rafia Jamil**

Organization (if any):

Address (optional): **South County**

City, State, Zip:

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

It is a unique and beautiful sanctuary in San Martin amidst an area dotted with industrial and commercial developments.

Flooding:

- Cordoba site is NOT in a flood zone. It is notably the highest ground along Monterey Rd in San Martin.
- There may be flooding in other low-lying areas of San Martin, south of California Ave, but never on the Cordoba project site. It didn't flood even during those heavy rains two years ago.
- Llagas Creek is on the other (north) side of the hill from the property, separated by a ridge of bedrock.
- Water does not flow uphill or penetrate thru bedrock. EIR found no flooding risk at the project site.

(More space on reverse side)

4.3.52 Response to Comments from Jamil, Rafia

52-Jamil-1: Flood conditions are evaluated in Section 9.2 of the Initial Study (Appendix A of the Draft EIR).

From: [MariaElena Jarson](#)
To: [CordobaEIRComments](#)
Subject: I support the Cordoba center.
Date: Wednesday, August 1, 2018 9:10:47 AM

Good morning.

Recently I attended an informational meeting about the Cordoba Center. I now understand where the Cordoba Center will be located and see that the proposed cemetery will not affect the groundwater. Also, the building site is not in the area of Monterey Road that floods during heavy rain. I live near the proposed Cordoba Center and think that it will be an important asset to our greater community.

Thank you,
MariaElena Jarson

4.3.53 Response to Comments from Jarson, MariaElena

53-Jarson-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Julia King](#)
To: [CordobaEIRComments](#)
Subject: support of Islamic center
Date: Thursday, July 19, 2018 3:43:18 PM

Greetings,

I am a resident of San Martin and live near the proposed Islamic center location. I would like to give my support to the development. We must as a society allow the freedom of religion in our community. As it appears many of those adverse to the project base their dislike of the project upon religious grounds, it remains important for the rest of us to stand in support of religious freedom.

Sincerely,

Julia King

[REDACTED]

San Martin, CA 95046

4.3.54 Response to Comments from King, Julia

54-King-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



Cordoba Center Use Permit
Draft EIR Comment Form

DRAFT EIR COMMENTS

(Please print clearly and legibly)

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name:

ABIZER KHAIRULCAH

Organization (if any):

Address (optional):

City, State, Zip:

SOUTH COUNTY

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Comments (Please print clearly and legibly)

We don't have a muslim place of worship in South County and are hence looking for and need a peaceful place of worship.

The EIR addresses ~~with~~ the concerns raised by people against the project.

For example:

Cemetery related ground water contamination -
the ~~EIR~~ ~~at~~ Cordoba cemetery exceeds County's
standards by over a 100%. i.e. much better than county's
standards.

(More space on reverse side)



County of Santa Clara
Department of Planning and Development

- EIR found "no significant impact" from Cordoba Cemetery.

- hence ground water contamination to neighbor's wells can be removed as a point of concern. i.e. concern has been ~~been~~ heard, researched and more than adequately addressed.

Similarly other points of flooding, noise, size, traffic and intensity concerns are also ~~res~~ researched and concluded as "no significant impact".

Since the concerns ~~have~~ been adequately addressed and since the project has received approval from Planning Commission and Board of Supervisors, it should ~~be~~ move forward without further hindrance.

We need this place of worship, just like other faiths and are now confident that once the County Planning & Development department and leaders, review this, they will grant unanimous approval to take the next step in development of this center.

Thank you!

Send comments to:

Christopher Hoem, Senior Planner

County Government Center, East Wing, 7th Floor

70 W. Hedding Street, San Jose 95110

CordobaEIRComments@pln.sccgov.org

4.3.55 Response to Comments from Khairullah, Abizer

- 55-Khair-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 55-Khair-2: Impact 4.4-4 found that with implementation of Mitigation Measure 4.4-4, the proposed cemetery would not result in deterioration of groundwater quality below drinking water standards.
- 55-Khair-3: Impact conclusions are summarized in Table 1-2 in the Draft EIR.
- 55-Khair-4: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Aisha Khalil](#)
To: [CordobaEIRComments](#)
Subject: Support Cordoba project!
Date: Sunday, July 29, 2018 11:07:27 PM
Attachments: [Aisha_2145_DEIR_CommentForm.pdf](#)

Dear Mr. Chris Hoem-

I support the Cordoba project

Thanks a bunch,
Aisha Khalil

4.3.56 Response to Comments from Khalil, Aisha

56-Khalil-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

From: [Rick Llanes](#)
To: [CordobaEIRComments](#)
Subject: EIR Questions
Date: Saturday, July 28, 2018 3:35:33 PM

This is concerning the proposed Cordoba Campus in San Martin
<!--[if !supportEmptyParas]--> <!--[endif]-->

1) Who will be overseeing this facility to ensure that they will be in compliance with the occupancy requirements as stated in the proposed usage statement?

<!--[if !supportEmptyParas]--> <!--[endif]-->

2) What agency will be monitoring the wells in the surrounding area, and what if something goes wrong with the proposed burial site and wells do become contaminated, what then. There will be no going back.

<!--[if !supportEmptyParas]--> <!--[endif]-->

3) Looking at the proposed traffic study, there is only one entrance/exit on the site and it is on Monterey Rd, 1,151 DVT per day as stated on page 12. That is a lot of additional vehicles in an area which now has none.

I will also state that the study implies that the peak hour are 7 to 9 AM and 3 to 6 PM , this is not accurate the commute starts at approximately 6 AM and runs to 9:30 AM and the afternoon commute starts at approximately 2 PM and runs to 7 PM and Fridays and holiday weekends are significantly worse.

<!--[if !supportEmptyParas]--> <!--[endif]-->

What will happen if the proposed deceleration lane backs up on to Monterey Rd during the evening peak time?

How will the vehicles exiting the campus merge onto Monterey Rd going South during the PM commute? Then a U-TURN at California holy crap that is a really bad idea.

Will the CHP or Sheriff be directing traffic, I don't think so.

<!--[if !supportEmptyParas]--> <!--[endif]-->

I would like to know how these issues will be resolved before any approvals are issued by the Santa Clara County Planning Office.

Rick Llanes


1

2

3

Morgan Hill, CA



Virus-free. www.avast.com

4.3.57 Response to Comments from Lanes, Rick

- 57-Lanes-1: The Department of Planning and Development would be responsible for enforcing conditions of approval relating to occupancy and attendance.
- 57-Lanes-2: Mitigation Measure 4.4-4 would require the project proponent to submit monitoring data to the County Planning Office. See Response to 20-Cambareri-1.
- 57-Lanes-3: The standard County methodology assessing transportation impacts is based on weekday AM and PM Peak Hour, which are defined as 7-9 AM and 4-6 PM. As discussed on page 4.6-5 of the Draft EIR, the AM Peak Hour for a mosque is 6-7 AM which the traffic consultant confirmed during traffic counts as corresponding to the existing AM Peak Hour on Monterey Road. The PM Peak Hour for a mosque is generally 7:30-8:30 PM which is later than the observed PM Peak Hour on Monterey Road. The 7:30-8:30 PM Peak Hour was used as it relates to the proposed land use. Regarding traffic backing up onto Monterey Road from the deceleration lane, the driveway into the project site provides 200 feet of space between the entrance and the parking lot, which would provide a buffer for entering vehicles. In addition, there is sufficient frontage along Monterey Road for a 300-foot deceleration lane, which could accommodate additional vehicles. It is unlikely that this capacity would be exceeded even during peak hours. For exiting vehicles, Mitigation Measure 4.6-3 would require installation of an acceleration lane. See 5-SMNA-79. There is no basis at this time to require a law enforcement agency to direct traffic.

MEMORANDUM

To: Chris Hoem, County of Santa Clara Planning Department
From: Scott Lefaver, Planning Commissioner, County of Santa Clara
Date: July 13, 2018
Re: Cordoba Center Draft EIR Questions and Comments

The following are my questions and comments regarding the Cordoba Center Draft EIR.

- | | |
|--|---|
| 1. Local Serving. Is the Cordoba Center subject to the San Martin Local Serving Policies adopted by the Board of Supervisors? Please explain why or why not. | 1 |
| 2. Legal Notification. Were all clearinghouse agencies and other affected agencies notified of the project and draft EIR? | 2 |
| 3. Flooding. Within the last 10 years has this property flooded? If so, what was the cause? | 3 |
| 4. Cemetery. Is the proposed cemetery a “pilot” or “experimental” cemetery based upon the burial procedures? Are there other well established cemeteries in the region using the same procedures? Have there been water pollution or excessive nitrate issues recorded at those other cemeteries? | 4 |
| 5. Cemetery. What is the proposed holding capacity of the cemetery? Can the proposed 30 burials per year be changed upward or downward? If so, who makes that decision? | 5 |
| 6. Cemetery. Beyond the County’s Cemetery Permit, are there specific State laws that regulate the operations of cemeteries? | 6 |
| 7. Over-specificity in some mitigation measures. Some of the mitigations measures seem to be overly specific. For example, Mitigation 4.7-1 states that the applicant, “Install electric tankless water heaters”. Why specify electric? Would gas or propane do? Other mitigation measures seem to fall into an overly prescriptive category when not necessary to meet the intent of the needed mitigation. | 7 |

4.3.58 Response to Comments from Lefaver, Scott

- 58-Lefaver-1: The project site is subject to local-serving policies and provisions of the Zoning Ordinance (2.20.090). As discussed in Section 10.1 of the Initial Study (Appendix A of the Draft EIR), the project site's General Plan Land Use Designation is Rural Residential. These designations potentially allow for a religious institutional use and cemetery use, subject to obtaining Use Permit and Architecture and Site Approval (ASA) and making all of the related findings for those approvals.
- 58-Lefaver-2: All responsible and trustee agencies were notified. The State Clearinghouse was notified, as indicated in its December 12, 2016 letter contained in Appendix B of the Draft EIR. The County sent the Notice of Preparation and Notice of Availability directly to the Santa Clara Valley Water District and the Central Coast Regional Water Quality Control Board. Although the project does not require permits from these agencies, they were notified because of their oversight role on groundwater. The State Clearinghouse notified additional State agencies, which in its judgement might have an interest in the project. These are listed in the NOP Distribution List attached to the end of its letter.
- 58-Lefaver-3: The County has no information on whether the subject property has flooded in the past 10 years. Flooding has been documented in areas to the south and west of the project site. See Response 5-SMNA-28. The project is not in the 100-year floodplain (Draft EIR, p. 4.4-17), and the project has been designed to maintain off-site drainage discharges are pre-development rates for up to a 10-year storm event (Draft EIR, pp. 4.4-16 through 4.4-17).
- 58-Lefaver-4: The proposed cemetery is not a "pilot" or "experimental" cemetery. There may be other cemeteries in the region where burials are conducted using similar procedures. However, the County did not find environmental analysis for any cemeteries in the region that would yield information that could be applied to evaluating the proposed project. Questa Engineering reviewed studies and regulatory efforts in other parts of the world. This review is described on pages 8-11 of the Cordoba Center Cemetery Water Quality Review (Appendix F of the Draft EIR). This literature review concluded as follows: "In general, these studies and other work concluded a clear need to conduct site specific soil, geologic and hydrogeologic characterization investigations prior to the siting of new cemeteries to avoid potential water quality and public health impacts." Questa Engineering has undertaken those investigations for the proposed cemetery. Impact 4.4-4 found that with implementation of Mitigation Measure 4.4-4, the proposed cemetery would not result in deterioration of groundwater quality below drinking water standards.
- 58-Lefaver-5: Text changes have been made to page 3-5 of the Draft EIR based on an updated cemetery plan submitted by the applicant in July of 2018 (Appendix C of this Final EIR). The updated cemetery plan shows the maximum density of graves would be 562 per acre for a total capacity of 1,996 grave sites.

- 58-Lefaver-6: The California Department of Consumer Affairs, Cemetery and Funeral Bureau, regulates cemeteries. A link to the state laws and regulations related to cemeteries can be found on its website (https://www.cfb.ca.gov/laws_regs/existing_laws.shtml).
- 58-Lefaver-7: The GHG reduction plan may include the measures listed, which are specific to the extent that they have been identified by regulatory agencies, such as BAAQMD and CARB, as ways of reducing GHG emissions from on-site use of electricity or gas. However, the project proponent may identify other means of reducing emissions as long as it can be verified by the Planning Office that they would be effective.

From: [AUSSIE PHIL](#)
To: [CordobaEIRComments](#)
Subject: STOP RADICAL ISLAM FROM INFILTRATING AMERICA
Date: Monday, July 23, 2018 10:41:41 AM
Attachments: [ISLAMIC DECEPTIONS~ CORDOBA , ANDALUCIA, SPAIN 711 AD.docx](#)

CORDABA is the keyword for DOMINATION OF AMERICA by radical Islam.

Attached are 3 articles that should make it very clear why this Cordoba Islamic Center should NEVER be permitted.

They have indoctrinated our nation with deception and have nothing in line with our DECLARATION OF INDEPENDENCE OR U.S. CONSTITUTION , FOUNDED ON A Judeo-Christian FREEDOM FROM TYRANNY.

Please stop this from happening, or suffer the consequences of our stupidity.

They train young boys in JIHAD WARFARE in every other Moslem country that is run by RADICALS.

SHALOM,(Nothing Missing, Nothing broken, Complete, Whole)
from MORDECAI & YAFFA BEN HAIM,(**PHILLIP & LINDA LEMKIN**)
P.O. BOX 481,MT HERMON, CA 95041

~~~~~  
**BARUCH HABA BASHEM ADONAI~**  
BLESSED IS (S)HE THAT COMES IN THE NAME OF THE LORD  
ISAIAH 60:1-2 ROMANS1:16-17

Check out [www.lulu.com](http://www.lulu.com) for the  
"Memories of the Robbie Doggie" Book OR E-Book

"TENT OF MEETING" PAPERBACK

& "FIREPOWER PRAYER" by Linda  
also on [www.allconsuminglove.com](http://www.allconsuminglove.com)

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**How To Remove Eye Bags & Lip Lines Fast (Watch)**

ourhealthpros.com

<http://thirdpartyoffers.juno.com/TGL3142/5b5613342ef571333095fst02vuc>



# Opposition to Islamic center continues

*Environmental report does little to ease tension in San Martin*

BY JAQUELINE MCCOOL -  
JULY 18, 2018

- 
- 



Hanna Afzal (19), Sana Afzal (16) and Maimona Afzal-Berta (23)

South Valley Islamic families are beginning to see their long-awaited plans to build a mosque and community center in San Martin come together, **but some vocal San Martin residents continue to oppose the project.**

The pros and cons of building the proposed Cordoba Center were discussed July 12 at a special meeting of the Santa Clara County Planning Commission to hear comments on a draft environmental impact report. **Many of the comments reflected the continuing culture clash in this unincorporated community of 7,000 along U.S. 101 between Gilroy and Morgan Hill, rather than the specifics of the EIR. The 200-page report identified few negative impacts of the construction project.**

The South Valley Islamic Community, which serves Muslim families residing in South Santa Clara County, has been meeting in a converted barn in San Martin since 2001. **The community purchased the land for the new worship center in 2006 and has re-submitted plans three times. In 2012, plans for a mosque and community center were unanimously approved by the county planning commission and Board of Supervisors.**

**But when neighbors sued to block the project, the Islamic community voluntarily withdrew, re-submitting plans for a larger facility and offering to fund an EIR. Six years later, the center is again a few months away from final county approval.**

**The center is to be built on Monterey Road neighboring Llagas Creek, on the highest point in San Martin. The proposed project includes a mosque, a community building, recreational facilities, a cemetery and a summer camp site.**

The Hiram room at the Morgan Hill Community Center was at capacity on July 12, with approximately 280 people inside and more watching on monitors set up in the hallway during the special meeting. The meeting was hosted by the Santa Clara County Planning Commission and San Martin Planning Advisory Committee to mark the halfway point of the comment period on the EIR. **The comment period ends July 30.**

Islamic community member Nashaba Afzal said at the meeting that the report, combined with the decision by the South Valley Islamic Community to withdraw its previous applications, represented an effort to be transparent. She said, “We didn’t want people thinking that we’re shoving this down their throats.”

**The plan remains a flashpoint for many, with residents from Gilroy and Morgan Hill joining their San Martin neighbors in the comments at the meeting. Booing or clapping occasionally drowned out speakers’ remarks, and signs both for and against the center were fervently waved in the air.**

Afzal’s three daughters, Hanna, 19, Sana, 16 and Maimona, 23, defended the project during the public comments, saying the opposition was directed more toward Islamic community members than the specifics of the Cordoba Center plan.

“Let’s call this opposition for what it is: bigotry,” said Maimona Afzal-Berta.

**The San Martin Neighborhood Alliance has been a fierce opponent of the project from the start, and members of the group protested at Wednesday’s meeting, accompanied by large printed photos of floods in San Martin.,**

**In an emailed statement on behalf of the alliance, Trina Hineser said the group is concerned about the center’s size, what they say are inaccuracies in the EIR, the proposed cemetery’s impact on groundwater and the center’s effects on development in San Martin.**

“We would be pleased to engage with the proposers regarding a more modest project that would meet their needs with substantially less impact,” wrote Hineser, “but regretfully cannot support this project as proposed.”

Islamic community member Hambdy Abass said the South Valley Islamic Community and the neighborhood alliance have sat down on multiple occasions to discuss the project. Abass said he was confused after seeing the alliance at the meeting. “They say they’re on our side,” he said, adding that he doesn’t feel that the points the alliance has made in public reflect the concerns and sentiments the group shared with Islamic community members in private meetings.

**The alliance’s concerns regarding the cemetery’s effect on San Martin residents’ water supplies was echoed by many attendees throughout the meeting. While the EIR shows the center having minimal impact on flooding and the community’s access to groundwater, the report finds the cemetery’s effect on water quality in the area to be “potentially significant.”**

The report stated, “The potential effect on groundwater is not because of any specific toxicity [human remains] possess, but rather because of the potential for increasing the concentration of naturally occurring organic or inorganic substances to levels that would render the groundwater unfit for potable supplies or other uses.”

Despite the alliance’s disapproval, Abass said he felt overwhelmingly optimistic coming away from the meeting. He believed a majority of the comments made were in support of the center.

Abass said the questions regarding the cemetery’s effects on groundwater are a valid public concern, but added that the Islamic center’s motivations to ensure that San Martin groundwater remains uncontaminated are just as great as the other members of the community.



“We put in a lot of work to make sure the cemetery has no effect on us or our children,” said Abass.

A community question-and-answer session was set for 7pm July 18 at the Advent Lutheran Church, 16870 Murphy Ave., Morgan Hill.

Santa Clara County Supervisor Mike Wasserman was not at the July 12 meeting, but said in a statement that he encourages all constituents to take advantage of the comment period. “The community can also attend and comment on this project at future hearings of the San Martin Planning Advisory Committee, the county planning commission and the Board of Supervisors,” said Wasserman.

After the comment period for the draft EIR closes July 30, county planning staff will spend several weeks compiling responses to the comments. Then the project will be considered by the county planning commission and the Board of Supervisors, with further public review opportunities built into the approval processes.

Abass hopes those who still have questions will submit them to the commission, come to question-and-answer sessions, or read the 200-page report. “Everything required of us, we delivered,” said Abass. “It’s time for the county to deliver as well.”

Questions and comments should be sent to [CordobaEIRComments@pln.sccgov.org](mailto:CordobaEIRComments@pln.sccgov.org).

Related **CORDOBA IN PROVINCE OF ANDALUCIA, SOUTHERN SPAIN,**

**SITE OF THEIR CONQUEST & MASSACRE IN 711AD.**

## **PBS: The Un-American Classroom**

By **Tabitha Korol** July 23, 2018

Soon after the horrific bombing of the World Trade Center, I happened upon a television production of the history of Islam presented by PBS, an American public broadcaster and television program distributor, self-declared as “America’s largest classroom.”

This trusted provider of television programming reaches 350 **member-television stations, educational institutions, non-profit groups tied to public schools, college educational institutions, and state-government-owned or -related entities.** The **narrator of the History of Islam, Imam Faisal Abdul Rauf, was already recognized for his outrageous proposal to establish a triumphal rabat-style mosque on Ground Zero. He’d hoped to name it Córdoba to echo Islam’s conquest of Spain in 711 AD.**

Rauf presented the spread of Islam as the color of butter spread across the pastel map, as though untold thousands had not been enslaved or slaughtered by the ferocious and determined warlord,



Mohammed. **Conquest was achieved by the merciless decapitation of 800 Jewish men, the rape and sexual enslavement of their women and children, the pillaging of the metalworks and crafts of the town's Jews, Christians, and pagans who had been living in harmony. PBS was permitting itself to be used to promote a false narrative that concealed the true purpose of Islam and its continued bloody methods of conquest.**

Christian Action Network, in 2017, revealed the introduction of the **Islamic indoctrination program, "Access Islam," by the U.S. Department of Education to public schools, when no similar material for Christianity, Judaism, or Hinduism exists.** PBS provides "the largest classroom" for teaching these "educational" resources to schools and libraries, **replacing the term "Religion of Peace" with "Empire of Faith."** Americans for Peace and Tolerance has investigated and reported the world studies and history books in use today, and confirms that **they embrace radical social activism, ideological indoctrination, and coerced conformity.** The textbooks and PBS's films are replete with erroneous information, demonize Israel and America while glorifying Islam, and encourage fealty to Islam and identification with radical jihadists. This is brazen-faced stealth jihad against our own country done without fear of negative consequence.

The social studies lesson plan for grades 5 – 12 begins with the Five Pillars of Islam, enhanced by the BBC's supplemental visual material for easy memorization and scrupulous study. This is total immersion into Islamic vocabulary with intense thought and discussion, acting out and reciting prayer, learning and performing customs along with changes of dress, and comparing superficial information of Judaism and Christianity with the favored Islam. In addition to the books, papers, computer, and visual aids, students "fulfill their duty" with **"impromptu" visits into the Islamic community, without parental consent.** Thus, they learn to feel like a Muslim (assuming the false victimization), view the world from a Muslim perspective (that all the world is Muslim and must be retrieved), think like a Muslim (lay blame elsewhere and justify abuse on women and the west), and to BE a Muslim (be a jihadi warrior). Under the first pillar of faith, students must learn the Islamic calligraphy and memorize the shahada, a proclamation of faith and fidelity to Islam, despite their family's beliefs.

· **PBS's an online film about the Ten Commandments of Judaism does not equal in depth of experience the Pillars of Faith. Whereas the former operates at a purely informational level, the latter is indoctrinal, proselytizing, so that the child is imbued with the beliefs and views.**

The second pillar is prayer, its importance, the words, sounds, movements, direction and frequency, an unparalleled intimate engagement.

· This stage does not reveal the violent Islamic verses calling for jihad (warfare against non-Muslims) as a permanent obligation upon the Muslim community until the world is conquered for Islam (9:5, 9:29, and others), or the commands to wage war against non-Muslims until they: (1) convert to Islam, (2) pay the jizya (poll tax) **and submit to sharia, or (3) are killed.**

The third pillar is Zakat or almsgiving, with a video for media interaction, questions and answers. They review the purpose of donations, the amount of charity, relationship between prayer and money, and why this differs from ordinary charity.

· However, it is not made clear that zakat or charity is designated only for Muslims, never for the infidel. Hence, while Israel, the US, and other western civilizations are first responders to tend others in times of natural disasters, Islamic countries do not respond with manpower or funds.

The fourth pillar, fasting, brings the discussion of the month-long holiday of Ramadan, its guidelines for fasting, challenges, and spiritual rules.

· They do not learn that Ramadan mandates daily and increased attacks on hapless Christians and Jews in Israel, the Arab Middle East, Africa, Pakistan, the Philippines, Indonesia, and throughout Asia, with each year's death toll superseding the previous one. The Bible's tales of violence provide lessons to be learned; the Koran's are open-ended, everlasting decrees of exhortation to violence. The Muslim community has a responsibility to wage war against the unbelievers.

· Students are not told about the inhumane, torturous pain purposely inflicted on animals en route to their slaughter for Islam's holiday celebrations. Halal may be falsely compared to kashruth (Kosher), but a cardinal tenet of the Jewish faith is shechita – the swift and painless dispatch of the animal, marked by compassion and consideration for its welfare. In many instances, animals are accorded the same sensitivity as for human beings.

The fifth pillar is the compulsory pilgrimage or Hajj to Islam's holiest city, Mecca, which was Mohammed's failed courtship of the Meccan Jews and his humiliation that now requires revenge and subservience of non-Muslims. PBS presents a compulsory "virtual Hajj."

· WGBH, PBS's Boston Public Radio, provides "the journey," the purpose of the special clothing, the gravity of the experience, and how it would feel to make the trek to Arabia. The children are forced to "live" the experience over their own religious and national birthright, to "feel" disdain and disrespect for their parents' heritage and country, to "become" stealth warriors. **Until they are sufficient in number to take up arms and overthrow America's government, students are encouraged to meet with local Islamic clerics and to leave class for political riots and marches.**

The sixth pillar, not revealed to the infidel, is jihad, which guides the thought and life of every Muslim, from the pregnant woman who will deliver the next jihadi warrior to the child who is taught to dedicate his life to martyrdom for conquest. Military might is the base for their ideology, the origin of Islam, the sine qua non of the faith, which is why the Islamic culture cannot adapt and accept ideas of modernity and secular government.

· Despite the misleading term "inner struggle," jihad is their eternal war against the non-Islamic world. Lessons encourage the children to identify with jihadis and justify martyrdom.

· Portraying Islam as the religion of peace is utter deception. Daniel Pipes explains that jihadists understand the terms with its "usage through fourteen centuries of Islamic history" as "the compulsory



effort to forcibly expand Muslim territory and influence.” “It is the boldly offensive intent to achieve Muslim dominion over the entire world,” – war, dispossession, slavery, and death for its victims. Islamic imperialism.

· An Iraqi cleric in Baghdad, during a November 9, 2002, sermonized, “We challenge [President George W] Bush and the Americans with our words, before challenging [them] with our weapons . . . We are patient . . . and we will fight them with all kinds of weapons. Jihad, Jihad, Jihad, Jihad. . . .” He exhorted all Muslims to “welcome death, welcome martyrdom for the cause for Allah.”

· Beginning with the very young, jihadis are taught to hate Jews and are praised for becoming suicide bombers, dying for martyrdom. “The day of Jihad is the day of blood.” The foremost Egyptian cleric of Al Azhar University urged Palestinians to intensify their suicide attacks against Israeli women and children – murder for the sake of their deity, with all manner of rewards in the next world.

The study of the Pillars of Islam is but one facet of what is being taught in our public schools today and what is supported by PBS’s “largest classroom” through lessons, plans and films.

**In closing: An Olmsted Falls, Ohio, mother noted that her 7<sup>th</sup> grader was required to memorize the 5 Pillars of Islam and watch a proselytizing video, “30 Days: Muslims and America,” and asked the teacher if they were also to memorize the 10 Commandments and any other religion’s major core beliefs. When she learned they were not, and asked the school district to remove and replace the video with an objective historic film, her request was denied by the superintendent and Board of Education.** She pursued the matter further with the state school board, state senator, representative, Ohio Department of Education and Ohio’s Governor Kasich, asking also that the Israelites be added to the Ohio Standards. It took more than a year and a half of discussion, discord, assistance, legal intervention by the Thomas More Law Center, and involvement by the Zionist Organization of America (ZOA) to exact the changes in accordance with the parent’s constitutional right to free speech and duty to oversee her children’s education. The school system replaced the Islamic film and agreed to add the study of the ancient Israelites, including Abram and Moses, to the curriculum, thereby giving credibility to the Jewish people on their land and their bestowal of the Ten Commandments and morality to a world of impiety. One outraged and dedicated parent was able to pave the way and show us that it could be done.

Christians in Defense of Israel <alert@cidisrael.cc>

Thu, Jul 19, 2018,

□

**Mat Staver,  
Christians in Defense of Israel**



7/19/2018

"The Muslim Brotherhood is a malevolent force, and American policy needs to reflect this truth," says Rep. Ron DeSantis (R-FL) who is renewing an effort to protect the U.S. from this Islamic adversary. He told the *Washington Free Beacon*, "Designating the Muslim Brotherhood as a foreign terrorist organization is overdue."

The Muslim Brotherhood is a wolf in sheep's clothing.

I am asking you today to join me in calling for Congress to take action and demand that the U.S. State Department designate the Muslim Brotherhood as a "Foreign Terrorist Organization." See my important message below about this dangerous organization still operating freely inside our borders. – Mat.

REV PHILLIP,

The Muslim Brotherhood is one of the oldest and most influential Islamic movements in the world. It positions itself as an "Islamic religious, political, and social movement," operating in 70 nations.

Its enemies? The United States and Israel.

Its objective? Global rule.

**++ The Muslim Brotherhood's goal is for Islam to dominate the world.**

**Muslim Brotherhood founder Hassan al-Banna declared:**

**"It is in the nature of Islam to dominate, not to be dominated, to impose its law on all nations and to extend its power to the entire planet."**

**The Muslim Brotherhood motto reads, "Allah is our objective. The Prophet is our leader. The Qur'an is our law. Jihad is our way. Dying in the way of Allah is our highest hope. Allahu Akbar!"**

**The *New York Times* reported, "The Brotherhood calls for a society governed by Islamic law, and some of its former members and offshoots – most notably Hamas, the Palestinian group whose stated goal is the destruction of**



**Israel — have been tied to attacks."**

Muslim Brotherhood Supreme Guide Mahdi Akef praised Osama bin Laden in 2008. Akef called the 9/11 mastermind an Islamic "mujahid" – a term of honor – and said the killer was "close to Allah on high."

"The public face of Islam in America is framed by the Muslim Brotherhood," writes Stephen Coughlin, a former intelligence officer who briefed the Pentagon on Islam and terrorism.

"Far from 'moderate,'" Coughlin warns, "the Brotherhood is the most dangerous player in the War on Terror – not least because of its demonstrated ability to penetrate and subvert."

**And one reason the Brotherhood, active in the U.S. since 1963, is so dangerous is that it has gained access to the highest reaches of American power. Its agents and allies were welcomed to the White House during the Clinton, Bush, and Obama presidencies.**

**But why hasn't the U.S. Department of State designated the Muslim Brotherhood a "Foreign Terrorist Organization"?**

That is the question Rep. Ron DeSantis (R., Fla.), the House National Security Subcommittee's chair is asking. And so are we . . .

REV PHILLIP, today Christians in Defense of Israel joins with Rep. DeSantis in supporting a new initiative to demand answers from the State Department – and to demand that the Muslim Brotherhood be designated a "Foreign Terrorist Organization" (FTO). [Click here to join with us!](#)

+ + Past congressional failures!

**In 2015 and again in 2017,** Sen. Ted Cruz (R-TX) and Rep. Diaz-Balart (R-FL) introduced the *Muslim Brotherhood Terrorist Designation Act* into both chambers of Congress, urging the Secretary of State to formally designate the Muslim Brotherhood as a Foreign Terrorist Organization.

**(NOTE: John "Swift-boat" KERRY'S daughter is married to the son of IRANIAN Foreign Minister. & Valerie Jarrett was BORN IN IRAN)**

The bills detailed the Muslim Brotherhood's involvement in violent terrorist aggression and their links to radical terrorist organizations. But those bipartisan congressional efforts failed during the Obama administration. As Rep. Diaz-Balart then stated:

"The Muslim Brotherhood has a long history of terrorism around the world. The group supports and stands behind numerous terrorist organizations that are responsible for acts of violence and aggression."

Muslim nations, including Egypt, Saudi Arabia, the United Arab Emirates, and Syria, along with Russia, have already designated the Brotherhood a terrorist organization and banned them from operating in their countries. Other nations are investigating the organization and considering similar action.

Last year, the Trump administration was reportedly considering the "Foreign Terrorist Organization" designation, but no action was taken.

[Our petition supporting the designation of the Muslim Brotherhood as a Foreign Terrorist Organization will be delivered to key House and Senate leaders, and to Secretary of State Mike Pompeo as soon as we gather enough names to make a strong impact.](#)

[Click here to add your name.](#)

Thank you for your patriotic response,

God bless you. God bless America. God bless Israel.

Mat

P.S. Sen. Cruz is outspoken in calling for the FTO designation: "We have to stop pretending that the Brotherhood are not responsible for the terrorism they advocate and finance. We have to see it for what it is: a key international organization dedicated to waging violent jihad."

[Join with us — for the sake of the United States' national security, the safety of Israel, and for security everywhere the Muslim Brotherhood has influence.](#)

+ + + + + + + + + + + + + + + +  
+ + Comments? Questions?

<http://www.grassrootsaction.com/r.asp?U=862113&RID=49852604>

Liberty Counsel, the parent organization of Christians in Defense of Israel, with offices in Florida, Virginia and Washington, D.C., is a nonprofit litigation, education and policy organization dedicated to advancing religious freedom, the sanctity of human life and family. We are advocates of a strong U.S. - Israel relationship.

Liberty Counsel . PO Box 540774 . Orlando, FL 32854 . [407-875-1776](tel:407-875-1776)



**Thank you for your gift to Christians in Defense of Israel!**

**Your copy of "Muslim Brotherhood: Allah's Agents of Conquest," if requested, will be sent soon.**

Please also know that your gift is helping to further the mission of Christians in Defense of Israel. Thanks to friends like you, we are unwavering advocates for the nation of Israel and heavily involved in the promotion of U.S. - Israel relations.

We are extremely grateful for the support of God-fearing Americans like you who share our desire to help and support Israel and the Jewish people.

Again, thank you and God bless you!

Sincerely,



**Nicholas Papanicolaou**



Rochester Christian Church

**U-TUBE VIDEO.**

**from LORI FREMO**

**Nicholas Papanicolaou**

Inbox x

**KNIGHTS OF MALTA. (FOUNDED IN 1138 @ RHODES, GREECE, 250 YEARS THEN MALTA ANOTHER 250 YEARS)**

(By the way, MARILYN COHN owns a HOUSE in MALTA, in Mediterranean Sea.)

**9th JULY, 2016**

Lori Fremo



<https://youtu.be/opc7egXaCNI>

Attachments area

Preview YouTube video Nicholas Papanicolaou

Nicholas Papanicolaou

June 11, 2016



**MOSLEMS CRACK THE MINUTE THEY SEE YOU KNOW MORE ABOUT ISLAM THAN WHAT THEY HAVE BEEN INDOCTRINATED WITH.**

**GENETIC DEFECTS, INTERMARRIAGE, FOR GENERATIONS.**

**SON OF HAMAS INTERVIEWED. KHALID MOHAMMED. UNDERSTOOD MOSLEM MENTALITY**

ISHMAEL PROGENY~ NOT SON OF THE PROMISE. HAGAR, EGYPTIAN~ WILD DONKEY UNTIL HE REMOVES THE YOKE FROM HIS NECK.

GENESIS 22. ONLY SON, ISAAC (YITZAK)

UNTIL YOU ACCEPT JESUS, (GALATIANS , ISHMAEL WILL NEVER ENTER THE KINGDOM, UNTIL BORN AGAIN)

DECEIVED BY IMAMS.

WORD OF GOD to deliver them

**ORGANIZATION OF ISLAMIC CONFERENCE 56 U.N. ISLAMIC STATES + PLO. (57 STATES)**

**vote as a bloc, undue influence.**

U.N. ARTICLE 18 HUMAN RIGHTS. CONDITION OF U.N. MEMBERSHIP, freedom of women , 1948, equality of sexes, freedom to enter or leave a RELIGION. They were ALL admitted to UN.

**BUT 1990 CAIRO DECLARATION BY 56 MOSLEM NATION MEMBERS**

**JUSTIFIED KILLING IN ISLAM KILL THE INFIDEL.**

**U.S. GOVT ALLOWED THEM ALL**

**APRIL 2011. (CLINTON AS SEC STATE) (OPPOSE )RESOLUTION 16/18 OF HUMAN RIGHTS COUNCIL.** "HISTORIC DAY." NO VOTE! ADOPTED BY HUMAN RIGHTS COUNCIL.

**CRIMINAL LAWS U.N. HATE SPEECH AGAINST ISLAM.** not AGAINST CHRISTIANITY. INSITES VIOLENCE

**SAN BERNADINO XMAS PARTY.** ANNOYED BY MESSIANIC JEW . HATE CRIME, 1ST PERSON HE KILLED. FAROUK LEFT PARTY ANGRY.

**KORAN 5:49 MEANT TO RULE OVER INFIDELS, SHARIA LAW.**

**U.S SPEECH AUG 2008, NEVER BE FULL CITIZENS OF AMERICA, CAN NEVER BE COMMITED.**

**C.A.I.R. AUSTIN TX. 3/3/2013 WE ARE ABOVE THE LAW.**

**SHARIA LAW IS ABOVE ALL MAN-MADE LAW.** **SEDITION. CODE 18/ 2384 IMPRISONED FOR 20 YEARS.**

**U.S. CONSTITUTION IS THE ONLY LAW OF AMERICA.**

**ARTICLE 6 OF CONSTITUTION: SUPREME LAW OF THE LAND.**

**NO DISTICTION OF MOSLEMS. ALL UNDER PROTECTION OF FREEDOM OF RELIGION.**

**1878. REYNOLDS V. U.S. mormon poligamy. outlawed**

**1990. OREGON STATE EMPLOYERS VS SMITH (ILLEGAL FIRING, MY SMOKE PAYOTE )**  
**no.**

**SHINTO WARRIOR RELIGION JUSTIFIED BARBARITIES**

**POTSDAM DECLARATION: JAPANESE MUST BE DISABUSED OF THEIR RELIGION MAY 1945**  
**15/12/1945 MACARTHUR. JAIL FOR SHINTO RELIGION OUTSIDE OF THEIR TEMPLE IN**  
**JAPAN.**

**LEGAL PRECEDENTS. REYNOLDS & SMITH.**

**ENFORCE THE U.S. LAW**

**MONITORING OF MOSQUES. FREEDOM OF RELIGION ENDS AT SEDITION.**

**OUTLAWING SECTIONS OF ISLAM**

**16 RECOMMENDATIONS.**

**OBAMA'S SEDITION. POLITICAL CORRECTNESS MUST DIE.**

**TRUTH.**

#### **4.3.59      Response to Comments from Lemkin, Phillip/Linda**

59-Lemkin-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Allen Lillie](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba EIR Comments  
**Date:** Monday, July 30, 2018 7:25:08 PM

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Hello,

My name is Allen Lillie. I live at [REDACTED] in San Martin. I have followed the Cordoba development for some time. Here are my comments and questions:

In attending the public hearings I note a distinct level of distrust from San Martin residents, directed at the entire planning/permitting approval process. There is the sense that the Department of Planning and Development has been less than transparent, less than straightforward in its earlier approval of this project. It is in the best interest of all to address this distrust, and to attempt greater transparency. Citizens need to have confidence in the process; they need to know that, even if they lose their case, they were given a fair hearing.

1

Over and over, what I heard was this: water quality is a serious issue. Residents have experienced perchlorate plumes affecting their well water, and sewage spills entering the watershed. Is it unreasonable for residents to want a higher level of certainty about the project's effects on water quality?

Key questions that need to be addressed:

- Previous property owners have attempted to secure a building permit for this parcel. In these cases, where permits were denied, the applicant failed the 'perc test'. How was the current applicant able to pass the perc test where others have failed? Can the results be replicated?

2

- Given the limited size of the local Muslim community, and given that larger facilities are available closer to the metropolitan population centers, how does the current plan fit into 'local use' criteria? It is my understanding that most who come to the Cordoba Center will be from outside of the area. This is not local use, and this will have an impact on the community.

3

- Will traffic be an issue? Muslims are called to prayer five times daily. Prayers may last up to half an hour. Imagine that you have an appointment that will take 30 minutes. You are employed, you have other responsibilities. So you arrive shortly before the prayer time, and you leave shortly afterwards. If prayer is at 12 noon, you can expect an incoming traffic bubble from 11:45 am to 12 noon. Since most of us don't carpool, you can expect an influx of 100 to 300 cars in about 15 minutes. Then you'll expect an outgoing traffic bubble from 1230 to 12:45. This is a lot of cars to be entering Monterey Rd; unless a physical barrier prevents left turns, the temptation to make a left turn will be too great for those who wish to get on the freeway and go north. That left turn onto Monterey Rd would be a most definite safety risk.

4

-What about the septic system? Residents have stated that during the rainy season the water table is so high that their septic systems back up. How will the Cordoba Center septic system address this chronic problem and avoid contamination of runoff?

5

We can all agree that every faith has the right to build a church and worship as they see fit. We can also agree that everyone wants clean, safe drinking water. Given the history of this parcel, and the oral history provided by longtime residents, it would seem prudent to downsize this project in order to lessen potential impact.

6

I would propose that, if indeed the property passes perc tests, that construction be considered for a mosque that meets the needs of the local Muslim population--100 to 150 followers. I would propose that the building of anything else be put on hold, to allow time to determine the actual impact of the mosque on local groundwater runoff. This would allow the local Muslims their place of worship and would

7

minimize the risk of irreversible environmental impact. I think the mosque should operate for a minimum of five years before any expansion is considered. This would allow time to determine the actual effects if any from the mosque.

7

Most Respectfully,

Allen P. Lillie



#### **4.3.60      Response to Comments from Lillie, Allen**

- 60-Lillie-1:      The Draft EIR evaluates the projects effects on water quality in Section 4.4.
- 60-Lillie-2:      The comment does not provide specific examples of previous owners of the property failing percolation tests or the circumstances under which those tests were conducted. Impact 4.4-2 evaluated the proposed on-site waste water system for this particular project and concluded that it would meet County standards with implementation of Mitigation Measure 4.4-2.
- 60-Lillie-3:      The current “local serving” provisions of the County General Plan and Zoning Ordinance, which took effect on October 20, 2015, address the appropriate size, scale, and intensity of local-serving uses in rural unincorporated areas of Santa Clara County. These provisions replaced previous requirements that implied residency requirements for patrons or customers of land uses classified as “local serving,” instead of the practice to evaluate such uses against an appropriate size, scale, and intensity. The Planning Commission, with input from the San Martin Planning Advisory Committee, will consider the project’s compliance with the local-serving criteria during consideration of the project. Any Planning Commission action would be appealable to the Board of Supervisors. Note that the County Planning Department is evaluating existing development standards in the County’s zoning ordinance for all rural developments and will be conducting outreach in the coming months related to that effort. However, any changes or outcomes from that project does not affect the review of the Cordoba Center project. See Responses 4-LAFCO-2, 58-Lefaver-1, and 60-Lillie-3.
- 60-Lillie-4:      Weekday trip generation estimates are provided in Table 4.6-2 of the Draft EIR. Impact 4.6-3 evaluated traffic hazards of the proposed project and concluded that this impact would be less than significant with implementation of Mitigation Measure 4.6-3.
- 60-Lillie-5:      Impact 4.4-2 evaluated the proposed on-site waste water system and concluded that it would meet County standards with implementation of Mitigation Measure 4.4-2.
- 60-Lillie-6:      The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission when it evaluates the EIR and proposed project, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 60-Lillie-7:      See Response 59-Lillie-6.


**From:** [Carol Lillig](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Córdoba Center in San Martin  
**Date:** Monday, July 30, 2018 11:56:18 PM

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To Whom It May Concern:

I am writing in support of the Córdoba Center in San Martin. I find all faith communities add value to our neighborhood and encourage you to approve their plans. I understand that their plans meet or exceed any regulatory requirements, and it seems to me that their proposed building will only enhance the community. The reservations I have heard voiced at meetings and in the media just seem to be bigotry. As a member of a faith Community myself - Catholic - I would hope that the Muslim community would be treated with the same tolerance and respect that I have come to experience in the South County area.

Thank you for your efforts to deal fairly with all involved parties. We appreciate your consideration.

Sincerely,  
Carol Lillig  
South County resident  


#### **4.3.61      Response to Comments from Lillig, Carol**

61-Lillig-1:      Comments in support of the proposed project will be considered by the Planning Commission when it considers whether or not to approve it, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [AK Baameur](#)  
**To:** [CordobaEIRComments](#)  
**Date:** Monday, July 30, 2018 1:52:19 PM

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On Jul 17, 2018, at 9:14 AM, Sandra Lim [REDACTED] wrote:

I am writing in support of the Cordoba Center. These people have waited long enough for their Mosque. I have gone to a presentation on the center and they have planned for every complaint people can have. Having green burials with 6 wells that will be monitored to ensure water quality should be enough keep the ground water safe. I live in Morgan Hill on the other side of the creek and I drive through San Martin to get to the freeway. The extra lane they are putting in on Monterey should take care of the traffic problems. I would prefer to drive by their lovely building with orchards surrounding it than the industrial monstrosities that are located across the road from this property.

I know one of the people who opposes this plan and her reason is not environmental concerns as she states. It is because she doesn't like Muslims. We are a country of religious freedom and these people deserve their Mosque.

Sandra Lim

[REDACTED]  
Morgan Hill, CA 95037

Nearly all men can stand adversity, but if you want to test a man's character give him power. [Abraham Lincoln](#)

#### **4.3.62      Response to Comments from Lim, Sandra**

62-Lim-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Hoem, Christopher](#)  
**To:** [Connie Ludewig](#); [CordobaEIRComments](#)  
**Cc:** [Chavez, Cindy](#); [Cortese, Dave](#); [Supervisor Yeager](#); [Simitian, Joe](#); [Wasserman, Mike](#); [Sandhir, Manira](#)  
**Subject:** RE: Environmental Contamination  
**Date:** Wednesday, July 25, 2018 12:57:35 PM

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Thank you. I will forward your email to [CordobaEIRComments@pln.sccgov.org](mailto:CordobaEIRComments@pln.sccgov.org) so your comments and/or questions regarding the Cordoba Center will be addressed in the Final EIR.

Christopher Hoem, AICP  
Santa Clara County Senior Planner  
408-299-5784

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**From:** Connie Ludewig [REDACTED]  
**Sent:** Monday, July 23, 2018 8:18 PM  
**To:** Wasserman, Mike <Mike.Wasserman@bos.sccgov.org>  
**Cc:** Chavez, Cindy <Cindy.Chavez@bos.sccgov.org>; Cortese, Dave <Dave.Cortese@BOS.SCCGOV.ORG>; Supervisor Yeager <supervisor.yeager@BOS.SCCGOV.ORG>; Simitian, Joe <Joe.Simitian@bos.sccgov.org>; Hoem, Christopher <christopher.hoem@pln.sccgov.org>  
**Subject:** Environmental Contamination

Dear Supervisor Wasserman:

There is a lot of discussion and comments concerning the Cordoba Project and Patel RV Park based on the 'EIR'; but those quoting it, do not seem to realize that it is a DRAFT.

I am very concerned about the safety of the resident's water in San Martin with respect to the Cordoba Project, and proposed RV Park. It appears the County is using San Martin residents for Cordoba's **experimental – one of a kind - type cemetery. That combined with facts that residents have been victims of runoff from the actual cemetery site, (through the RV Park parcel, to California Ave, to Harding Ave, to Highland (while flooding pastures, yards and residential wells),** could lends itself to potential 'legal action' by those affected.

Residents' complaints of years of recurrent raw sewage contamination from Morgan Hill, in addition to the ignored complaints of the above mentioned flooding, are reason alone for the County to obtain current FEMA studies, especially since the water flooding 'source' is the site of the cemetery.

It is apparent that the United States has failed to do cemetery studies, as such, the County should include findings from numerous studies from other countries. San Martin is still recovering from over 10 years of well Perchlorate contamination. In 2017 the City of Morgan Hill released 204,000 gallons of raw

1

2

3

sewage into endangered Llagas Creek. By approving this project, without extensive evaluation, would possibly risk our health and safety, and residential wells. I hope you will rather error on the side of caution, by recommending that the cemetery be at another area in the county, with rural services.

3

Please review "Impact of cemeteries on groundwater contamination by bacteria and viruses – a review. Jozef Zychowski and Tomasz Bryndal" that warns of the dangers of what this project proposes.

4

1. Please send me a copy of the County's current studies done at the proposed site of the Cordoba Project confirming the proposed cemetery **will not contaminate the groundwater of San Martin resident's wells**. If none exist, state none exist. What studies, if any, does the County proposes to implement regarding **this** issue, and when?
2. Tell me where I can find current cases in the United States where the same circumstances as the proposed Cordoba cemetery are currently in effect and operating safely. (i.e. cemetery location, soil type, no city water or sewer services available at site, dead buried directly in the ground (no caskets) using concrete casing to stabilizes the walls of each grave, distance to neighboring resident's well, etc.) If none exist, please state none exist.
3. If no cemeteries exist in the U.S. with the same circumstances as this proposed cemetery, and no studies have been done to prove the cemetery won't contaminate the resident's well water, how will the County guarantee the safety of the resident's groundwater in San Martin?
4. **The SVIC application (on the county website) states that the graves will be cement vaults.** However, at a meeting at Advent Lutheran Church on July 18, 2018, Sal Akhtar stated that is incorrect, and he will contact the county to change the plan. **How is is possible for SVIC to change the application, during the Draft EIR process? Doesn't this necessitate a new application with updated statistics?**
5. **When were the changes to this project provided to the residents of Santa Clara County?**
6. **Will you please provide the County policy regarding changes to the applicant's project description?**

5

6

7

I look forward to your reply.

Regards,

Connie Ludewig

"The way to get started is to quit talking and begin doing". Walt Disney



#### **4.3.63      Response to Comments from Ludewig, Connie**

- 63-Lude-1:      Impact 4.4-4 found that with implementation of Mitigation Measure 4.4-4, the proposed cemetery would not result in deterioration of groundwater quality below drinking water standards. The Draft EIR evaluated drainage and stormwater runoff in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR), and both impacts were found to be less than significant. See Responses 5-SMNA-37 and 5-SMNA-38.
- 63-Lude-2:      The comment does not address how sewage spills in the City of Morgan Hill that have occurred in the past are connected with stormwater flows of the proposed project. The existing pre-development run-off from the project site would remain unchanged with implementation of the project's proposed drainage system.
- 63-Lude-3:      Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center. See Response 57-Lefaver-4.
- 63-Lude-4:      See Response 57-Lefaver-4.
- 63-Lude-5:      See Response 57-Lefaver-4.
- 63-Lude-6:      See Response 57-Lefaver-4.
- 63-Lude-7:      See 20-Cambareri-1.

**From:** [cludewigs2](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Draft EIR Comment  
**Date:** Monday, July 30, 2018 3:19:09 PM

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The DEIR as presented is flawed, inadequate, and misleading about environmental safety.

1

Additionally, Santa Clara County was negligent with the February 2017 NOP (transmittal 2016122022) to the State Clearing House for input about the application and blue prints of the Cordoba Center and Patel RV park. Only a few of the boxes were checked; therefore, agencies did not reply thoroughly about concerns or recommendations about these projects that require due diligence for all possible concerns. Nor was adequate time permitted in 2017, due to county delayed distribution, for thorough responses and replies.

2

Water: There are real environmental concerns--San Martin has reported problems to the county for years and been ignored. Yet the DEIR states little, to no impacts, implying there are no plans to study. This is inaccurate! All possible impacts concerning water in San Martin MUST be considered.

3

The DEIR as presented, is yet another insult to San Martin residents. For years we have voiced and reported concerns. But we have been censored, and valid reports of flooding and contamination have been ignored. We have been victims, and neglected. We have been faced with:

4

- Perchlorate poisoning -already into 10 years of cleanup. It is anticipated it will take up to 100 years to completely be cleared.

5

- Recurrent raw sewage contamination (since at least 2009) by our neighboring cities. Reports have been in the newspaper. Residents have complained to SMPAC who reported to Santa Clara County Planning (Bill Shoe) but he personally told us this is not a county issue. Neither Morgan Hill or Gilroy have come to our aide, although together with the County, they are also to blame. Santa Clara County has ignored residents, and provided NO action to assist the San Martin rural residential community. Santa Clara County MUST protect San Martin and abide by the SMIDP.

6

- 204,000 gallons of sewage released into (already endangered) Llagas Creek in 2017. Again, no action from Santa Clara County, nor response by SCVWD. During this time Livestock Died, but residents did not know about raw sewage contamination, until weeks later when the local news reported!

7

- Faulty sewer trunk system from Morgan Hill to Gilroy. There are no maps of San Martin for this development on file, nor reported studies, from the plans for this sewer trunk system, and yet County approved this violation against the west San Martin neighborhoods, even though there were already flood culverts, due to decades of flooding history! Santa Clara County MUST stop this negligence, and abide by the SMIDP, to PROTECT residents of San Martin! Do Not Create More San Martin Health and Welfare Problems.

8

- Flooding from the parcels (Cordoba project and Patel RV Park)...FROM THE SITE OF THE PROPOSED CEMETERY, and across the site of proposed Patel RV Park is documented.

9

Because of this annual flooding, there are culverts along Harding Ave. The neighboring house at the corner of California Ave and Colony becomes completely surrounded with standing water. Furthermore, water flows west to Harding Ave, and onto Highland Ave. Cumulative tests MUST be completed and studies performed, before considering a cemetery on this hillside.

9

-SANTA CLARA COUNTY MUST PROCEED RESPONSIBLY, and insist that thorough environmental and geological studies are conducted, including providing all pertinent facts to FEMA for a current map flood report, to ensure cumulative impacts are not harmful and damaging to residential and agriculture wells in San Martin, or further south.

10

In 1995 the Santa Clara County established the San Martin Integrated Design Plan (SMIDP) to protect the unique rural residential community from the effects of uncontrolled large growth and to protect the resources. The county should abide by the SMIDP, to hold developers to the guidelines, with controlled future growth, using the same size, scale, dimensions, and rural design, as other local development's and institutions.

11

What are the cumulative affects from Cordoba and Patel RV Park, and how will flooding runoff be prevented?

12

For years the community complained about the percolation ponds at the food processing plant on the Eastside of Monterey Road, but got no assistance. What outside sources will monitor the Cordoba Center swales, water storage, and cemetery, to ensure safety of soils and water?

13

What proof of success, and geological scrutiny is there with other cemeteries in rural residential communities near residential wells? If none, do not use San Martin as a test project.

14

Please provide a clear definition of a bathhouse. How will this affect the studies and water usage?

15

According to the Green Burial Council, the use of concrete vaults would prevent this project from being considered GREEN. Project manager, Sal Akhter, states that SVIC plans to ammend the project (as described on the county website), and will not include the concrete vaults. If a change is made, Public Comments and this DEIR would be invalid, as this would be a Non-Project.

16

Please consider all aspects in the DEIR that include:  
Aesthetics, Agriculture, Air quality and Noise, Llagas Creek, Wildlife corridors and Riparian buffer enlargement, Water Supply, and High Speed Rail.

17

I request that all these items be included in The EIR, and that the DRAFT be rewritten to include all these points as outlined.

18

Sincerely,

Connie Ludewig  
San Martin Resident

Sent from my Verizon 4G LTE smartphone

#### **4.3.64      Response to Comments from Ludewig, Connie**

- 64-Lude-1:      Responses to specific environmental concerns are provided below.
- 64-Lude-2:      See Response 57-Lefaver-2. The County complied with all CEQA requirements regarding the contents of the NOP (CEQA Guidelines 15082(a)(1). The Patel RV Park is not the proposed project evaluated by this Draft EIR; therefore, the NOP for the Cordoba Center EIR appropriately did not include plans for that project. Section 15082(b) requires responsible and trustee agencies to provide responses to the NOP within 30 days after receiving it. The NOP (Appendix B of the Draft EIR) provided for a 45-day comment period.
- 64-Lude-3:      The Draft EIR evaluated the project's potential impacts to water quality in Section 4.4 (Impacts 4.4-1 through 4.4-5). The Draft EIR evaluated drainage and stormwater runoff in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR), and both impacts were found to be less than significant.
- 64-Lude-4:      See Response 5-SMNA-28.
- 64-Lude-5:      Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center.
- 64-Lude-6:      The comment is not a comment on the Draft EIR.
- 64-Lude-7:      The comment is not a comment on the Draft EIR.
- 64-Lude-8:      The comment is not a comment on the Draft EIR.
- 64-Lude-9:      See Response 5-SMNA-28.
- 64-Lude-10:      Flood conditions are evaluated in Section 9.2 of the Initial Study (Appendix A of the Draft EIR).
- 64-Lude-11:      Consistency of the proposed project with the San Martin Integrated Design Plan and Guidelines will be evaluated by staff with recommendations included in the staff report to the Planning Commission.
- 64-Lude-12:      The Draft EIR considered the Patel RV park in a number of cumulative impact evaluations in Chapter 4, including under Impacts 4.1-4, 4.1-5, 4.1-6, 4.4-5, 4.5-5, 4.4-6, and 4.6-6. Section 9.2e) of the Initial Study evaluated whether project development would create or contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems. The project has been designed through use of on-site retention and other measures to retain off-site drainage discharges at pre-development rates for up to a 10-year and 100-year storm events. Because drainage discharges would occur at pre-development rates, the proposed project would not contribute to a significant flood impact in combination

with the proposed RV Park, which it should be noted would be required to meet the same drainage requirements.

- 64-Lude-13: On-site wastewater treatment system and cemetery monitoring are detailed in Mitigation Measures 4.4-3 and 4.4-4, respectively. The County would be responsible for ensuring that this mitigation monitoring is conducted. Regarding the drainage swales, the owner of the property would be required to enter into an Operations and Maintenance Agreement with the County that would be recorded on the property. The County is required by the Central Coast Regional Water Quality Control Board (per Section E.12 of the permit document and regulate storms as small as the 2-year, 24 hour storm) to inspect the improvements a minimum of once every five years to ensure that the storm drainage improvements required by the State requirements are still functioning as originally designed. Those inspections are subsequently reported to the State as a part of the permit requirements.
- 64-Lude-14: See Response 57-Lefaver-4 and 116-Zilliox-3.
- 64-Lude-15: See Response 5-SMNA-125.
- 64-Lude-16: The Draft EIR describes the proposed cemetery on pages 3-18 and 3-19. Impact 4.4 evaluated the proposed cemetery on the basis of that description and on the submitted plans, which do not include concrete vaults. What is proposed at each grave site is a small, horizontal stone plaque, flat on the ground, that would be placed at the head of the grave for identification.
- 64-Lude-17: The Draft EIR evaluates aesthetics and noise in Sections 4.1 and 4.5. Agricultural resources, air quality, biological resources (including riparian habitat and wildlife corridors), and water supply were evaluated in the Initial Study. High-speed rail was included in the cumulative noise analysis in Section 4.5.
- 64-Lude-18: The responses to these comments will be included in the Final EIR.

**From:** [Steve Ludewig](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Draft EIR Comment  
**Date:** Monday, July 30, 2018 4:26:08 PM

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Under CEQA, a public agency must consider measures that might mitigate a projects adverse environmental impact and adopt them if feasible.

The summary of Project Alternatives, 1.5 of the DEIR provides 4 alternatives.

1. No Project
2. Local serving Threshold (75%)
3. 25% Reduced intensity
4. 50% Reduced intensity

The County has failed to act in good faith, failed to be transparent and accountable, and has ignored the requests of San Martin residents, San Martin Planning Advisory Committee, and San Martin Neighborhood Alliance concerning the current needs of our community.

I respectfully request that Santa Clara County abide by the San Martin Integrated Design Plan, to ensure that all future growth and development stay within the guidelines of size and entinsity, and of the present San Martin dwellings. The Cordoba Center entirely exceeds the SMIDP guidelines, which includes rural design.

Sincerely,  
Steve Ludewig  
San Martin, CA

#### **4.3.65      Response to Comments from Ludewig, Steve**

- 65-Lude-1:      The comment references CEQA requirements regarding consideration of alternatives and lists the alternatives evaluated by the Draft EIR.
- 65-Lude-2:      Consistency of the proposed project with the San Martin Integrated Design Plan and Guidelines will be evaluated by staff with recommendations included in the staff report to the Planning Commission.



**From:** [Machado4](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Born & Raised in San Martin  
**Date:** Friday, July 20, 2018 1:21:21 PM

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Good Afternoon,

I have been a San Martin resident for 39 years (since birth, minus a dozen years in Gilroy). I understand that we can't keep rejecting all proposed project in this "gem" of a town. I do feel that the proposed RV Parks and the Islamic Center are too big for our britches.

1

One of the RV parks is bigger than I have ever seen. Why is that being placed in San Martin? Are we attracting tourism? We do not have services and activities to keep all those campers busy. Plopping it in unincorporated land to increase tourism in Morgan Hill and Gilroy is not fair to this small community. We are already sandwiched between their high maintenance needs. We house their sewer pipes and deal with their avoidance of the freeway on a daily basis.

The Islamic Center is not for a community who has dealt with well contamination ALL TO MANY times. It is logical to worry about this when we are the ones who have to diligently test and monitor our wells and pump stations. It isn't fair to roll the dice and hope there isn't an issue. The reporting shows potential issues. That should have been the end of the review.

2

The news headlines for the Islamic Center discussion often includes quotes of the opposition being called "Islam-a-phobic". This tactic silences the opposition for fear of being publicly lumped into this ugly category. I am sensitive to the fact that people are trying to make this about turning away a faith. As part of this community for 39 years, I can say with my whole heart that if the project was scaled down and posed no risk to the communities water supply, the people of San Martin would welcome the diversity. This is California, this is the Bay Area, not some crazy place that judges people on their differences. Any attempt to misrepresent my community as discriminatory to people; based on faith, is meant to distract from the real problems with this project.

3

A San Martin Resident, who normally minds her own business, so I'm intentionally omitting my name.

#### **4.3.66            Response to Comments from Machado**

66-Mach-1:    See Response 24-Chivo-4.

66-Mach-2:    Impacts to groundwater quality from the on-site wastewater treatment system were evaluated under Impacts 4.4-2 and 4.4-3, and implementation of respective mitigation measures would reduce these impacts to less than significant. Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.

66-Mach-3:    The comment is acknowledged. See Response 65-Mach-2 regarding groundwater impacts.

**From:** [Vanessa MacLaren-Wray](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Comments in favor of Coordinate project EIR  
**Date:** Thursday, July 12, 2018 8:52:38 PM

---

1.  
My name is Vanessa MacLare-Wray. I am a longtime resident of San Martin. I spoke briefly at the July 13th public comment meeting in Morgan Hill.
2.  
I live less than a block from the current mosque, and I want everyone to know we have had absolutely no issues whatsoever in terms of traffic, noise from activities. They are good neighbors, and I expect that to continue.
3.  
I've read the materials to date and have followed the process over time.
4.  
I want to state clearly on the basis of this EIR and my own experience that I see no cause for concern.
5.  
I see significant interference from outside our San Martin community. An anonymous entity from San Jose spent a significant amount of money to print a 4-page packet designed to make the project look "scary" by lumping it together with a couple of proposed RV parks. The letter was not signed, but the sender used a Morgan Hill private investigator to get my name and address and send me this unattributed political mailing. I hope those reviewing comments will focus on comments from real San Martinians. With a few exceptions, we are a get-along-with-each-other community.
6.  
Other new houses of worship in our town have been approved, constructed, and serve their members without any such public outcry, especially from outsiders, whether from San Jose or Gilroy.
7.  
Our groundwater is already contaminated...with nitrates. That has nothing to do with this project.
8.  
County well owners already have access to free annual well testing, for nitrates and for an array of biological contaminants. The water district provides financial assistance for putting in RO filters for nitrate management. Owners of older wells may already need to be considering new wells. We had to do so when our shared well had excessive nitrates. These well issues should not be rolled into consideration of this project.

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 9.  | I hope that the final EIR might include something to educate people about how a natural cemetery like the one proposed (no chemicals, etc) functions. There seems to be an ongoing fear, based on ignorance. I am eager to see such an environmentally sound facility, and it is clear that it will not cause any issues.                                                                                                                                                                                                                                      | 3  |
| 10. | The project itself will a beautiful addition to San Martin.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 4  |
| 11. | If people are having issues with their septic fields or concerns about Morgan Hill's sewage flowing right through our town....that has nothing to do with this project.                                                                                                                                                                                                                                                                                                                                                                                        | 5  |
| 12. | The so-called Neighborhood Alliance does not represent the views of most San Martinians.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 6  |
| 13. | The recurring confusion among many speakers (at the Morgan Hill meeting) between surface water and groundwater speaks to a need for more education on hydrology, not for denial of this proposal. Some of us do know the difference.                                                                                                                                                                                                                                                                                                                           | 7  |
| 14. | Also, lots of us do understand what happens to a body buried without chemicals. We are not scared of a well-designed ecological cemetery. We know that if there are 'thousands' of burials, that would only be over a long, long project life.                                                                                                                                                                                                                                                                                                                 | 8  |
| 15. | The one suggestion I might make is for the final EIR to set aside a section to clarify the water factors (both runoff and cemetery) as well. I know it's technically not your job to teach hydrology, but I think it could be done. I am a professional engineer and technical writer, so I understand the difficulty, but also know how effective it can be to provide a clear, brief, accessible explanation of the science.                                                                                                                                 | 9  |
| 16. | While the opponents of the project were relatively noisy and confrontational during the meeting, please observe that a strong majority of those who spoke supported the conclusions of the EIR. And it was most conspicuous that supporters were respectful of the process and displayed a higher degree of familiarity with the actual contents of the EIR. Please do not allow yourselves to be swayed by noisy people who showed poor understanding of our good neighbors and of the science that shows that this will be a good project for our community. | 10 |

#### **4.3.67      Response to Comments from MacLaren-Wray, Vanessa**

- 67-MacI-1:      The adequacy of the Environmental Impact Report will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 67-MacI-2:      The Draft EIR evaluated impacts to groundwater quality in Section 4.4. The existing conditions of wells in the vicinity was not part of the evaluation.
- 67-MacI-3:      The purpose of a Final EIR is to respond to agency and public comments on the Draft EIR and to make revisions to the draft as needed. The Draft EIR included information on the proposed burial process in Chapter 3.
- 67-MacI-4:      The comment is not a comment on the Draft EIR.
- 67-MacI-5:      The Draft EIR evaluated the project's wastewater treatment system under Impacts 4.4-1 and 4.4-2. The County acknowledges that any deficiencies with the Morgan Hill sewer line is an existing condition not related to the proposed project.
- 67-MacI-6:      The comment is not a comment on the Draft EIR.
- 67-MacI-7:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 67-MacI-8:      The Draft EIR evaluated operation of the cemetery under Impact 4.4-4.
- 67-MacI-9:      Responses to other comments on the Draft EIR included in this document at intended to provide clarification for questions regarding how hydrology and water quality impacts were evaluated. No text changes to the Draft EIR are warranted.
- 67-MacI-10:      The adequacy of the Environmental Impact Report will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



County of Santa Clara  
Department of Planning and Development

**Cordoba Center Use Permit**  
**Draft EIR Comment Form**

**DRAFT EIR COMMENTS**

**(Please print clearly and legibly)**

*Please hand in during the meeting or mail (address on back) or email by July 30, 2018.*

Name: Khalid Mahmood

Organization (if any): \_\_\_\_\_

Address (optional): \_\_\_\_\_

City, State, Zip: San Jose CA 95123

E-mail: \_\_\_\_\_

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**Comments (Please print clearly and legibly)**

I endorse this Cordoba Center plan. It is long  
time needed project for the muslim community  
living in the south bay. Muslim community is  
very peace full minority in the society and  
needs full support. Once again I fully support  
this project.

(More space on reverse side)

#### **4.3.68      Response to Comments from Mahmood, Khalid**

68-Mahm-1:    Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [sousan Manteghi](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba Center EIR report  
**Date:** Monday, July 30, 2018 4:29:09 PM  
**Attachments:** [Resolution in support of the Cordoba Center-7-21-2018.doc](#)

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Good Afternoon again Chris,

On behalf of South County Dem. Club, I have attached a copy of our Club resolution in support of Cordoba center.

Following statement has been issued by South County Dem. Club as well:

The proposed Cordoba Center would provide a replacement for their current place of worship, which is a repurposed barn, and is not the full-service community center that they envision and need. The Cordoba Center will provide a mosque, community building, recreational facilities, and a cemetery. In seeking approval for the construction of the Cordoba Center, the South Valley Islamic Community has complied with all review requirements and seeks no variances from applicable regulatory ordinances.

Currently, the project is subject of a Draft EIR under CEQA. The Draft EIR has not identified any significant impacts to local traffic, groundwater, or based on noise and lighting. Opponents of the project cite the potential impact to groundwater due to the location of the cemetery on the property where the South Valley Islamic Community will follow the practices of the Muslim burial. This practice requires that the body be placed directly in the ground, without preservation or a casket. Opponents fear that the practice will lead to contamination of community groundwater. The Draft EIR goes into great detail to analyze the potential for contamination of the groundwater including the local hydrology, location of water wells, and the potential for the burials as a source of groundwater contaminants. Importantly, based on all available information and analysis, the Draft EIR concludes that there is likely to be no significant impact to the surrounding groundwater based on the project, including the cemetery.

Democrats rightly take pride in our history of standing up for all members of our community who seek to enjoy the privileges, benefits, and responsibilities offered by our country. Today, the members of the South Valley Islamic Community have done all that has been asked of them and all that is required in order to secure the required approvals and permits for the construction of the Cordoba Center. We look forward to lending our support to make sure that this project is approved and constructed as quickly as possible. We call on local elected officials, faith and other leaders, and concerned members of the community to help support our friends in the Islamic community build the center in which they have invested so much time and effort.

The South County Democratic Club is proud to support the South Valley Islamic Community in their efforts to build the Cordoba Center.

We are planning to receive endorsement in support of this project from Santa Clara County Dem. Party and I have forwarded South County Dem. Club resolution in support of Cordoba center to all members of Santa Clara County board of Supervisors, State Senator Bill Monning and Congresswoman Zoe Lofgren and all other appropriate elected officials.

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You can reach me via my Email or my cell phone [REDACTED].

Regards

Sousan Manteghi-Safakish

SCDC President

**4.3.69      Response to Comments from Manteghi-Safakish, Sousan**

- 69-Mant-1:      Responses to the letter from the South County Democratic Club are provided in Section 4.2.
- 69-Mant-2:      The comment is not a comment on the Draft EIR.
- 69-Mant-3:      The adequacy of the Environmental Impact Report will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 69-Mant-4:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 69-Mant-5:      The comment is not a comment on the Draft EIR.

**From:** [sousan Manteghi](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** CORDOBA Center EIR Comments- Attn: Chris HOEM  
**Date:** Monday, July 30, 2018 4:19:37 PM

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Good afternoon

My name is Sousan Manteghi-Safakish a resident of San Martin ([REDACTED] San Martin) and I am writing this letter in support of Cordoba Center. As I have read thru EIR report, it had answered all my concerns. This community center will all much needed social and cultural diversity to our neighborhood . You can reach @ above Email or Via my cell # [REDACTED]

**4.3.70****Response to Comments from Manteghi-Safakish, Sousan**

- 70-Mant-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Afzal Mattu](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba project  
**Date:** Monday, July 30, 2018 12:59:46 PM

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Dear Mr. Chistopher Hoem

It is my privilege to write these few lines Re. Cordoba project.

This project has gone through very rigorous process of scrutiny and its compliance with every law of the city, county and the state. The people behind the project are a group of Muslims from all different parts of the world, living in south county and comprise of a middle and upper middle class group. There are doctors, engineers, teachers, technical workers, shop keepers and social workers and bring a very welcome diversity to the community. They are very peaceful, family oriented group and as long as all rules and regulations are followed the project should be unanimously approved. We must not have any shadow of prejudice or bias.

Thanking you much.

With best regards,

Dr. Muhammad Mattu.

Cardiologist.

#### **4.3.71      Response to Comments from Mattu, Muhammad**

71-Mattu-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Rabi Mattu](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba Center San Martin  
**Date:** Monday, July 30, 2018 2:10:37 PM

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Hello,

I am a resident of Morgan Hill and would like my children to grow up being able to practice our religion and to have a place of worship that is not 30 miles away. The EIR meets all the requirements so my request is to let the project go through.

Respectfully,  
Rabia Mattu

#### **4.3.72      Response to Comments from Mattu, Rabia**

72-Mattu-1:      The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**From:** [Kathy Mayeda](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Build IT!  
**Date:** Tuesday, July 10, 2018 9:07:53 PM

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The EIR and meeting dates were posted on Nextdoor.com. There was much discussion on the board on the project, mostly about the cemetery, building size and traffic.

I recognize that cemetery is above the area of flooding. The people bringing this up as a concern apparently can't read the site plan which clearly shows the cemetery on the hillside. If it floods up that far on the hillside, our county is in a lot more serious trouble than having "leachate" from the remains. Someone even questioned if I was a scientist, of which I replied that my undergraduate studies were a joint major in Earth Science/Environmental Studies. However, I don't believe one has to be a scientist to figure the slope issue out.

1

Traffic is not a concern to me. The Gilroy Garlic Festival or an event at Cor de Valle would cause much more traffic impact. In fact, I think San Martin could benefit from a little more traffic.

2

The building size does not concern me. That is addressed well in the EIR also. The site plan is well thought out to minimize the visual impact of the buildings.

3

I am more negatively concerned about the parties who are opposed to the project. The anti-Islamic bent of these parties is thinly veiled. I am a relative newcomer in San Martin. I googled the project and was aghast at the obvious hate rhetoric. I know a couple of the characters with strong objections as listed above are aligned with the Patriot group or whatever they call themselves.

4

I enjoy the multicultural diversity of the area, and Muslims have just as much right to have a place of worship, as does the Vedic and Buddhist temples in San Martin. I look forward to having the mosque strengthen the cultural diversity of the area!

5

Thanks for listening.

Kathy Mayeda  
San Martin, CA

#### **4.3.73      Response to Comments from Mayeda, Kathy**

73-Maveda-1: The Draft EIR evaluated drainage and stormwater runoff in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR), and both impacts were found to be less than significant.

73-Maveda-2: The Draft EIR evaluated traffic in Section 4.6.

73-Maveda-3: The Draft EIR evaluated aesthetics in Section 4.1.

73-Maveda-4: The comment is acknowledged; however, it is not a comment on the Draft EIR.

73-Maveda-5: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [burke@mconkie.name](mailto:burke@mconkie.name)  
**To:** [CordobaEIRComments](#)  
**Subject:** Request to approve the Cordoba Center Project  
**Date:** Monday, July 30, 2018 1:10:29 PM

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Name: Burke McConkie  
Church: LDS  
Employer: BAE Systems  
Address: [REDACTED], Gilroy, CA 95020

To whom it may concern,

I am writing this letter to ask that you approve the Cordoba Center Project. The request has thoroughly addressed traffic, groundwater, flooding, and other concerns of potential disruption to the community. Equally important in addressing environmental and legal concerns, this request connects deeply with the religious freedoms of all Americans.

Our religious liberty is at the heart of what our founding fathers had in mind when they gave us the U.S. Constitution. I think it is vital that we support this request, and embrace it like we would do so as if it were a request for anyone else's own church or place of worship. Not only will we be supporting and protecting the First Amendment to the U.S. Constitution, we will be protecting our own religious freedom, and will be promoting diversity in our community.

I believe a diverse and integrated community has a much-reduced level of risk of extremist violence and benefits from a world of opportunity and prosperity. The diversity of our country is one of our foremost and predominant characteristics that makes our country a truly great nation.

Would you please join me in support of this request, and let me know if there is anything I can do to further this project to completion.

Sincerely,

Burke McConkie  
[REDACTED]

#### **4.3.74      Response to Comments from McConkie, Burke**

74-Mccon-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** Susan Meyers  
**To:** CordobaEIRComments  
**Subject:** Cordoba Center Project EIR Comments  
**Date:** Sunday, July 29, 2018 4:05:09 PM

Susan Meyers

4:01 PM (1 minute ago)

to CordobaEIRComm., bcc: nadi, bcc: Sal, bcc: aziz

I reside in unincorporated Rural South County

I appreciate this opportunity to submit my response to the EIR related to the proposed Cordoba Center Project

A review of the plans reveals 15 acres of land dedicated to open space, preserving local hillsides and the real character of San Martin, with structures which provide the Muslim community their First Amendment Rights which guarantee a person's right to hold whatever religious beliefs he or she wants, to freely exercise that belief and to physically gather with others for religious purposes

I recognize the concerns of some residents related to ground water, flooding, traffic, noise, lighting and the green cemetery. However the EIR clearly finds no environmental impact of the proposed project related to these concerns

1 The Environmental Impact Report notes no significant impact on ground water from the Cordoba Cemetery. This is not surprising given that the US Geological Survey, California State Water Quality Board, and the Santa Clara Valley Water District cite primary sources of ground water pollution to be agricultural fertilizers, animal manure, industrial waste, sewage plants, and septic systems. Cemeteries are not listed as a source of ground water contaminants by these agencies that are responsible for monitoring the quality of our ground water. There are at least three "Green Cemeteries" in California and several in other states in the USA. There are no studies that conclude a causal relationship between the Green Cemeteries and ground water pollution

2 To date there have been no incidents of flooding, even in our years of heavy rains, at the site where the proposed Cordoba Project will be established

3 The EIR notes no significant impacts for traffic from the Cordoba Project. The land where the project will be built is situated on Monterey High Way. Entry and Exit to the Project is only by Monterey High Way. And, in order to ensure safety, the plans include acceleration/deceleration lanes in front of the project site

4 I can understand concerns related to noise and lighting, since I live in a rural area where we enjoy quiet and very little light pollution at night. Given the mitigation plans on the part of the Cordoba Center, (all outdoor lighting will be low impact and downward projected, no outdoor Muslim "call to prayers" on loudspeakers, and the plans to surround the project with trees and thick foliage to provide an adequate noise and lighting barrier), the EIR found "no significant noise or lighting impact from the use of the Center facility"

Thank you for requesting comments from the community

I look forward to hearing the results of panels' deliberations

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#### **4.3.75      Response to Comments from Meyers, Susan**

- 75-Meyers-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 75-Meyers-2: Impact 4.4-4 evaluated the groundwater quality impact of the cemetery.
- 75-Meyers-3: The focus of the analysis (Section 9.2e of the Initial Study) is whether project development would create or contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems, not whether the project site itself would be flooded.
- 75-Meyers-4: The Draft EIR evaluated traffic impacts in Section 4.6
- 75-Meyers-5: The Draft EIR evaluated noise in Section 4.5.

**From:** [REDACTED]  
**To:** [CordobaEIRComments](#)  
**Subject:** comments on the eir and community meeting  
**Date:** Sunday, July 29, 2018 2:12:24 PM

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It has come to my attention that the check list turned in by the developer/ proposer is not consistent with the proposal submitted. This discrepancy does not allow the different interest groups and concerns to be addressed thoroughly. As we heard in the community comments meeting, there are major concerns regarding the water contamination and major concerns regarding the burial of bodies without proper precautions. The traffic concerns were not sufficiently addressed. It would be great if the planning commission could be fair and consistent in their evaluation of proposals made. The comments about bigotry were very offensive and I hope this is not perpetuated. This is a community of many people of different beliefs and races living in harmony. We hope this continues. Thank you for listening to this input and all others. Alene (Umemoto) Guthmiller. A 50 plus year resident of this South County.

#### **4.3.76      Response to Comments from Miller, Gaguth**

76-Miller-1:    The Draft EIR evaluated the proposed project described in Chapter 3, which is consistent with the application submitted by the project proponent. Impact 4.4-4 found that with implementation of Mitigation Measure 4.4-4, the proposed cemetery would not result in deterioration of groundwater quality below drinking water standards. The comment is not specific about what traffic concerns were not specifically addressed in Section 4.6 of the Draft EIR. Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**From:** [Susan Mister](#)  
**To:** [CordobaEIRComments](#)  
**Cc:** [Wasserman, Mike](#); [Chavez, Cindy](#); [ken.yeager@bos.scc.gov](mailto:ken.yeager@bos.scc.gov); [Simitian, Joe](#); [Cortese, Dave](#)  
**Subject:** Córdoba Center Project  
**Date:** Monday, July 30, 2018 11:31:22 AM

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The County has not been accountable, transparent, CEQA compliant or comprehensive in submitting The State Clearinghouse transmittal document. There are many agencies that need to be notified and included per CEQA requirements.

This is a HUGE project, impacting residents that are not represented by local government to support and defend the community. It is up to the County.

This parcel has had other applicants, one being a religious institution, and denied based on the Environmental Impact Report.

I request the County go back and redo this step to be able to complete an accurate Environmental Impact Report.

Thank you,  
Susan Mister

#### **4.3.77      Response to Comments from Mister, Susan**

77-Mister-1:    See Response 57-Lefaver-2. The comment has not indicated how the Draft EIR is inaccurate. The adequacy of the Environmental Impact Report will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Zulhazmi Mokhti](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Support for the Cordoba Project  
**Date:** Monday, July 30, 2018 12:21:59 AM

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Dear Mr Hoem,

My name is Zul Mokhti, I live and work in Morgan Hill, at Infineon Technologies.

I've read the Draft EIR report on the Cordoba project and I just wanted to let you know that I fully support it. Based on the draft EIR report, I see that the project provides the needed religious service & support center for the Muslim community in south bay area.

I also noticed from the report that the responsible party who proposed this project did what was necessary to comply to regulatory standards as well creating a beautiful sanctuary suitable with the surroundings in particular the California-themed architectural design, the planned orchard, and landscape. The report mentioned that building area only occupies 6% of the parcel.

Finally while it provides a place of worship for the Muslim community, I think it will also provide a center for different faiths and cultures to meet together for interfaith discussions and social functions, towards building a harmonious neighborhood.

I strongly support this project and I humbly ask that the county approves it. Thank you.

Regards,  
Zul Mokhti  
Morgan Hill, CA

#### **4.3.78            Response to Comments from Mokhti, Zulhazmi**

78-Mokhti-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**Cordoba Center Use Permit**  
**Draft EIR Comment Form**

**DRAFT EIR COMMENTS**

**(Please print clearly and legibly)**

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name: Humaira Munir

Organization (if any):

Address (optional): South County

City, State, Zip:

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the Cordoba Center Use Permit Draft EIR. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**Comments (Please print clearly and legibly)**

I support Cordoba project, Cordoba site is NOT in a flood zone. It is notably the highest ground along Monterey Rd in San Martin. In addition, Cordoba cemetery is a friendly place of burial. I urge you

to approve this projects.

Regards,

Humair Munir

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— (More space on reverse side)

#### **4.3.79      Response to Comments from Munir, Humaira**

79-Munir-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** Carol n Rich Neal  
**Sent:** Thursday, July 12, 2018 6:01 PM  
**To:** CordobaEIRComments@pln.sccgov.org  
**Subject:** Comments on the Cordoba Center in San Martin

- To: Chris Hoem. Santa Clara County Planning Office, County Government Center, 70 W. Hedding Street, 7th Floor, East Wing, San Jose, CA 95110. E-mail: [CordobaEIRComments@pln.sccgov.org](mailto:CordobaEIRComments@pln.sccgov.org)

From: Carol Neal [REDACTED] Morgan Hill, Ca 95037 [REDACTED]

To: Board of Supervisors Santa Clara County,

I am a 45 year resident of Morgan Hill, very close to San Martin. I oppose the location of the Cordoba Mosque in San Martin for the following reasons;

1. This was stated in an article in the Morgan Hill Times that this was to be used for local Muslims. I have not witnessed any Muslims in this area of Morgan Hill, San Martin and Gilroy. 1
2. There are 10 Mosques in the San Jose area. 2
3. This project will if completed add traffic to already very congested roads. 3
4. The noise of the Mosque will be highly loud as it is on a hill top. 4
5. There is no public water or sewage waste available. If a well or wells are necessary, there is possible danger to the users because of possible contamination due to the cemetery, and septic systems. 5
6. There are Muslim cemeteries located in San Jose, already available for use. One is on Curtner Ave, San Jose. Many others close by. 6
7. This project is not completely financed by local Muslims. This has been a long and costly project. This is a project of ISNA (see note) who has in my opinion long range plans for this complex. 7
8. I am concerned that in the future this location will be used as a relocation camp for refugees. 8
9. This location in an unincorporated area of the South County was planned to limit local control. This was because it will be much harder for local residents to have control over any policies and regulations regarding the Mosque. 9
10. If there is any increase in crime, accidents, fire, or injuries, this area does not have the facilities to handle it. How will any increase in additional funds be secured?

#### 11. Note

Islamic Society of North America  
Organization

The Islamic Society of North America (ISNA), based in Plainfield, Indiana, USA, is a Muslim umbrella group. It has been described in the media as the largest Muslim organization in North America

**4.3.80            Response to Comments from Neal, Carol**

- 80-Neal-1:        The comment is not a comment on the Draft EIR.
- 80-Neal-2:        The comment is not a comment on the Draft EIR.
- 80-Neal-3:        The Draft EIR evaluated traffic in Section 4.
- 80-Neal-4:        The Draft EIR evaluated noise in Section 4.5. As shown on Exhibit 3-5, the mosque would be located at the lowest elevation of the project site, approximately 200 feet away from the ridge.
- 80-Neal-5:        The comment is not a comment on the Draft EIR.
- 80-Neal-6:        The comment is not a comment on the Draft EIR.
- 80-Neal-7:        The comment is not a comment on the Draft EIR.
- 80-Neal-8:        The comment is not a comment on the Draft EIR.
- 80-Neal-9:        Section 14.2a) of the Initial Study (Appendix A of the Draft EIR) concluded that there are adequate fire protection and police resources to serve the project.



**From:** [Diane Palmeri](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Support for Cordoba Project  
**Date:** Sunday, July 29, 2018 8:09:04 PM

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I would like to add my voice in support for the Cordoba Project. I believe that the South Valley community will be enriched by having their presence among us.

1

Sent from [Mail](#) for Windows 10

**4.3.81      Response to Comments from Palmeri, Diane**

81-Palmeri-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Hoem, Christopher](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** FW: Cordoba EIR  
**Date:** Wednesday, July 11, 2018 12:18:55 PM

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**From:** usinet.dperu [REDACTED]  
**Sent:** Wednesday, July 11, 2018 12:12 PM  
**To:** Hoem, Christopher <[christopher.hoem@pln.sccgov.org](mailto:christopher.hoem@pln.sccgov.org)>  
**Subject:** RE: Cordoba EIR

Hello Mr. Hoem,

I've read the Draft EIR and have made my comments known via the email address you've mentioned previously. My name is actually on the Draft EIR in the comments. As a well owner and San Martin resident for thirty years, I've lived through the perchlorate plume and have been witness to other incidents that have and continue to take a toll on unincorporated San Martin. I've read the mitigation for the groundwater and do not believe that putting in several wells in the proposed cemetery and to the north and south of it will protect our groundwater.

Thank you,

Dawn Peru

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**From:** Hoem, Christopher [<mailto:christopher.hoem@pln.sccgov.org>]  
**Sent:** Wednesday, July 11, 2018 12:02 PM  
**To:** usinet.dperu  
**Subject:** RE: Cordoba EIR

Dawn,

The information you've requested is contained within the Draft EIR published by the County for the proposed Cordoba Center project. The Draft EIR is available for review and download here: <https://www.sccgov.org/sites/dpd/Development/Current/Pages/2145.aspx>

If you have any questions or comments regarding the groundwater studies conducted as part of the EIR and its analysis and findings, I encourage you to submit your comments as part of the Draft EIR public comment process. We've set up an email address to which you can submit these comments  
[CordobaEIRComments@pln.sccgov.org](mailto:CordobaEIRComments@pln.sccgov.org)

We are required, by State law, to respond to all public comments received on a Draft EIR. Once that process is complete, the Cordoba project (and EIR) will be scheduled for hearings before the San Martin Planning Advisory Committee, Planning Commission, and Board of Supervisors. You can also use those hearings to provide your feedback and comments on the EIR or project.

Christopher Hoem AICP  
Santa Clara County Senior Planner  
408-299-5784

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**From:** usinet.dperu [REDACTED]  
**Sent:** Wednesday, July 11, 2018 11:33 AM  
**To:** Hoem, Christopher <[christopher.hoem@pln.sccgov.org](mailto:christopher.hoem@pln.sccgov.org)>  
**Subject:** Cordoba EIR

Good Morning,

I am concerned about the Safety of the resident's water in San Martin with respect to the Cordoba Project. It appears the County is using San Martin residents as guinea pigs for Cordoba's **experimental – one of a kind - type cemetery** they have proposed.

**Please review "Impact of cemeteries on groundwater contamination by bacteria and viruses – a review. Jozef Zychowski and Tomasz Bryndal"**

[https://www.researchgate.net/publication/277713489\\_Impact\\_of\\_cemeteries\\_on\\_groundwater\\_contamination\\_by\\_bacteria\\_and\\_viruses\\_-\\_a\\_review](https://www.researchgate.net/publication/277713489_Impact_of_cemeteries_on_groundwater_contamination_by_bacteria_and_viruses_-_a_review) that warns of the dangers of what this project proposes.

1. Please send me a copy of the County's current studies done at the proposed site of the Cordoba Project, confirming the proposed cemetery **will not contaminate the groundwater of San Martin resident's wells**. If none exist, state none exist. What studies, if any, does the County proposes to implement re **this** issue and when?
2. Tell me where I can find current cases in the United States where the same circumstances as the proposed Cordoba cemetery are currently in effect and operating safely. (i.e. cemetery location, soil type, no city water or sewer services available at site, dead buried directly in the ground (no caskets) using concrete casing to stabilizes the walls of each grave, distance to neighboring resident's well, etc.) If none exist, please state none exist.

If no cemeteries exist in the U.S. with the same circumstances as this proposed cemetery, and no studies have been done to prove the cemetery won't contaminate the resident's well water, how will the County guarantee the safety of the resident's groundwater in San Martin?

1

2

I look forward to your response.

Dawn Peru

#### **4.3.82      Response to Comments from Peru, Dawn**

82-Peru-1:      Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center. The comment is not specific regarding why the monitoring program described in Mitigation 4.4-4 would not protect groundwater.

**From:** [Su and Jason Pittam](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** The kids like it!  
**Date:** Monday, July 30, 2018 4:12:25 PM

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Hi Planning Committee,

Just wanted to share that our 2 young kids fully approve the Cordoba Center.

Since this project is for all youth, let's think about them and their future.

We love in Gilroy and the Cordoba Center would be a great asset to the community and the kids.

Thank you,  
Jason and Su

#### **4.3.83      Response to Comments from Pittam, Jason/Su**

83-Pittam-1:    Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Leah Quenelle](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** I support the construction of the Cordoba Center  
**Date:** Monday, July 30, 2018 9:11:48 AM

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Hello,

I am a resident of rural South County and I am in favor of the approval of the Cordoba Center.

I have read the EIR and it convinced me that all precautions are being taken to meet or exceed safety precautions regarding ground water, protection of habitat, and noise and lighting pollution.

In fact, because so little of the property will actually be developed and built upon, it will actually serve to preserve open space. I appreciate the ecologically friendly model of burial that the proposed cemetery intends to use; in my opinion this can serve as an inspirational model for a healthier and more low impact way to locally bury and honor our loved ones.

I also believe that it would be a positive thing for the community at large to provide a peaceful, beautiful space for local Muslim families to worship and gather. I noted the multitude of ways that the SVIC has been involved in volunteering and other civic activities here in the South County. I feel that not only would welcoming a site for Islamic worship be good for the community but that it is a civil right and within the rights of the property owners to use the site in this way.

The EIR seems thorough and convinced me that much thought and detail have gone into ensuring the safety and reasonably low impact of this center. It would seem that all environmental concerns have been directly addressed. I would certainly hope that fear of others who may be different from us would not prevent the progress of this potentially beautiful and culturally enriching center.

Thank you for your time.

Sincerely,  
Leah Quenelle



#### **4.3.84      Response to Comments from Quenelle, Leah**

84-Quen-1:      The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [REDACTED]  
**To:** [CordobaEIRComments](#)  
**Subject:** Re: Cordoba Center  
**Date:** Monday, July 30, 2018 8:59:38 PM

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Good evening!

I am writing to you today to express my support and need for your support of the Cordoba Center. I am a lifetime resident of the South Bay (Gilroy) and have lived in “country” of Gilroy for over 25 years. We need this center as a community, for us and our children. We have no where else near to pray or bury our loved ones and it is a religious and constitutional right of the/our Muslim community. The Cordoba Center is an amazing project that exceeds all applicable ordinances. The community does not intend to disrupt the surrounding neighbors, and have been (and will continue to be) largely involved in many community projects such as garbage clean up days & charity. I sincerely hope you choose to support the Cordoba Center. Thank you for your time and consideration!

Sincerely,  
Emily Rashid

#### **4.3.85      Response to Comments from Rashid, Emily**

85-Rashid-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Md Humayun Rashid](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Supporting Córdoba Center in San Martin  
**Date:** Monday, July 30, 2018 8:59:13 PM

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Hello,

My name is Md Humayun Rashid and I work as an instructional program specialist at Gavilan College, CA. I support the Córdoba Center for the following reasons:

- Every US citizen has the right to practise their own religion.
- There is no other Muslim place of worship or Muslim burials in the South County area.
- It does not infringe upon the rights of the neighbors or the community at large.
- It is supported by the results of the Draft EIR, the primary evidentiary document in the due process.
- It is a religious and constitutional right of the Muslim community in South County
- Cordoba Center is a good project that meets or exceeds all applicable regulatory ordinances.
- It has previously received unanimous approval of both the Planning Commission and Board of Supervisors.
- Your decision should be based solely upon empirical evidence and rule of law... not opinions, not beliefs.
- It is a lawful right of the property owner, and it serves specific needs of a local people.

Thank you for your time and patience regarding this project.

- Md Humayun Rashid

#### **4.3.86            Response to Comments from Rashid, Humayun**

86-Rashid-2:    The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**Cordoba Center Use Permit**  
**Draft EIR Comment Form**

**DRAFT EIR COMMENTS**

**(Please print clearly and legibly)**

*Please hand in during the meeting or mail (address on back) or email by **February 2, 2018**.*

Name: Michele Rasner

Organization (if any): \_\_\_\_\_

Address (optional): \_\_\_\_\_

City, State, Zip: Gilroy, CA 95020

E-mail: [REDACTED]

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**Comments (Please print clearly and legibly)**

I fully support and endorse the cordoba center to be built. They have the right to ~~to~~ build a place of worship as it is the right that many have been ~~in~~ <sup>enjoying</sup> here in the community. They have proven through this report that it is safe for this project and should be given permission to

(More space on reverse side)



County of Santa Clara  
Department of Planning and Development

build.

This will be a great opportunity  
for us to welcome this to our  
area.

1

**Send comments to:**

Christopher Hoem, Senior Planner

County Government Center, East Wing, 7<sup>th</sup> Floor

70 W. Hedding Street, San Jose 95110

[CordobaEIRComments@pln.sccgov.org](mailto:CordobaEIRComments@pln.sccgov.org)

#### **4.3.87      Response to Comments from Rasner, Michele**

87-Rasner-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**From:** [sharif razzaqui](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Córdoba EIR  
**Date:** Saturday, July 28, 2018 8:09:53 PM

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Dear SCC planning commission

I strongly support the Córdoba center project for a mosque and cemetery and think that the EIR report is sufficiently addresses any environmental concerns

There are many larger businesses in San Martin area with much greater negative impact such as the trash and recycling transfer station located next to a school, as well as bottled water processing company and cordevalle golf club

Thank you

Sent from my iPhone

**4.3.88****Response to Comments from Razzaqul, Sharif**

- 88-Razz-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Jordan Rosenfeld](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Support for the Cordoba Project  
**Date:** Sunday, July 22, 2018 9:30:39 PM

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As a south county resident who has been following the proposed Cordoba Center project process, I want to put on the record that I support the project after reviewing the EIR, because of the results, which show that it will have less than significant impact with mitigation. I am looking forward to hearing that the project is approved.

Best  
Jordan Rosenfeld  
South County (County of Santa Clara, CA)

--

Jordan Rosenfeld, Writer & Editor  
[Articles & Essays](#)  
[Books](#)

**4.3.89****Response to Comments from Rosenfeld, Jordan**

- 89-Rose-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [ANNE ROSENZWEIG](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Comment on Cordoba EIR project  
**Date:** Monday, July 30, 2018 12:44:32 PM

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My husband Jim Williams and I have lived in Morgan Hill since 1978. Before that Jim lived in San Martin and I lived in Gilroy, so we have seen South County grow a lot over the decades we have been here.

One of Santa Clara County's strengths is its diversity. Silicon Valley attracts people from all over the world. As a labor lawyer with San Jose Office of the State Labor Commissioner, I co-chaired a committee on immigrant wages and working conditions, which was part of the Summit on Immigrant Needs which published a report around 2000 with recommendations in 15 different subject areas affecting immigrants in the county. Prejudice based on race, religion, and nationality is a significant impediment in the lives of immigrants.

I have attended meals and information events sponsored by the South County Muslim community for several years. I have watched plans for the Cordoba Center evolve over the years, as the design has changed to accommodate various concerns of neighbors. I believe that most of the current and continued objections result out of prejudice and fear of Islam, rather than any factual, scientific evidence. We strongly urge approval of the EIR to allow the building of the long delayed Cordoba Center. The South County Muslim community has worked in good faith with the county and local residents. The count should reciprocate by approving the project.

**4.3.90****Response to Comments from Rosenzweig, Anne**

- 90-Rose-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.


**From:** [P. Jaime Rosso](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordova Center EIR Public Comment  
**Date:** Monday, July 30, 2018 4:13:42 PM

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Attn: Chris Hoem  
Dept of Planning and Development

I strongly urge your support for the Cordova Center.

- Cordoba Center is a good project that meets or exceeds all applicable regulatory ordinances.
- It is a lawful right of the property owner, and it serves specific needs of a local people.
- It is a religious and constitutional right of the Muslim community in South County.
- There is no other Muslim place of worship or Muslim burials in the South County area.
- It does not infringe upon the rights of the neighbors or the community at large.
- It is supported by the results of the Draft EIR, the primary evidentiary document in the due process.
- Your decision should be based solely upon empirical evidence and applicable law... not opinions, not beliefs.

Thank you!  
Jaime And Evelia Rosso  
  
Gilroy Ca 95020

Sent from my iPhone

#### **4.3.91      Response to Comments from Rosso, Jaime**

91-Rosso-1:    The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**From:** [Kathryn Schmidt](#)  
**To:** [Hoem, Christopher](#); [CordobaEIRComments](#)  
**Subject:** Re: Cordoba Center - Draft EIR Questions  
**Date:** Monday, July 30, 2018 5:35:19 PM

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Hi Chris,

Now I see that I should have sent these to Cordoba EIR Comments. So these did go to you prior to 5 pm. Now I am sending to the proper address.

Thanks,  
Kathy

> On Jul 30, 2018, at 4:53 PM, Kathryn Schmidt [REDACTED] > wrote:

>

> Hi Chris,

>

> Below are my questions on the Draft EIR.

>

> Cordoba Center - Draft EIR Questions

>

> 1. Mitigation Measure 4.5-4 indicates that there can be no on-site parking after 10 p.m. and before 7a.m. I believe that the Cordoba Center says they would be open 24 hours a day for prayer. How would that work if no on-site parking is allowed as noted?

>

> 2. Exhibit 3-3a. Is that labeled correctly? It says land use west of the site. Isn't that east of the site across Monterey Rd.? Are the others labeled correctly?

>

> 3. The mosque and community center are carefully designed, but the caretaker's home is a modular, I believe. Given that the caretaker's home is the most prominent and visible building to passers-by, why is that also not carefully designed and built on site?

>

> 4. p. 3-11. It is listed that the Community Bldg has 9' and 8' ceilings. Why does the building need to be 34' high, if the ceilings are standard heights?

>

> 5. p. 3.9 Cemetery. How many grave sites are shown on the site plan? The text says there would be 3,500 maximum. Are all shown there?

>

> 6. p. 3.21. The bioswale on the south is designed for a 10 year flooding event. Is that enough? We have had 100 year flooding events recently, and changing climate could bring bigger and more frequent floods. I know that another bioswale area is suggested, but I think it is small. In any case, are the bioswales adequate for this site?

>

> 7. Is this project governed by the San Martin Local Serving Policies?

>

> 8. Are there other mosques with cemeteries in Northern California, or in California in general? If so, how many and what is their experience with the neighbors? Are there many mosques with cemeteries in the US?

>

> And I just want to note that it looks like the Draft EIR has answered questions and proposed mitigations for nitrates and water treatment on the site.

>

> Thanks,

> Kathryn Schmidt

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#### **4.3.92      Response to Comments from Schmidt, Kathryn**

- 92-Schmidt-1: Mitigation Measure 4.5-4 does not restrict parking in spaces more than 120 feet from the property line, which would leave a significant portion of the parking lot available for parking after 10 p.m. Although the project description states that the Cordoba Center would be open 24 hours for members for personal worship, it should be noted the latest activity, Night Isha Prayers, would end at 11 p.m. (see Table 3-2 of the Draft EIR).
- 92-Schmidt-2: As the comment correctly notes, Exhibit 3-3a should be labelled “Land Use East of the Project Site,” and a text change has been made in Section 3.0.
- 92-Schmidt-3: As noted in the 2<sup>nd</sup> paragraph of page 3-10 of the Draft EIR, the caretaker’s dwelling would initially be a manufactured home. However, the project proponent proposes to replace it with a permanent residence when funds become available. This dwelling would be partially screened by landscaping in the setback along Monterey Road.
- 92-Schmidt-4: The community building height stated in Section 3.3.4 is what the project proponent has proposed. The comment does not reference an environmental impact related to building height.
- 92-Schmidt-5: See Response 36-Groen-11.
- 92-Schmidt-6: See Response 5-SCVWD-2.
- 92-Schmidt-7: See Response 57-Lefaver-1.
- 92-Schmidt-8: See Response 57-Lefaver-4.

**From:** [CordobaEIRComments](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** FW: Cordoba Project cemetery - Possible groundwater contamination concerns  
**Date:** Thursday, July 5, 2018 9:28:09 AM  
**Attachments:** [Phillip Coop 9-24-12.pdf](#)

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**From:** Georgine Scott-Codiga [REDACTED]  
**Sent:** Wednesday, July 4, 2018 5:19 PM  
**To:** Wasserman, Mike <Mike.Wasserman@bos.sccgov.org>  
**Cc:** Chavez, Cindy <Cindy.Chavez@bos.sccgov.org>; Cortese, Dave <Dave.Cortese@BOS.SCCGOV.ORG>; Supervisor Yeager <supervisor.yeager@BOS.SCCGOV.ORG>; Simitian, Joe <Joe.Simitian@bos.sccgov.org>; Hoem, Christopher <christopher.hoem@pln.sccgov.org>  
**Subject:** Cordoba Project cemetery - Possible groundwater contamination concerns

Dear Supervisor Wasserman,

I am writing to inform you of the potential groundwater contamination that may occur if the experimental - one of a kind cemetery (i.e. proposed cemetery conditions that do not exist anywhere in the U.S.) that the Cordoba Project is proposing, is approved without any scientific studies or data to ensure the safety of the residents in San Martin.

1

As noted in a previous email to the Santa Clara Co. Supervisor's office on 7/25/2012 [\[1\]](#), the County Supervisor's office was notified then of studies citing water was being contaminated underground by bacteria from decaying bodies in reference to this project. This is a potential safety issue as most San Martin residents do not have access to piped in city water and sewer services and must rely on their wells as their sole source of potable water.

2

As lead agency for the Cordoba Project, Santa Clara Co. is responsible for ensuring the safety of its residents. It would be extremely negligent to approve Cordoba's experimental type cemetery project in light of current studies citing groundwater contamination from cemeteries (cases of study), and without extensive studies done at the location of this pilot cemetery.

3

Impact of cemeteries on groundwater contamination by bacteria and viruses – a review, published in 2015 [\[2\]](#), recommends implementations aimed at protecting local government, employees of funeral homes and the residents living in the vicinity of cemeteries.

I have previously made requests to County Planning for the following information but have yet to receive a valid response:

4

1. Provide current studies done at the proposed site indicating that the proposed project cemetery will not contaminate the groundwater of San Martin resident's wells. If none

exist, please state none exist. Please state what studies the County proposes to implement re this issue and when.

2. Provide current cases in the United States where the same circumstances [as the proposed Cordoba cemetery] are currently in effect and operating safely. (i.e. cemetery location, soil type, no city water or sewer services available at site, dead buried directly in the ground (no caskets) using concrete casing to stabilize the walls of each grave, distance to neighboring resident's well, etc.) If none exist, please state none exist.

4

Would you please provide answers to the above questions?

A project of this magnitude should be relocated to an environmentally safe location where the infrastructure (i.e. water, sewer, traffic, noise, etc.) can safely support the project without risk to its residents. **No human in America should be subject to possible contamination of their drinking water source because the regulatory agency is too lazy to require studies that ensure public safety.** Why hasn't the County referred this project to be built in an environmentally suitable area instead of gambling with the safety of the health of San Martin residents by exposing them to possible groundwater contamination and other environmental issues?

5

I look forward to your response.

Sincerely,

Georgine Scott-Codiga

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[1] Email from [REDACTED] to Wasserman, Mike, cc: County Supervisors dated 9/24/12.

[2] Impact of cemeteries on groundwater contamination by bacteria and viruses – a review. Jozef Zychowski and Tomasz Bryndal.  
[https://www.researchgate.net/publication/277713489\\_Impact\\_of\\_cemeteries\\_on\\_groundwater\\_contamination\\_by\\_bacteria\\_and\\_viruses\\_-\\_a\\_review](https://www.researchgate.net/publication/277713489_Impact_of_cemeteries_on_groundwater_contamination_by_bacteria_and_viruses_-_a_review)

#### **4.3.93      Response to Comments from Scott-Codiga, Georgine**

- 93-Scott-1:      Impact 4.4-4 found that with implementation of Mitigation Measure 4.4-4, the proposed cemetery would not result in deterioration of groundwater quality below drinking water standards.
- 93-Scott-2:      See 114-Zilliox-2.
- 93-Scott-3:      See 114-Zilliox-2 regarding studies of groundwater contamination from cemeteries. Appendix F of the Draft EIR contains the “Cemetery Water Quality Impact Review for the Cordoba Center Project,” which was prepared by Questa Engineering Corporation. This report provides an evaluation of the potential impacts to public health and groundwater quality from the cemetery.
- 93-Scott-4:      See Responses to See 114-Zilliox-2 and 114-Zillox-3.
- 93-Scott-5:      See Response 92-Scott-3.

## Cordoba DEIR Comments

### 1. LACK OF TRANSPARENCY IN COUNTY RE CORDOBA PROJECT

It's deeply concerning if not grossly negligent, the lack of transparency from the County Planning Dept. re this Project. County Planning has been non-transparent in updating the Public regarding the Project's discrepancies and changes.

As evidenced by the attached link, (ref: [http://www.morganhilltimes.com/opinion/letters-to-the-editor-cordoba-center/article\\_3ef9a79e-9106-11e8-bc75-3f4bd4414379.html](http://www.morganhilltimes.com/opinion/letters-to-the-editor-cordoba-center/article_3ef9a79e-9106-11e8-bc75-3f4bd4414379.html) ) there is much Public concern in local newspapers regarding this Project. A representative of SVIC, Noshaba Azul, advises in her article, **"We suggested that the opposition and other concerned people contact the county planning staff for up-to-date information about the project."** Unfortunately, when I did just that (see emails below), County Planning failed to respond with any clarifying information. Instead, I received "Thank you. I will forward your email to CordobaEIRComments@pln.sccgov.org..."

This is a legitimate question concerning the Applicants current on-line Project Description and what the DEIR suggests. The Public is entitled to know when (date) the Applicant changed his proposed project description, and when (date) and how (method) the public was updated of said changes. **Please advise the answers to the above questions.**

**From:** "Hoem, Christopher" <christopher.hoem@pln.sccgov.org>  
**Date:** Tuesday, July 17, 2018 at 4:24 PM  
**To:** Georgine Scott <>, CordobaEIRComments  
<CordobaEIRComments@pln.sccgov.org>  
**Cc:** "Sandhir, Manira" <Manira.Sandhir@pln.sccgov.org>  
**Subject:** RE: Cordoba Center

Georgine Scott-Codiga,

Thank you. I will forward your email to CordobaEIRComments@pln.sccgov.org so your comments and/or questions regarding the Cordoba Center will be addressed in the Final EIR.

Christopher Hoem, AICP  
Santa Clara County Senior Planner  
408-299-5784

\*\*\*\*\*

**Sent:** Monday, July 16, 2018 9:56 PM  
**To:** Hoem, Christopher <[christopher.hoem@pln.sccgov.org](mailto:christopher.hoem@pln.sccgov.org)>  
**Cc: Subject:** Fwd: Cordoba Center

Christopher,

Would you please clarify an issue regarding the Cordoba Project for me. I previously asked Jim Reilly a question regarding the cement vaults the project's cemetery is proposing to place over each grave (see email below). The Applicant's own Project Description on your website [https://www.sccgov.org/sites/dpd/DocsForms/Documents/2145\\_20160104\\_Description.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/2145_20160104_Description.pdf) references the cement vaults under "Cemetery": Stating

Cemetery: The western 3.55 acres of the site has been reserved for an Islamic cemetery. The cemetery will use flat grave markers (no tombstones projecting above ground surface) to minimize visibility of the hillside alteration to views from beyond the site. The cemetery area will be terraced to provide a level surface for the graves and adjoining gravel pedestrian paths. These flat terraces will be separated by vegetated slopes as shown on the project plans. **Each grave will have a 7.5-foot by 3-foot submerged vault.**

I attended a presentation that Sal Akhter gave where he stated the project would not be using cement vaults in the graves. Can you explain the discrepancy? If the project has changed from the applicants proposed description was the public notified? If yes, when (date) and how (method)? What paperwork was filed with the County of these changes and how can I get a copy of them?

Thank you,  
Georgine Scott-Codiga

## **2. COUNTY'S FAILURE TO COMPLY WITH CEQA GUIDELINES RE NOP**

Per CEQA, the lead agency's duty is to notify each responsible and trustee agency with the NOP stating that an environmental impact report will be prepared. This was not PROPERLY done. The County was notified in writing on 2/15/17 by PROVENCHER & FLATT, LLP advising the NOP was inadequate and incomplete. The letter notes that the "list of reviewing agencies is incomplete and does not fully apprise the reviewing agencies of the complete nature of the Project." The public relies on a correct determination of the nature and extent of the Project and its environmental review in order to adequately scope the EIR's potentially significant Impacts per CEQA sections 15082 and 15083. The Attorney requested the County correct its error by updating the NOP with correct and full information about the project and re-circulating it for a 30-day comment period through the State Clearinghouse. **Has this been done? If not, why not?**

As a governmental agency, the County is required to be transparent and accountable while performing its duties. The County form submitted to the State clearinghouse on 12/12/16 requests that the agencies respond within thirty days. Of those thirty days most agencies were closed for 4 days of holidays and 8 weekend days leaving 18 business days for review, assuming that no one used any vacation days during the holiday season. An extension was granted, but it was not provided to the State

Clearinghouse with an adequate timeline. **How has this situation been rectified?**

4

### **3. Project Size and Scope**

It appears that both the Applicant AND the County have not acted in good faith. It was stated by the Applicant at two public meetings (7/6/18 & 7/18/18) that it was suggested to them by the County to make the project larger than needed.

5

If a false project with greater impacts is proposed and analyzed, a smaller project alternative may falsely appear to reduce the project's impacts. **Is it true that the County advised the Applicant to make the project larger than presently necessary?**

The actual feasible project must be accurately described and analyzed so that the alternatives and mitigation measures presented in the EIR's analysis represents a true reduction in the project impacts; this is the overarching edict of CEQA review as expressed by the California Supreme Court in *Mountain Lion Foundation v. Fish & Game Commission* 1997 16 Ca.4<sup>th</sup> 105,124.

6

Under CEQA, a public agency must consider measures that might mitigate a projects adverse environmental impact and adopt them if feasible.....

7

The Summary of Project Alternatives, 1.5 of the Draft EIR provides 4 alternatives

1. No Project
2. Local Serving Threshold (75%)
3. 25% Reduced Intensity
4. 50% Reduced Intensity

8

The County has failed to act in good faith, be transparent, and be accountable. **Has the County considered suggesting to the Applicant to relocate the Project to another area of the County where the Land (infrastructure) would support such a project (i.e. piped in water, sewer, traffic, noise, etc.) without any possible health & safety risks to the community? If not, why not?**

### **4. Cemetery**

California's Contaminated Groundwater *Is the State Minding the Store?*, <https://www.nrdc.org/sites/default/files/ccg.pdf> concludes after a year-long study that the State's [California] water failure underground contamination is widespread; and the State's testing is inadequate. The World Health Organization (as noted in the DEIR) further concludes that there is little known information in the U.S. about the proximity of cemeteries to domestic wells.

9

County Planning was asked to provide an example of other cemeteries currently in existence, operating safely in the United States with the same parameters as the proposed Cordoba cemetery (rural area with no access to piped in water, sewer, proximity to neighbors' wells, etc). None were provided. Unless the above data is



provided, one could conclude Cordoba's proposed cemetery as it stands, is a pilot, experimental cemetery. **Does the County concede this is an experimental pilot cemetery? Please provide any data that proves otherwise.**

9

Taking into consideration 1. San Martin residents are still recovering from 10+ years of perchlorate contamination to their wells; 2. limited studies done in the U.S. on "impact of cemeteries on groundwater" and domestic wells; 3. Studies showing the State's Water Failure Underground Contamination is widespread & their testing is inadequate, **how does the County justify placing an experimental cemetery in rural San Martin? Will the County guarantee in writing that Cordoba's pilot cemetery will not contaminate the San Martin groundwater or resident's wells? If not, why not? Why hasn't this Project been recommended to be built in an area of the County where the infrastructure can better support it and not pose any potential threat to the rural resident's wells and groundwater?**

10

The DEIR references the study "Impact of cemeteries on groundwater contamination by bacteria and viruses – a review Józef Zychowski and Tomasz Bryndal" whose research states "Cemeteries are among the chief anthropogenic sources of pollution and contamination of water in urban areas and beyond them". The DEIR fails to address how it will mitigate such sources as "Contaminants come from the body and can include chemical substances applied in chemotherapy and embalming processes (e.g., arsenic, formaldehyde and methanol), makeup (e.g., cosmetics, pigments and chemical compounds), as well as various additional items, such as fillings, cardiac pacemakers, paints, varnishes, metal hardware elements, iron nails. **How will you mitigate each of the above substances?**

11

Referencing the DEIR *Appendix F Groundwater Studies*, such words as: will be approximated, the actual ... will vary, the potential impact for groundwater depends on..., nitrogen leached from the cemetery could have potential effects on groundwater ..., there is no means of validating this estimate ..., but it could affect... **How can the County guarantee the safety of the resident's groundwater and wells using the above variants and absent definitive specifics?**

12

Without a written guarantee that the proposed experimental cemetery WILL NOT contaminate the San Martin residents' groundwater/wells, it is imperative that extensive studies be carried out by experts in the field of the "impact of cemeteries on groundwater" with a focus on contamination to wells by cemeteries in rural areas without access to City water/sewer services. The project should also be mandated to have yearly monitoring or certification by an independent outside agency (i.e. Council on Green Burials or similar) in perpetuity to guaranty the safety of the resident's groundwater and wells.

13

It should be noted that the Applicant has publicly attempted to deceive the public in stating that it's Project use of submerged [cement] vaults is "erroneous information." (ref: [http://www.morganhilltimes.com/opinion/letters-to-the-editor-cordoba-center/article\\_3ef9a79e-9106-11e8-bc75-3f4bd4414379.html](http://www.morganhilltimes.com/opinion/letters-to-the-editor-cordoba-center/article_3ef9a79e-9106-11e8-bc75-3f4bd4414379.html) ). If the public can't trust either the Applicant or the County to be candid and forthwith re Cordoba Project specifics, who can we trust?

14

### **Final Comments:**

At the July 12<sup>th</sup> meeting there were over 400 in attendance with more than half of the speakers in opposition to Project, including the San Martin Neighborhood Alliance and the San Martin Planning Advisory Committee members. With so much opposition to this Project due to the Project's size and likely changes it will bring to San Martin with additional traffic, noise, groundwater and waste issues, **why hasn't the County erred on the side of safety to its residents of San Martin and offered to build this project in an area of the County where the infrastructure could better handle the size, and scope of the Project? Why isn't the will of the majority of Residents of San Martin being taken into consideration?**

15

The County took many years to establish ordinances that ensure and maintain the quaint small village of San Martin. The Community has weighed in on how they would like THEIR community to remain with its long-standing established ordinances that have made San Martin what it is today. **Why does the County believe it can come in and change long standing ordinances against the will of its people and chisel away at the laws that were established to maintain this unique rural area? If the County is unsure of what the people of San Martin want, then why isn't it put it to a vote of the San Martin residents?** What will it take for the County to understand that the majority of the community of San Martin residents don't want the County to gamble with possible safety issues that could affect their groundwater, sewer, noise, traffic, etc. negatively with this Project?

16

Respectfully submitted,  
Georgine Scott-Codiga  
South County Resident

#### **4.3.94      Response to Comments from Scott-Codiga, Georgine**

- 94-Scott-1:      The Draft EIR evaluated the proposed project described in Chapter 3, which is consistent with the application submitted by the project proponent.
- 94-Scott-2:      An early version of the application posted to the Department of Planning and Development's web site may have included a reference to cement vaults. However, the application was updated to exclude this feature. The Draft EIR describes the proposed cemetery on pages 3-18 and 3-19, which is consistent with the current application. Impact 4.4 evaluated the proposed cemetery on the basis of that description and on the submitted plans, which do not include concrete vaults. What is proposed at each grave site is a small, horizontal stone plaque, flat on the ground, that would be placed at the head of the grave for identification.
- 94-Scott-3:      See Responses 57-Lefaver-2 and 64-Lude-2.
- 94-Scott-4:      Section 15082(b) requires responsible and trustee agencies to provide responses to the NOP within 30 days after receiving it. The NOP (Appendix B of the Draft EIR) provided for a 45-day comment period. The extension of the NOP comment period that was noticed to the community on January 25, 2017 was not sent to the State Clearinghouse. However, as responsible and trustee agencies are required under Section 15082(b) to provide NOP comments within 30 days of receiving it, and the NOP had already provided for a 45-day comment period, there was no situation to rectify within the requirements of CEQA.
- 94-Scott-5:      The comment is not a comment on the Draft EIR.
- 94-Scott-6:      The project as proposed by the applicant has been accurately described and analyzed in the Draft EIR.
- 94-Scott-7:      The comment regarding a public agency's responsibility regarding mitigation measures is acknowledged.
- 94-Scott-8:      The Draft EIR considered an off-site alternative in Section 6.3.1 and dismissed it from further evaluation.
- 94-Scott-9:      The proposed cemetery is not an experimental pilot cemetery. It is the cemetery as proposed by the project applicant. See 114-Zilliox-2 and 114-Zillox-3.
- 94-Scott-10:      See Response 94-Scott-9. The County prepared a Draft EIR to evaluate impacts of the proposed project, including the cemetery, pursuant to an application filed with the County.
- 94-Scott-11:      The Cordoba Center Cemetery Water Quality Review (Appendix F of the Draft EIR) evaluated the basic elements and decomposition products from buried human remains on pages 7-8. Bacteria and viruses were evaluated on page 12-13. The report identified nitrogen (in the form of nitrates) as the primary element of the human body

that presents a water quality impact concern. Mitigation 4.4-4 addresses potential impacts due to leaching of nitrogen from the cemetery. See Response to 20-Camb-1. The proposed burials would not involve embalming fluids.

- 94-Scott-12: Mitigation Measure 4.4-4 addresses how impacts to groundwater wells in the vicinity would be avoided.
- 94-Scott-13: See Response 93-Scott-12. Compliance with Mitigation 4.4-4 would be a condition of project approval and subject to compliance review and enforcement from the County. See Responses 5-SMNA-24 and 5-SMNA-26 regarding monitoring.
- 94-Scott-14: See Response 93-Scott-2.
- 94-Scott-15: The comment is not a comment on the Draft EIR.
- 94-Scott-16: The comment is not a comment on the Draft EIR.

**From:** [Hoem, Christopher](#)  
**To:** [Georgine Scott](#); [CordobaEIRComments](#)  
**Cc:** [Richard Codiga](#); [Sandhir, Manira](#)  
**Subject:** RE: Cordoba Center  
**Date:** Tuesday, July 17, 2018 4:24:41 PM

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Georgine Scott-Codiga,

Thank you. I will forward your email to [CordobaEIRComments@pln.sccgov.org](mailto:CordobaEIRComments@pln.sccgov.org) so your comments and/or questions regarding the Cordoba Center will be addressed in the Final EIR.

Christopher Hoem, AICP  
Santa Clara County Senior Planner  
408-299-5784

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**From:** Georgine Scott [REDACTED]  
**Sent:** Monday, July 16, 2018 9:56 PM  
**To:** Hoem, Christopher <[christopher.hoem@pln.sccgov.org](mailto:christopher.hoem@pln.sccgov.org)>  
**Cc:** Richard Codiga [REDACTED]  
**Subject:** Fwd: Cordoba Center

Christopher,

Would you please clarify an issue regarding the Cordoba Project for me. I previously asked Jim Reilly a question regarding the cement vaults the project's cemetery is proposing to place over each grave (see email below). The Applicant's own Project Description on your website [https://www.sccgov.org/sites/dpd/DocsForms/Documents/2145\\_20160104\\_Description.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/2145_20160104_Description.pdf) references the cement vaults under "Cemetery": Stating

Cemetery: The western 3.55 acres of the site has been reserved for an Islamic cemetery. The cemetery will use flat grave markers (no tombstones projecting above ground surface) to minimize visibility of the hillside alteration to views from beyond the site. The cemetery area will be terraced to provide a level surface for the graves and adjoining gravel pedestrian paths. These flat terraces will be separated by vegetated slopes as shown on the project plans. **Each grave will have a 7.5-foot by 3-foot submerged vault.**

I attended a presentation that Sal Akhter gave where he stated the project would not be using cement vaults in the graves. Can you explain the discrepancy? If the project has changed from the applicants proposed description was the public notified? If yes, when (date) and how (method)? What paperwork was filed with the County of these changes and how can I get a copy of them?

Thank you,  
Georgine Scott-Codiga

Begin forwarded message:

**4.3.95        Response to Comments from Scott-Codiga, Georgine**

95-Scott-1:    See Response to 93-Scott-2.

**From:** [Cindy Seminatore](#)  
**To:** [CordobaEIRComments](#)  
**Date:** Thursday, May 31, 2018 10:25:36 PM

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San Martin is a small rural community that does not have the necessary infrastructure to house such a large dwelling. This is a hobby farming community surrounded by cattle, horses, 4-H, pigs, etc. a large religious center housing hundreds of people at times with refugee housing and does not conform with the current scope of the community. There is not enough police, fire, water, garbage, traffic, parking, street, etc to service such a facility.

1

This center will be impacted by dust, tractors, fertilizers, and other normal functions of farm living. There will be complaints from this center as has been the case with other centers like it that move into areas already established by a way of life that is not their way of life.

2

There is a large creek behind this property that has been known to flood and nothing has been done to fix that problem. The city or Morgan Hill stops at Tennant, country living begins San Martin would like to stay that way. I would like to know my horse has a safe place to live out his life, I would also like to know my family can continue their country way of life. The last thing I would appreciate is adding more time getting to my hobby as has been done getting to my home near McKee Road with that cultural center.

3

I say No Way, you want to pray in your own home that's fine, bring it into mine it's not ok. I'm not ok with any more religious enters of any type.

4

Respectfully,

Cindy Seminatore

#### **4.3.96      Response to Comments from Seminatore, Cindy**

- 96-Semi-1:      The only housing proposed for the project site is a single-family residence to be used by the property caretaker and family members. See Response 79-Neal-9.
- 96-Semi-2:      The Draft EIR discusses surrounding uses in Section 3.2.1. The area has a mix of land uses. Generally, land uses to the south and west of the project site consist of rural residences and associated farming practices, and land to the east is developed for industrial uses. The nearest agricultural use is the property at the corner of Monterey Hwy and California Ave., San Martin (adjacent to Cordoba Center Project site). It has recently been used for unirrigated hay farming, and no permits have been issued for pesticide use. The past agricultural use could resume regardless of whether the proposed project is developed or not. It should be noted that an RV park (Patel, File PLN15-2229) has been proposed for this property.
- 96-Semi-3:      As noted in Section 9.2g), the project site is not within a flood hazard area. The project site is separated from Llagas Creek by a ridge.
- 96-Semi-4:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**From:** [Deanna Shaw](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba Center Comments  
**Date:** Monday, July 30, 2018 10:05:07 PM

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Dear Approval Committee,

I live one block away and within visual site from the proposed Cordoba center. This center is much larger then what is needed to serve the local area and is now being proposed as serving the entire region. This is totally out of the character for our community and will be adding a large amount of traffic and noise impact directly to my current living situation. While it is claimed that no traffic light will be needed for the exit of their gatherings, I live with trying to exit from California onto Monterey daily. The traffic coming around the corner is a speed limit of 50 miles an hour, and at times is more. With a blind corner there is no way that people will be able to exit the center without putting themselves and the rest of us in danger.

1

I am also concerned about the inability to enforce any noise complaints that we might have in the future. Currently as I understand it, we have only a few sheriffs assigned for our county on duty at one time and the priority will be policing between San Bonito and Palo Alto area. Considering that law enforcement will have larger concerns then noise abatement and that they are told to stand down to any calls at religious establishments, we will be left with no way to enforce the quiet hours.

2

Please eliminate the cemetery from being approved. If you look at the projected attendance of the funeral services for the Cordoba center they project 500 attendees. While its stated that this would only be occasional, with 4k burial plots this can turn into a multiple events per week situation where our traffic and local community will be impacted. I am one of the people that will be directly impacted if there is an issue with the cemetery and our wells. The proposal to burry 4k people without any concealment so close to our water source is an issue of true concern. There is a approved non-sectarian cemetery that is already approved and being built in South San Jose where they are not near residential water sources. The new Heritage Oaks Memorial Park next door to Cinnabar Hills Golf Club would be a far better location for the proposed burial of Cordoba members.

3

San Martin charter has always been centered around community serving, this facility is servicing for a much greater area then San Martin. If it were truly to serve the community the structure would be much smaller and compact like other churches in the area. I support the freedom of religion that serves my local community but this seems to be being built for everyone except for the San Martin residents.

4

I am not favor of the cemetery or the church that is being built in this size, and what concerns me more then anything there is zero accountability or people to enforce what they said that they were going to do. Additionally if the well water does get contaminated there is no way to turn back the clock and undo the contamination as we have seen with the perchloride situation.

5

Thank you,  
Deanna Shaw

#### **4.3.97      Response to Comments from Shaw, Deanna**

- 97-Shaw-1:      Safety issues related to sight distance are evaluated in Impact 4.6-3. Mitigation Measure 4.6-3 requires that the project proponent demonstrate that landscaping, as detailed on landscape plans for County Planning Department approval, does not encroach into the sight distance triangle (a triangle formed between the location where the driver makes the decision to exit the driveway [decision point], the location of the approaching vehicle on Monterey Road, and the location where the two vehicles would intersect).
- 97-Shaw-2:      The mitigation measure prohibiting use of portions of the parking lot between 10 p.m. and 7 a.m. would be a condition of project approval. Non-compliance with conditions of approval, which include mitigation measures, can include modification or revocation of the use permit, and civil or criminal enforcement proceedings.
- 97-Shaw-3:      Text changes have been made to page 3-5 of the Draft EIR based on an updated cemetery plan submitted by the applicant in July of 2018 (Appendix C of this Final EIR). The updated cemetery plan shows the maximum density of graves would be 562 per acre for a total capacity of 1,996 grave sites. Impact 4.4-4 found that with implementation of Mitigation Measure 4.4-4, the proposed cemetery would not result in deterioration of groundwater quality below drinking water standards.
- 97-Shaw-4:      See Response 96-Shaw-2.
- 97-Shaw-5:      Under Mitigation Measure 4.4-4, if at any time the groundwater nitrate concentration at monitoring wells along the westerly property line exceed 7.5 mg-N/L, the monitoring wells shall be re sampled and burials shall cease until monitoring results show the groundwater nitrate concentrations have dropped below the 7.5 mg-N/L evaluation criterion, at which time the County may authorize continued burials. It should be noted that no existing water wells are located within 500 feet of the 800 burial sites located in the first three phases of cemetery operations, which are estimated to take more than 15 to 20 years to be filled. Taking this into account, the monitoring results would allow the County to stop burials well in advance of any contamination that could occur off-site.

**From:** [Victoria Shaw](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba Center - Project Concerns  
**Date:** Tuesday, July 3, 2018 11:52:50 AM

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July 3, 2018

Santa Clara County Planning Office  
Attn: Christopher Hoem  
County Government Center  
70 W. Hedding Street, 7th Floor, East Wing  
San Jose, CA 95110

Dear Mr. Hoem:

We are writing to you as we have read the news about the proposed Mosque and cemetery that is planned near our home. Unfortunately, we will not be able to make the upcoming public hearing.

Our home is located at [REDACTED], Morgan Hill, CA and we are on the border with San Martin. We have an open backyard that extends up the hillside - with the proposed site right over the hill from our home. We would like to formally petition that the existing Cordoba project NOT be approved and other locations in the local area be considered for the proposed Mosque and cemetery.

Below is a summary of our concerns with this proposed project:

**<!--[if !supportLists]-->1. <!--[endif]-->Alters the tranquility of the rural landscape and animal habitat**

- The area will be drastically impacted with the size and scope of the currently proposed mosque and cemetery. The charm of the community is the rural setting and most people living in the area enjoy this quality of life. Furthermore, we have many animals that freely graze the hillsides – in our backyard (open hillside), we have free roaming turkeys, deer, bobcats, quails, etc. With the proposed site, the traffic, noise from prayer calls, and buildings will change the current environment and disrupt this unique environment.

**<!--[if !supportLists]-->2. <!--[endif]-->Lack of infrastructure to support proposed building and traffic**

- The existing infrastructure and set up in the area is inadequate to support the proposed building site. We expect this will cause terrible traffic congestion. This area is very rural and does not support the proposed site. This will require significant investment and without it, we do not believe this project should be approved.
- The information that has been posted shows attendance: on a daily basis with 100 - 200 attendees visiting the mosque, and on for the weekly Friday services, it is noted that there will 500+ people. How can we handle that amount of traffic on a daily and weekly basis? Not only will this have an impact for the locals, it will also make the traffic for the entire area even more of a problem.
- There are currently no sidewalks, no streetlights, and no crosswalks near the proposed site. What are the plans to build out the infrastructure in the area to support such a project? Will this be done in advance of this project? Without required infrastructure to support proposal, this area will become highly congested, dangerous at night as it will be pitch dark, and risky for local pedestrians without the necessary sidewalks/crosswalk.

**<!--[if !supportLists]-->3. <!--[endif]-->Cemetery is not something that neighbors signed up for**

- When we purchased our home twelve years ago, we made a decision based on the area. We did NOT choose a home near a cemetery as we have concerns and fears with being too close to dead corpses. We are incredibly concerned with having a cemetery built in our backyard without having a voice in the matter – this has us very nervous in having dead bodies buried and/or burned so close to our home. I understand that there need to be cemeteries, however, this should not be so close to existing homes. It is important that the feelings and concerns of the local neighbors be seriously considered as this is a major concern for many (including us) who are not comfortable with a cemetery being built in our backyard. Also, many neighbors have wells and it is not right to place a cemetery so close to pre-existing homes with wells.

6

#### <!--[if !supportLists]-->4. <!--[endif]-->Environmental impact with traffic, noise, and construction

- We are also concerned that the traffic, noise and construction will have detrimental impacts to our local Santa Clara County park setting. Many neighbors in our area enjoy the local lake and stream that sit near the proposed site. With increased traffic, noise, and construction, we are concerned that our area will be transformed and the natural environment will be negatively impacted. In addition, with the proposed cemetery, this may not only impact the ground water for local residents, it is expected it will also impact our park area (lake and stream) with runoff and pollution. This is a recreation area and we would like to ask that this environmental impact associated with our park be evaluated.
- We were in the area when the area flooded several years ago. There is not only an environmental issue with the groundwater, this is also a flood zone area. We encountered significant areas that were not drivable with the high waters. With the lack of infrastructure, this issue will be compounded if this area is over-developed without the necessary county investment to address the flood zone issues that the area encounters.

7

8

#### 5. <!--[endif]-->Size and scope of project far exceeds past proposal

- This project is much larger than what was previously proposed. We would have no issue with the mosque if it was smaller and aligned better with the local area (however, the cemetery is a different matter). Our view is that this project is too large and will be highly disruptive to the local neighborhoods.

9

We fully understand the desire for a local Mosque – however, it should not come at the sacrifice of the local residents. We have serious concerns with a cemetery being placed in our backyards (not to mention the additional concerns for local homes that maintain wells) and building a massive facility without all of the necessary infrastructure to support this project.

10

With all due respect, we ask that this project be denied in its current form. Based on the current specifications, this is not acceptable for our area. We would recommend that instead the mosque be built out to a much smaller specification (to minimize the environmental impact), the infrastructure be committed to be built out for the local area in advance of this project, and there be NO cemetery around pre-existing homes. We do not support the existing Cordoba project proposal and would like to formally petition against it based on the above considerations.

Please acknowledge receipt of this formal letter. Thank you for your consideration.

Sincerely,

Victoria and Tom Shaw

[REDACTED]  
Morgan Hill, CA 95037

[REDACTED]

#### **4.3.98      Response to Comments from Shaw, Victoria**

- 98-Shaw-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 98-Shaw-2:      The Draft EIR evaluated noise and traffic in Sections 4.5 and 4.6, respectively.
- 98-Shaw-3:      The comment is not specific about what infrastructure would be inadequate to support the project. Impact 4.6-2 evaluated the project's impact on level of service on Monterey Road and concluded it would be less than significant.
- 98-Shaw-4:      See Response 97-Shaw-3. The figure of 500 attendees in Table 3-2 would be for Eid Prayers, which would only occur twice a year.
- 98-Shaw-5:      The project proponent would be required to complete frontage improvements along Monterey Road in conformance with County Roads and Airports road section standards for arterials, which include sidewalks. Mitigation Measure 4.6-3 identified improvements, such as acceleration and deceleration lanes, to address traffic safety.
- 98-Shaw-6:      The comment does not cite specific environmental issues related to cemeteries. Impact 4.4-4 found that with implementation of Mitigation Measure 4.4-4, the proposed cemetery would not result in deterioration of groundwater quality below drinking water standards.
- 98-Shaw-7:      The Draft EIR evaluated noise and traffic in Sections 4.5 and 4.6, respectively, including impacts from construction.
- 98-Shaw-8:      The Draft EIR evaluated drainage and stormwater runoff in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR), and both impacts were found to be less than significant. See Responses 5-SMNA-37 and 5-SMNA-38.
- 98-Shaw-9:      The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission when it evaluates the EIR and proposed project, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 98-Shaw-10:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**Cordoba Center Use Permit**  
**Draft EIR Comment Form**

**DRAFT EIR COMMENTS**

**(Please print clearly and legibly)**

*Please hand in during the meeting or mail (address on back) or email by **July 30, 2018**.*

Name: Khalil Sheikh

Organization (if any):

Address (optional):

City, State, Zip: Morgan Hill, CA, 95037

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**Comments (Please print clearly and legibly)**

I support Cordoba project, there is no place close by for I and family to go for Friday prayers.

In addition, Cordoba cemtry is designed to be a green environment friendly place of burial. I urge you  
to approve this projects.

Kindest Regards,

Khalil Sheikh

*(More space on reverse side)*

#### **4.3.99      Response to Comments from Sheikh, Khalil**

99-Sheikh-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**From:** [Mehma Saria](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Islamic Community Center  
**Date:** Friday, July 20, 2018 10:59:35 AM

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Name: Yudhvir Singh Sidhu  
Add: [REDACTED], Morgan Hill  
Phone: [REDACTED] cell

Hi,

There seem to be multiple players in this debate and there are forces who claim to simplify the issues to push their agendas.

From San Martin community prespective there seem to be anti islamic sentiment among some and there are those who see a business coming in. They have issues such as traffic, water quality and noise.

From the islamic community the issue they seem to be pushing is "this is no different than a church coming in." However, I can envision two groups here. One is the group which are the attendees. They want a place to worship, teach their kids and bury their deceased. Then there is the group which is funding the project. They are looking at this as a business to make money.

Not only is a foreign culture establishing and formalizing themselves in the midst of a rural people and way of life, they are also bringing a booming business model into a quiet place. All replat with traffic, parking lots and noise.

The county is left to make sense of this all and impose a structure so a decision can be made.

Targeting the islamophobics and project funders and asking them to make changes makes the most sense.

The only solution I can think of is to pull most of the profitability out of the project. Maybe a group of locals and the Islamic Center administrators get together regularly to set rates for the various services provided. Perhaps adding in costs for law enforcement and traffic regulation. I would also make it mandatory to make each expense the center pays for publicly available on a website. And also disclose how much the administrators are making.

Yudhvir



**4.3.100      Response to Comments from Sidhu, Yudhvir**

100-Sidhu-1:    The Draft EIR evaluated noise and traffic in Sections 4.5 and 4.6, respectively.  
Project funding is not within the scope of environmental analysis required by CEQA.

**From:** [mmsielert](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** San Martin Mosque Development  
**Date:** Wednesday, July 18, 2018 3:29:33 PM

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To whom it may concern:

It confuses me as to why this large development would be approved in San Martin or any other South Bay City. There are many new housing developments and Retail developments currently in the South Bay that will put a strain on our resources. We have water rationing now and developments keep getting approved. Are we going to have to cut back further? Has anyone looked out at the traffic on the 101 and in town that we all have to endure daily to get to work and back home? Huge home developments in Morgan Hill and Gilroy will definitely play a factor on how long we will now have to sit in traffic and you want to add a Mosque, a community building , recreational facilities, a cemetery and a summer camp site to the City of San Martin. I think you all need to understand how stressful your decision will be if you approve this large development. It is not needed in the South Bay for many of the reasons I have stated and more I haven't. I would vote **NO** on this development.

Thank you for hearing my concern.

1

2

3

#### **4.3.101      Response to Comments from Sielert, MM**

101-Sielert-1: Water supply is addressed in Section 18.2d) of the Initial Study (Appendix A of the Draft EIR).

101-Sielert-2: The Draft EIR evaluated traffic in Section 4.6.

101-Sielert-3: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Rich Sotelo](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Comments : On draft EIR  
**Date:** Monday, July 23, 2018 12:29:20 PM

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To Chris Hoem,  
Planning Office

There are so many issues,,,Noise, Water pollution, Traffic, Parking . Step by step we in San Martin need to have all these issues addressed. Not to be pushed aside like everything else that pertains to San Martin. We are not a dump area and being we help pay your wages its time the county realized we are important here in south county.

1

We need a guarantee that our water is not going to be contaminated in the future.

Is this project going to have their own fire department ? Oops maybe i just opened up another can of worms.

2

Where are all these people going to park? along Monterey highway and California Avenue?

3

Our Sheriff Department is not large enough to handle all the area that they cover now and either is the Highway Patrol so how are they suppose to take on another large task of keeping up with all the traffic this project is going to create?

4

i'm sure ,, No one would say anything about this project if it were to be built out on the hillside somewhere , anywhere except in our community.

5

Its to my understanding the plans were much smaller when the plans were first submitted. When they were to be redone the county advised them, to redue the EIR and to make the plans to what their max size was going to be since once it was submitted it could not be enlarged or changed. Now isn't that a fine thing to do. Thank You Santa Clara County

6

Please respond to this  
thank you,  
Linda Sotelo

A San Martin Resident  
Linda Sotelo  
P.O. Box 412  
San Martin, Calif.  
95046

**4.3.102      Response to Comments from Sotelo, Linda**

- 102-Sotelo-1: The Draft EIR evaluated noise in Section 4.5. Water quality impacts are addressed in Section 4.4. Traffic is addressed in Section 4.6.
- 102-Sotelo-2: Section 14.2a) of the Initial Study (Appendix A of the Draft EIR) concluded that there would be adequate fire protection resources to serve the proposed project.
- 102-Sotelo-3: See Response 5-SMNA-90.
- 102-Sotelo-4: It is not clear from the comment what is meant by “keeping up” with traffic. Section 14.2a) of the Initial Study (Appendix A of the Draft EIR) concluded that there would be adequate police resources to serve the proposed project.
- 102-Sotelo-5: The comment is not a comment on the Draft EIR.
- 102-Sotelo-6: The Draft EIR evaluates the project as it is currently proposed.

**From:** [Rick Spohn](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba project  
**Date:** Tuesday, July 17, 2018 9:12:54 PM

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I have a lot of issues with this project. Just to set the record straight, I have no problem with the religion, it's just the location of the facility in a rural setting and its impact. It should be in city limits somewhere like Morgan Hill, Gilroy, Hollister, etc. The leader, Hamdy Abbass lives in Gilroy. Why doesn't he build it there? Plus, only those people in San Martin who will be affected by the Cordoba project should have their voices heard. It has no impact on those living outside the local area except maybe the traffic.

1

I have lived in San Martin for over 31 years and live just around the corner, on Harding Ave, from the proposed Cordoba center. I moved to San Martin because of its tranquil ambiance.

It seems like San Martin has become a dumping ground over the years for projects nobody else wants. We also had to endure the Olin prochlorate fiasco. In fact, both my son and I have to take a daily thyroid pill (thyroxine) because of thyroid disease. This came about after the prochlorate spill.

Here are my issues:

**Buildings:** The proposed site does not fit within the San Martin rural environment. There are no buildings as large as or will support such a large population in San Martin. If it goes in there is no end to it and no one to monitor it. Like everything, once it is established it will continue to grow. The Cordoba center belongs in a city where it would fit in with other like structures.

2

**Traffic:** I go north from my house via California Ave and Monterey Highway. I sometimes have to wait several minutes before I can merge onto Monterey Highway because of the traffic. All the building in the south county the last number of years have made traffic intolerable. Highway 101 has become a parking lot through San Martin and Morgan Hill so everyone jumps off and takes the side streets which makes matters worse. With the 500+ people expected to visit the Cordoba center, traffic will be intolerable. Put in the Patel trailer park, and it will even be worse.

3

**Contaminated water/cemetery:** I have a real problem with water contamination. We have already had to endure the Olin prochlorate contamination. Once the water is contaminated, there is no turning back.

4

**Local serving:** This center will not be limited to the south county and there is no way to police it. If you think that you are kidding yourselves. If you build it, they will come!

5

**Noise:** I am concerned with the noise levels coming from the center. It is very quiet out here and any little noise is amplified. You don't have a bunch of structures to absorb noises. My wife has traveled to Arab countries where there are mosques, and she said the noise levels are very loud when they call to prayer.

6

**Property values:** I am sure this will impact property values for anyone who lives close to the center. As everyone knows, property values are based on location, location, location.

7

In summary, I don't understand why the people behind the Cordoba project are so adamant on building it in San Martin where it affects so many of us. This monstrosity does not belong in a rural setting. There are many more locations that are more

suitable for the center. For the reasons I stated above and more, I urge you NOT to approve this project. Thank you.

--

Rick

#### **4.3.103      Response to Comments from Spohn, Rick**

103-Spohn-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, on recommendation by the San Martin Planning Advisory Committee. Any Planning Commission action would be appealable to the Board of Supervisors. Project alternatives are discussed in section 6.3.1 of the Draft EIR, including an off-site alternative (Draft EIR, page 6-5). See also Response 32-Eby-5. Furthermore, other rural development within San Martin would likely have the same types and level of impacts as the proposed project site. The County does not have the authority to approve a project in any other jurisdiction. As such, potential sites within Morgan Hill and Gilroy are not addressed. CEQA does not provide limits on who may comment on an EIR.

Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center.

103-Spohn-2: The comment is acknowledged; however, it is not a comment on the Draft EIR.

103-Spohn-3: The Draft EIR evaluated traffic impacts in Section 4.6.

103-Spohn-4: See Response to 20-Camb-1.

103-Spohn-5: The comment is not a comment on the Draft EIR.

103-Spohn-6: The Draft EIR evaluated noise in Section 4.5. The project does not propose to broadcast a call to prayer five times a day. No outdoor amplified sound is proposed.

103-Spohn-7: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



**From:** [Steve](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Muslim center in San Martin  
**Date:** Thursday, July 19, 2018 7:00:41 PM

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As a resident of Morgan Hill, I oppose this project and it should be cancelled. The last thing I want here in my community is a breeding place for jihad. This complex would attract people that want to harm Americans and I don't want that to have even a chance of happening.

Regards,  
An American

Sent from my iPad

#### **4.3.104      Response to Comments from Steve**

104-Steve-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Bilal Sufi](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba Center Project  
**Date:** Monday, July 30, 2018 1:33:38 AM

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Dear Sir,

I write in support of the Cordoba Center Project which will facilitate much needed local services the Muslim community. The cordoba center in addition to providing services is a environmentally friendly project where hundreds of trees will to be planted its use of sustainable sources as well as recycled water for irrigation and a sustainable model of natural burials. Th project will provide the muslims a place of worship and a place of burial. The south county does not currently have muslim burial site.

I Strongly support this Project and am hopefull that your decision will be based on the rule of law and that It is a religious and constitutional right of the Muslim community in South County as well as the fact that this Projects meets and actually exceeds all aplicable regulatory ordinaces,

Bilal Sufi  
South County Resident

**4.3.105      Response to Comments from Sufi, Bilal**

105-Sufi-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



County of Santa Clara  
Department of Planning and Development

**Cordoba Center Use Permit**  
**Draft EIR Comment Form**

**DRAFT EIR COMMENTS**

**(Please print clearly and legibly)**

*Please hand in during the meeting or mail (address on back) or email by **February 2, 2018**.*

Name:

Star Taira

Organization (if any):

Address (optional):

City, State, Zip:

San Martin, CA 95046

E-mail:

This comment form is being furnished to obtain comments and questions from the public on the **Cordoba Center Use Permit Draft EIR**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**Comments (Please print clearly and legibly)**

As a San Martin property owner and longtime resident, I support the building of the Cordoba Center. The Draft EIR has covered all areas of potential concern and the Cordoba Center will be a valuable asset to South County.

(More space on reverse side)

**4.3.106      Response to Comments from Taira, Star**

106-Taira-1:    The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Donna Thorbjornsen](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** FW: Cordoba Center Comments  
**Date:** Monday, July 23, 2018 2:56:36 PM

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Thank you for letting us express our comments and thoughts on the Cordoba Center. I attended the public meeting on July 12<sup>th</sup>. I heard many viewpoints expressed on the Cordoba Center. It is apparent that the community is very divided on this development. I hope that much thought will be given to the facts and the planning commission will make a fair decision for the community.

1

**Traffic:**

If the Cordova Center only will be entering and exiting off Monterey Road, what type of improvements will be provided?

2

Left turns from North Bound Monterey Road into the center—will a signal or widening be provided for special left turn lane? How far will they back up turning left with all the traffic that travels on Monterey Road?

3

Right turns from South Bound Monterey Road into the center—how far will the traffic back up turning into center? There is a curve in the road and the impact study says there is plenty of clearance to see cars. If every person arrives at a specified time-how will this be handled and the backup will extend beyond the curve. It is a very bad curve to see the stopped traffic.

4

How will existing traffic exit California Avenue? Right now the side street traffic makes unsafe turns onto Monterey Road—what will happen when these people cannot get out of their homes onto Monterey Road?

5

Will we have to endure MORE TRAFFIC SIGNALS?

Traffic exiting 101 on San Martin and Tennant are simply overtaxed and the lines of cars turning onto Butterfield from Tennant are backed up to the freeway most days. The cars back up on San Martin trying to get through town. The study erroneously states that there isn't sufficient traffic currently on Monterey Road to be impacted. I challenge you to drive up or down Monterey Road on any morning or evening (especially Friday) and see how badly the cars are backed up. The traffic now has diverted onto Sunnyside, Watsonville Road and Santa Teresa to avoid the long backups on the freeways and Monterey Road.

6

There is a building (Buddhist Temple) on Fisher Avenue off Butterfield in Morgan Hill. They have ceremonies and celebrations only two times per year and on those two weekends we cannot get out or onto Tennant, Butterfield and or Monterey Road because there are so many people coming to the temple. That is only twice a year. How are we supposed to exist

7

when we cannot get out of our houses, visit stores or even get onto the freeway because of the traffic from the Cordoba Center?

7

We already have to endure traffic that has made our community unbearable at times. Why do these projects get approved to add more cars to the already congested roads? No we cannot stop progress, but we can be thoughtful and plan out our growth. I believe that this is the planning committee's job. Be thoughtful and make good decisions. Religion does not and should not enter into the decision. I do not believe that the people in this area are against the Cordova Center itself. It is all the other factors that should be considered. There are so many negatives and not enough positives. Why can't they locate their center away from homes and wells and off the highly trafficked Monterey Road? What makes this particular site the perfect location?

8

### **Ground Water:**

What REAL ASSURANCES do the people have when it comes to the ground water?

Water rights have been at the center of so many disputes over the centuries. People have fought over their right to protect their water. Shouldn't the existing property owners' rights come first? Why do they have to continually share the small amount of ground water that is available? Who is responsible for giving them more water when the supplies run out?

9

I heard so many people say that there are so many polluting factors in the existing supply...So why add more pollution? Just because there is industrial waste and agricultural waste, what makes it right to add more pollution? Thoughtful building and planning would safeguard the water supply.

The existing cemeteries were mentioned as not being a source of pollution. Most cemeteries have cement liners, caskets and bodies that are embalmed. Green burials as are proposed by the Cordova Center are certainly not equal to the processes that other cemeteries use. . When the bodies decompose, where does all the disease and waste go? If the bodies are not embalmed, where does all the blood go? If the laws say that you only need 5 feet of clearance above the water source, what happens when the bodies dissolve into the ground? How can the water supply be protected?

10

Is the Cordova center going to have septic tanks? How are they going to manage these tanks and make sure that they do not overflow and contaminate the water supply? When you have a large amount of people present for gatherings, are they going to have to provide port-a-potties or just continue to overuse the septic tanks?

11

There are so many questions and no real answers. Everyone says they will make good neighbors. I don't think anyone is disputing that fact. It is a large facility with many different

12



components. Recreational factors, boys and girls camps, religious gatherings and celebrations and of course the burials in the cemetery. How can this area support so many different components and still provide for the existing citizens? This facility should be located elsewhere.

My husband and I are totally against this proposed development. There are too many unanswered questions. The community of San Martin and surrounding cities will bear the end results of all the unanswered questions. The planning commission will move onto more pressing decisions, but the citizens will be left with the problems and decisions on how to manage to live on their land. Please consider all the unanswered questions in this proposed development. It is not a good decision.

Thank you for your time.

Donna & Alan Thorbjornsen  
915 Via Vivaldi  
Morgan Hill, CA 95037

#### **4.3.107      Response to Comments from Thorbjornsen, Donna**

- 107-Thor-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 107-Thor-2:      Mitigation Measure 4.6-3 would require installation of a southbound right-turn/deceleration lane, a southbound acceleration lane to accommodate outbound vehicles turning right from the project driveway. See Response to 107-Thor-3.
- 107-Thor-3:      Vehicles would be restricted to right-in / right-out only at the project driveway; no left turns would be allowed to or from Monterey Road. See text revisions to section 4.6.4 and Mitigation Measure 4.6-3
- 107-Thor-4:      Vehicles turning right into the site will decelerate in the deceleration/right-turn lane. This lane and the driveway would be designed to accommodate inbound vehicles and minimize queuing. See Response to 115-Zill-1.
- 107-Thor-5:      The proposed project is projected to add 15 vehicles traveling past the intersection of Monterey Road and California Avenue during the AM peak hour. This amount of added traffic is projected to have a negligible effect on intersection operations. Traffic modeling estimated that the project would add approximately 70 vehicles during the PM peak hour, which would cause a small increase in delay for traffic on the California Avenue approach. Monterey Road would continue to operate at Level-of-Service B, and the impact would be less than significant.
- 107-Thor-6:      The project proponent has not proposed traffic signals, and none would be required as part of a mitigation measure.
- 107-Thor-7:      As noted in Table 3-2 of the Draft EIR, the “Eid” Prayers would occur twice a year from 8 a.m. to 12 p.m. followed by a banquet, and community picnics would be held twice a year from 11 a.m. to 5 p.m. on weekends. Both events could have up to 500 attendees. Local residents who may use California Avenue for access to Monterey Road may face some delays at the beginning and end of these events. However, these delays are not likely to occur during the events as attendees will already be on site. It should also be noted that these residents have other options for connecting to Monterey Road, such as Roosevelt and West San Martin Avenues.
- 107-Thor-8:      The Draft EIR evaluated traffic in Section 4.6 and water quality in Section 4.4. The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, on recommendation by the San Martin Planning Advisory Committee. Any Planning Commission action would be appealable to the Board of Supervisors.
- 107-Thor-9:      This comment raises general questions about protection of water rights and sharing of limited groundwater resources. Water supply is addressed in Section 18.2d) of the

Initial Study (Appendix A of the Draft EIR). Potable water would be supplied by West San Martin Water Works. Landscape irrigation would be provided by rehabilitation of an existing on-site well. The effects of the proposed project on groundwater supplies are evaluated in Section 9.2b) of the Initial Study. The applicant has provided additional information on the project's water demand (see Appendix A of this Final EIR). Based on this information, revisions have been made to the last paragraph on page A44 in the Initial Study (see Section 3.0 of this document for the text edits). Impacts to groundwater quality from the on-site wastewater treatment system were evaluated under Impacts 4.4-2 and 4.4-3, and implementation of respective mitigation measures would reduce these impacts to less than significant. Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant.

107-Thor-10: See Response to 93-Scott-11.

107-Thor-11: The questions posed in this comment about the fate and assimilation of decomposition compounds and materials from buried human remains is addressed in Appendix F in the "*Cemetery Water Quality Impact Review for the Cordoba Center Project*" by Questa Engineering (Questa, 2017a). The Questa report reviews the state of knowledge regarding the various biological, organic and inorganic constituents of concern, burial practices, decomposition processes, water quality research studies, and cemetery siting guidelines for groundwater protection. This is followed by review of soil and environmental conditions of the Cordoba Center project site and adjacent areas, and analysis of potential public health and water quality impacts for various decomposition compounds of concern. Measures recommended by Questa, and incorporated into Mitigation Measure 4.4-4, to protect the groundwater supply in the areas down-gradient of the cemetery include sequencing/phasing of the burial operations from the east to the west side of the property, limitations on the annual number of burials, and requirements for an on-going water quality monitoring program to provide confirmation and feedback on water quality changes in the cemetery area over time, with adjustment in burial rates based on the results and findings.

107-Thor-12: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Leonard Trumbull](#)  
**To:** [debra.cauble@pin.sccgov.org](mailto:debra.cauble@pin.sccgov.org); [Commission, Planning](#); [CordobaEIRComments](#)  
**Subject:** Fw: Condoba Campus in San Martin  
**Date:** Sunday, July 29, 2018 7:33:35 PM

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----- Forwarded Message -----

**From:** Leonard Trumbull [REDACTED]  
**To:** Supervisor Wasserman <mike.wasserman@bos.sccgov.org>; dave.cortese@bos.sccgov.org <dave.cortese@bos.sccgov.org>; cindy.chavez@bos.sccgov.org <cindy.chavez@bos.sccgov.org>; ken.yeager@bos.sccgov.org <ken.yeager@bos.sccgov.org>; joe.simitian@bos.sccgov.org <joe.simitian@bos.sccgov.org>  
**Sent:** Sunday, July 29, 2018 07:30:28 PM  
**Subject:** Condoba Campus in San Martin

To Whom it May Concern,

I have lived in San Martin for 40 years and with recent city meetings, there is a proposal on the table to build a Cordoba Campus on the corner of California Avenue and Monterey Road. This campus that they are wanting to build is going to accommodate 300-500 people.

1

A lot of the local residence have concerns about this because there isn't going to be ample parking so therefore, they will be parking along Monterey Road on both sides and California Avenue.

With all the recent construction of 5,000 homes or more in Gilroy and Morgan Hill, the traffic congestion is getting worse and this campus will be adding more congestion along Monterey Road. With this congestion as it is, more locals are relying on Monterey Road to avoid the congestion on 101 highway.

2

Another concern the residence have, is that San Martin isn't on city water. Residence in San Martin rely on well water, which if they are proposing to have a cemetery on this campus can pose a problem. They don't bury the deceased in caskets they wrap the deceased in muslin cloth and bury them. Which after time goes into the soil and eventually into the drinking water that the San Martin residence rely on.

3

Thank you for your

#### **4.3.108      Response to Comments from Trumbull, Leonard**

108-Trum-1:    The comment regarding attendance is consistent with the range proposed, which is shown on Table 3-2 of the Draft EIR.

108-Trum-2:    The Draft EIR evaluated traffic impacts on Monterey Road in Section 4.6.

108-Trum-3:    Water supply is addressed in Section 18.2d) of the Initial Study (Appendix A of the Draft EIR). Potable water would be supplied by West San Martin Water Works. Landscape irrigation would be provided by rehabilitation of an existing on-site well. The effects of the proposed project on groundwater supplies are evaluated in Section 9.2b) of the Initial Study.

**From:** [Harriet Werner](#)  
**To:** [CordobaEIRComments](#)  
**Cc:** [Harriet Werner](#)  
**Subject:** Welcoming Cordoba Center  
**Date:** Monday, July 30, 2018 9:42:15 AM

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Dear South County officials,

I welcome the Cordoba Center and the Faith community who are planning it. Over the years I have come to know many of the SVIC members as friends, co-workers and professional colleagues . They are some of the most kind, generous, peace-building and constructive people I know.

The Cordoba Center is thoughtfully planned and environmentally conscientious. It's mission includes peace-building and neighborliness. I hope in turn that we can all be good neighbors to them.

I am a 35 yr Gilroy resident, a member of a Christian church and a retired family physician.

Harriet ( Betsy ) Werner

Sent from my Verizon Wireless 4G LTE smartphone

**4.3.109      Response to Comments from Werner, Harriet**

109-Werner-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Alan Williamson](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Cordoba Center Draft EIR Comments  
**Date:** Monday, July 30, 2018 11:32:04 PM

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Dear County of Santa Clara,

My name is Alan Williamson and I strongly encourage approval of the Cordoba Center in San Martin. I grew up in San Martin, not far from the project site, and I currently attend church in Morgan Hill. I have been familiar with the area ever since my family built our home in the Hayes Ranch area of San Martin, just west of Santa Teresa Blvd. My primary thoughts are:

1. It appears to me that the project developers have met or exceeded all zoning and environmental requirements, and, after completing the mitigating measures noted in the Draft EIR, it appears the project will be fully compliant and will have no significant impact. Therefore, approval seems consistent with the prior unanimous approval given by the County.

2. I believe the architecture and land coverage would be not only consistent with the local design feel, but would be a significant upgrade to the local "neighborhood" which has long consisted of a mixture of older properties, most of which are in need of revitalization. I believe this project would set a beautiful, open example for future redevelopment, consistent with the style and rural feel of San Martin.

3. Based on my review of arguments from both sides, it appears to me the effort to stall this project has been motivated by emotions which are un-becoming the American ideal of religious freedom. Considering the following:

A.) the Muslims' current facility is a converted sheep barn, which could arguably be characterized as a "substantial burden" on their religious exercise (I have visited their barn, and while they have made due, it is too small, has inadequate parking, and I would not consider it a suitable facility)

B.) the developers seem to have carefully complied with all necessary ordinances,

C.) the recent unopposed approval of the Hindu temple in the same corridor and other neighboring projects (RV park?) require treatment on "equal terms," and

D.) the history of blatant anti-Muslim positioning by opponents (especially early in the opposition movement), could be cited as an example of discrimination against this religious denomination.

It appears to me a denial of this project risks violation of several RLUIPA sections, thereby putting the County at risk of an expensive lawsuit (thinking of the DOJ lawsuit against Sterling Heights, Michigan).

4. In spite of fear currently rampant in the national press regarding Muslims, I have taken the time to meet some of the people who would be attending this center, and have found them to be kind, community-minded citizens who are interested in supporting inter-faith relationships and who are valuable volunteers in the South County community.

In my opinion, the proposed Cordoba Center would be a beautiful addition and a very positive influence in San Martin. Please approve this project.

Sincerely,  
Alan Williamson  




**4.3.110      Response to Comments from Williamson, Alan**

110-Will-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Monica Winders](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Comments on project  
**Date:** Sunday, July 29, 2018 9:48:35 PM

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To staff,

I had the opportunity to attend the meeting at the MH Community Center and hear the public's comments. I've spoken with neighbors and read about the Córdoba project.

The biggest issue I have with the project is its size. Why does it have to be so big. San Martin is a small town with 10k residents. We moved here to get away from the big cities and noise. We want San Martin to remain rural. Once this huge project is approved, it will set the precedent for other large projects to move in. We want small projects to come to our small town that won't have impacts to our water, noise level, and traffic.

I would like to have an expert on the water system to do a thorough research on weather burying dead people without a coffin will have short term or long term damage to our water resource. This is our most precious resource and we need to keep it safe. All of us in San Martin have Wells. We rely on our wells for design water. I am fearful that having a cemetery with corpses without coffins will have a negative impact on our waters. We need to be 100% sure that they water would be safe to drink before the project is approved. We need experts to verify and certify with 100% certainty that the cemetery will have 0 impact to our water. Without it, the county is looking at potential litigation.

I hear over and over again that we cannot bury our beloved pets in our backyards because it's not legal yet burying a dead person is okay. Why is one illegal and not the other? If the project goes though, the county will need to allow folks to be able to bury their animals otherwise, I can see folks wanting to litigate.

Regards,

Monica

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**4.3.111      Response to Comments from Winders, Monica**

111-Wind-1:    Whether or not the proposed project or reduced-size alternatives, should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

111-Wind-2:    See Response 5-SMNA-4.

111-Wind-3:    The comment is acknowledged; however, it is not a comment on the Draft EIR.

**From:** [Beth Wyman](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Sorry I am late!  
**Date:** Monday, July 30, 2018 4:53:05 PM

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Yes on Cordoba Center. Well planned. An addition to our community.  
Beth Wyman

**4.3.112      Response to Comments from Wyman, Beth**

112-Wyman-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [Clint Z](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** My family supports the approval of the Cordova Center  
**Date:** Monday, July 30, 2018 3:34:42 PM

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To whom it may concern,

I am writing in behalf of myself and my wife and 3 sons who all support the approval of the construction of the Cordoba Center in San Martin.

We are Gilroy residents and members of the Mormon faith and we are familiar with the struggle that the Muslims have had to try to get this done.

We cannot have double standards in our government, and if we believe that all men are created equal and have certain unalienable rights, then all of us should have the right to worship and have a place to do so.

Approving this construction shows that doing what is morally right is more important than being bullied by people most of whom are stereotyping all Muslims because of a few.

Please approve this project!

Thank you.

Clint

**4.3.113      Response to Comments from Z, Clint**

113-Z-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** Hoem, Christopher  
**To:** k; Wasserman, Mike; CordobaEIRComments  
**Cc:** Chavez, Cindy; Cortese, Dave; Supervisor Yeager; Simitian, Joe; Sandhir, Manira  
**Subject:** RE: Cordoba Project, San Martin – File 2145  
**Date:** Tuesday, July 17, 2018 2:06:03 PM  
**Attachments:** image002.jpg

Thank you. I will forward your email to CordobaEIRComments@pln.sccgov.org so your comments and/or questions regarding the Cordoba Center will be addressed in the Final EIR.

Christopher Hoem AICP  
Santa Clara County Senior Planner  
408-299-5784

Please visit our website at [www.sccplanning.org](http://www.sccplanning.org)

To look up unincorporated property zoning information: [www.SCCpropertyinfo.org](http://www.SCCpropertyinfo.org)

Questions on Plan Check Status?, please e-mail: [PLN-PermitCenter@pln.sccgov.org](mailto:PLN-PermitCenter@pln.sccgov.org)

**From:** k; [REDACTED]  
**Sent:** Thursday, July 12, 2018 1:06 PM  
**To:** Wasserman, Mike <Mike.Wasserman@bos.sccgov.org>  
**Cc:** Chavez, Cindy <Cindy.Chavez@bos.sccgov.org>; Cortese, Dave <Dave.Cortese@BOS.SCCGOV.ORG>; Supervisor Yeager <supervisor.yeager@BOS.SCCGOV.ORG>; Simitian, Joe <Joe.Simitian@bos.sccgov.org>; Hoem, Christopher <christopher.hoem@pln.sccgov.org>  
**Subject:** Cordoba Project, San Martin – File 2145

Dear Supervisor Wasserman:

I am **EXTREMELY** concerned about the Safety of the resident's water in San Martin with respect to the Cordoba Project. It appears the County is using San Martin residents as guinea pigs for Cordoba's **experimental – one of a kind - type cemetery** they have proposed. The health of my family is of utmost importance and any allowances by the County that negatively impact our health is unacceptable.

Please review **"Impact of cemeteries on groundwater contamination by bacteria and viruses – a review. Jozef Zychowski and Tomasz Bryndal"**

[https://www.researchgate.net/publication/277713489\\_Impact\\_of\\_cemeteries\\_on\\_groundwater\\_contamination\\_by\\_bacteria\\_and\\_viruses\\_-\\_a\\_review](https://www.researchgate.net/publication/277713489_Impact_of_cemeteries_on_groundwater_contamination_by_bacteria_and_viruses_-_a_review) that warns of the dangers of what this project proposes.

Image removed by sender.



[Impact of cemeteries on groundwater contamination by ...](#)

[www.researchgate.net](http://www.researchgate.net)

Request PDF on ResearchGate | Impact of cemeteries on groundwater contamination by bacteria and viruses – a review | In the pr body, 0.4–0.6 litres of leachate is produced per 1 kg of body weight.

1. Please send me a copy of the County's current studies done at the proposed site of the Cordoba Project, confirming the proposed cemetery **will not contaminate the groundwater of San Martin resident's wells**. If none exist, state none exist. What studies, if any, does the County propose to implement re **this** issue and when?
2. Tell me where I can find current cases in the United States where the same circumstances as the proposed Cordoba cemetery are currently in effect and operating safely. (i.e. cemetery location, soil type, no city water or sewer services available at site, dead buried directly in the ground (no caskets) using concrete casing to stabilize the walls of each grave, distance to neighboring resident's well, etc.) If none exist, please state none exist.

If no cemeteries exist in the U.S. with the same circumstances as this proposed cemetery, and no studies have been done to prove the cemetery won't contaminate the resident's well water, how will the County guarantee the safety of the resident's groundwater in San Martin?

I look forward to your response.

Thank you,

Kim Zilliox  
San Martin Resident



#### **4.3.114      Response to Comments from Zilliox, Kim**

- 114-Zill-1:      Impact 4.4-4 evaluated operation of the proposed cemetery and concluded that implementation of Mitigation Measure 4.4-4 would reduce the impact to less than significant. See Response 114-Zill-2.
- 114-Zill-2:      Questa Engineering, which conducted groundwater studies for evaluating the groundwater quality impacts of the proposed project, reviewed a variety of studies related to the groundwater impacts of cemeteries, the conclusions of which are summarized on pages 8-11 of the “Cemetery Water Quality Impact Review for Cordoba Center Project (Appendix F of the Draft EIR).
- 114-Zill-3:      The County is not aware of other cemeteries in the U.S. with the same circumstances. Every cemetery would have different characteristics in terms of design, operations, topography, soils, groundwater, climate, and surrounding land uses. The environmental analysis provided in Impact 4.4-4 evaluated the design and operation of the cemetery proposed by the applicant on the project site and addressed potential impacts to wells located in the project vicinity through Mitigation Measure 4.4-4.

**From:** [kz](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Transportation Question  
**Date:** Monday, July 23, 2018 9:49:37 AM

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Hello,

I read 4.6.2 Environmental Setting AREA ROADWAYS AND INTERSECTIONS section of the EIR but I am not sure I understand it. I don't understand how Monterey Road won't significantly be impacted by the Cordoba Project usage. On a daily basis, several times per day, I travel Monterey Road right past the proposed sight. Because I live off of California, I turn right on California. Every single time I do this, at multiple times during the day, there are numerous cars right behind me on my tail notably upset that I am slowing them down. I cannot imagine how even 10 cars who are looking to turn off of Monterey Rd traveling Southbound at this location would not cause a significant impact on the traffic near that location, let alone 20-100+ cars who will be attending services at the same time.

1

I also don't see where the blind turn is studied. There is a blind turn directly north of the site where any traffic slow down or stopping would cause numerous accidents. Obviously the addition of the RV park would be astronomical with regard to this traffic issue, but, this question is specifically pointed at the Cordoba project at this time.

2

Please let me know if I have not been clear, or if I can answer any additional questions. This is an obvious and common question for any of the nearby residents and among many other concerns, one that we KNOW will impact 100's if not 1000's of travelers who use the Monterey Rd access to travel North and South through San Martin.

3

Thank you,  
Kim Zilliox, San Martin Resident

#### **4.3.115      Response to Comments from Zilliox, Kim**

- 115-Zill-1:      Mitigation Measure 4.6-3 would require the project proponent to construct a right-turn/deceleration lane to allow vehicles to move off the travel way on Monterey Highway and slow down before turning into the site. The project site frontage along Monterey Road would allow for construction of a deceleration lane of at least 200 feet in length, which would provide adequate distance for vehicles turning right into the project driveway even during peak arrivals for events.
- 115-Zill-2:      The curve on Monterey Highway limits the view of oncoming vehicles for the driver of vehicles waiting to turn right out of the driveway. Mitigation Measure 4.6-3 would require the project proponent to construct an acceleration lane on Monterey Highway so that vehicles turning right out of the site can more easily merge onto southbound Monterey Highway.
- 115-Zill-3:      The comment is acknowledged.

**From:** [kz](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Events Questions  
**Date:** Tuesday, July 24, 2018 5:04:33 PM

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Hello,

I am quite concerned about the number of events the site will hold. It is quite clear that the site will be a business, selling grave sites, funerals, camps, weddings, events, and additional celebrations. It is clear, and stated on the website, that this is how they will pay for additional buildings and the management of the site.

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My questions are:

1. How is the intent of this business serving the community? In a community of 7,000 residents, no more 20 will attend the center and it's events. How is the rest if San Martin served? Does San Martin earn any money from this site, or do we just suffer the additional traffic, noise, and potential pollution? From what I understand, that answer is no, so, how is this in ANY way serving OUR community? The focus needs to be on the San Martin residents, and not on the entire South Bay Area. It is not fair to those of us who paid a premium to live in a location with less traffic and noise. We recently made that choice intentionally and this would majorly negatively impact our quality of life.

2

2. My second question is the number of events. I truly believe that the proposal is a lie. I do not see how the number and size of events will be limited to what is on the proposal. There is also vague language on the proposal. With 4,000 graves, and a location that serves 1/3 of the state, there could easily be a funeral each weekend or even more often. With an incentive to make money, what would stop the Business of the Cordoba from selling more events? What would the repercussions be if there were more events than on the proposal or they exceeded the stated amount? Unfortunately, it is worded so vaguely that it would be difficult to hold the site to account. SHOULD the project move forward, I would demand that there were limitations in writing with agreed upon penalties for exceeding the number and size of the events.

3

3. Curfew. On the proposal, it states that their events can run until 11:00. Please tell me this would not be approved. My family and I are in bed by 10:00 on the weekend (a reasonable time) and anything later would negatively impact us due to our location. The County Noise and disturbance ordinance states a curfew (or quiet) time of 10:00. Please tell me that if the worst happened, and this project were approved, the rules would apply to them as well.

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4. Finally, I mentioned the number of events above, and now I will address the number of people. Will there be a limit of the number of people allowed on the grounds at any given time? How will this be enforced? Our officers are already maxed out and will likely be handling more pressing matters at the times the events are held. Will all locations on the site allow access to visitors and law enforcement? If not, how will that be safe and OK? I understand from studying the Islamic religion that it is common for the entire community to attend funeral services. With the expansion of size of the facility, it should be expected that the size of the community will quickly grow beyond 1000 families and will expand from there. This could easily cause 1000-4000+ people attending services in the very near future. This is absolutely scary and ridiculous! Our small town only has 7,000 residents! How is this fair to our community??? How is this in keeping with the intention to only approve projects

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that serve the community? Again, our community is San Martin. Not Morgan Hill, not Gilroy, not San Jose, etc, etc.

5

I just don't understand how a large facility like this which does not serve the local town could be approved to be in a residential area. If you lived across the street, is this really what you would want for YOUR family if it were not your chosen faith? (Or maybe even if it were!

6

I do believe they should have a place to worship, just not in San Martin unless the buildings were scaled down by 75% and there was no cemetery. Again, the cemetery does not serve the community. We live right near the site but could not be buried there. Roughly 20 people of the 7,000 residents could be buried there. How does this serve our small community?

Thank you kindly,  
Kim Z  
San Martin resident

~ Kim

On Mon, Jul 23, 2018, 9:49 AM kz [REDACTED] wrote:

Hello,

I read 4.6.2 Environmental Setting AREA ROADWAYS AND INTERSECTIONS section of the EIR but I am not sure I understand it. I don't understand how Monterey Road won't significantly be impacted by the Cordoba Project usage. On a daily basis, several times per day, I travel Monterey Road right past the proposed sight. Because I live off of California, I turn right on California. Every single time I do this, at multiple times during the day, there are numerous cars right behind me on my tail notably upset that I am slowing them down. I cannot imagine how even 10 cars who are looking to turn off of Monterey Rd traveling Southbound at this location would not cause a significant impact on the traffic near that location, let alone 20-100+ cars who will be attending services at the same time.

I also don't see where the blind turn is studied. There is a blind turn directly north of the site where any traffic slow down or stopping would cause numerous accidents. Obviously the addition of the RV park would be astronomical with regard to this traffic issue, but, this question is specifically pointed at the Cordoba project at this time.

Please let me know if I have not been clear, or if I can answer any additional questions. This is an obvious and common question for any of the nearby residents and among many other concerns, one that we KNOW will impact 100's if not 1000's of travelers who use the Monterey Rd access to travel North and South through San Martin.

Thank you,  
Kim Zilliox, San Martin Resident

#### **4.3.116      Response to Comments from Zilliox, Kim**

- 116-Zill-1:      The proposed project does not include retail uses. As stated in the last paragraph on pages 3-9 of the Draft EIR, the cemetery would provide burials for SVIC members, their families, and extended families. Burials for anyone beyond these categories would be considered on a case-by-case basis by the SVIC Board. The project proponent has not proposed to use the Cordoba Center as a commercial reception facility.
- 116-Zill-2:      The comment is not a comment on the Draft EIR.
- 116-Zill-3:      The number of events would be subject to conditions of approval, which are enforceable by the County. See Response 36-Groen-12. The project proponent has not proposed to use the Cordoba Center as a commercial reception facility.
- 116-Zill-4:      Impact 4.5-4 concluded that long-term increases in noise levels from on-site sources would be less than significant with implementation of Mitigation Measure 4.5-4, which would restrict use of parking spaces within 120 feet of the property line after 10 p.m.
- 116-Zill-5:      Event attendance would be subject to conditions of approval, which are enforceable by the County.
- 116-Zill-6:      Whether or not the proposed project, or reduced-size alternatives, should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

**From:** [kz](#)  
**To:** [CordobaEIRComments](#)  
**Subject:** Concern about Environmental Impact  
**Date:** Monday, July 30, 2018 12:55:26 PM

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Hello,

One area I do not see in the EIR is the impact of the friction in the community. The tension was extremely palpable at the County meeting in Morgan Hill earlier this month.

As was witnessed, the tension is not due to discrimination, but instead, due to the fact that the Cordoba project is trying to force a square peg into a round hole. The location is the wrong location for the project. The community that resides around the proposed project does not want it there. due to the negative physical aspects to the community. the proponents was to force themselves into our community and I am very concerned about the negative attitudes from both sides about the project. It just seems like another location would be met with far less resistance.

~ Kim Zilliox

San Martin Resident (the only residents who should matter)

**4.3.117      Response to Comments from Zilliox, Kim**

117-Zill-1:      Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.



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10 CORDOBA CENTER PROJECT DRAFT EIR HEARING

11 Morgan Hill Community Center  
12 17000 Monterey Road  
Morgan Hill, California 95037

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18 Chairwoman Kathy Schmidt  
Commissioner Marc Rauser  
19 Commissioner Scott Lefaver  
Commissioner Aaron Resendez  
20 Commissioner Rainieri  
Commissioner Vicki Moore  
21 Commissioner Trina Hineser  
Commissioner Cheryl Bartlett  
22 Commissioner Edgar John Smith  
Commissioner Monica Winders  
23 Commissioner James Poore  
Commissioner Diane Dean

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JULY 12, 2018

AGENDA

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THE CHAIRWOMAN: Good evening. This is the call to order for a joint special meeting of the County of Santa Clara Planning Commission and the San Martin County Advisory Committee. Will the clerk please call the roll.

THE CLERK: This is for the Planning Commission.

Commissioner Resendez.

COMMISSIONER RESENDEZ: Here.

THE CLERK: Commissioner Escobar.  
Commissioner Moore.

COMMISSIONER MOORE: Here.

THE CLERK: Commissioner Rauser.

COMMISSIONER RAUSER: Here.

THE CLERK: Commissioner Gil.

COMMISSIONER GIL: Here.

THE CLERK: Commissioner Lefaver.

COMMISSIONER LEFAVER: Here.

THE CLERK: Commissioner Schmidt.

This is for SMPAC.

Commissioner English.

COMMISSIONER ENGLISH: Here.

1 THE CLERK: Commissioner Dean.

2 COMMISSIONER DEAN: Here.

3 THE CLERK: Commissioner Bartlett.

4 COMMISSIONER BARTLETT: Here.

5 THE CLERK: Commissioner Hineser.

6 COMMISSIONER HINESER: Here.

7 THE CLERK: Commissioner Rainieri.

8 Commissioner Poore.

9 COMMISSIONER POORE: Here.

10 THE CLERK: Commissioner Winders.

11 COMMISSIONER WINDERS: Here.

12 THE CLERK: You have a quorum.

13 THE CHAIRWOMAN: Good evening. My name is  
14 Kathy Schmidt, and I'm the acting chair of the Planning  
15 Commission , and on behalf of the entire commission and  
16 the San Martin Planning Advisory Committee, welcome to  
17 tonight's meeting.

18 I'd like to let you know that there is extra  
19 seating outside and there are speakers that will take  
20 all of our conversation outside as well.

21 I'm moving item 3 on the agenda up to the  
22 actual first item on our agenda tonight, and that is to  
23 receive public comments regarding the Cordoba Center  
24 draft environmental impact report, that's DEIR. And  
25 that's ID number 92467.

1           The intent of tonight's meeting is to accept  
2    comments on the Cordoba Center draft environmental  
3    impact report. The DEIR was published for a public  
4    review on May 30th for a 60-day period that ends on  
5    July 30th, 2018. This meeting provides the public an  
6    opportunity to provide oral comments and questions on  
7    the Draft EIR.

8           We have a court reporter in attendance who  
9    will transcribe these comments. All written and oral  
10   comments on the project will be responded to in the  
11   final DEIR.

12           In addition to speaking tonight, we encourage  
13   everyone to submit their comments in writing. County  
14   staff has provided an e-mail address where you can  
15   submit comments, and you can also submit comments in  
16   writing here tonight. That e-mail address is on the  
17   website but we'll also announce it later tonight.

18           Neither the Planning Commission nor the San  
19   Martin Planning Advisory Committee will be discussing  
20   or making any recommendations on the Cordoba Center  
21   project or the DEIR tonight. As noted before, we are  
22   here solely to listen to comments and questions from  
23   the public.

24           We want to get your feedback on the Draft EIR.  
25   At a future date once the county has published the

1 final EIR that responds to public comments, the Cordoba  
2 Center project and final EIR will be scheduled for  
3 review by the San Martin Planning Advisory Committee,  
4 the Planning Commission and the Board of Supervisors at  
5 noticed public meetings.

6 For those of you who wish to speak tonight on  
7 the Draft EIR, please fill out a request-to-speak card  
8 and we already have a lot of them. We've got over 60  
9 of them. There are more cards I think off to the side  
10 table if there are those who also would like to speak.

11 Once you completed the card, I think maybe now  
12 bring it up to -- put it over on the table and we'll  
13 check there later. But anyway, I think a lot of you  
14 are already planning to speak.

15 And once all the public speakers have  
16 addressed the commission and SMPAC, the individual  
17 commissioners and SMPAC members will have an  
18 opportunity to provide their comments on the Draft EIR  
19 to staff as well.

20 But again, we are not deliberating on anything  
21 tonight. This is purely public comment and questions.

22 This meeting is scheduled to run from 7:00 to  
23 9:00 p.m. And based on the number of speaker cards  
24 that we've received, we'll be allotting one minute for  
25 each speaker. So hopefully everyone who wants to speak

1 will be given the opportunity.

2 The clerk is sitting over at the end of the  
3 table, and she will be timing everything. And she will  
4 hold up 30 second and 15 second cards to indicate the  
5 amount of time remaining.

6 I will call out the names listed on speaker  
7 cards for those of you who wish to speak. And I'll  
8 call out names in groups for efficiency so that  
9 speakers can line up and be ready to speak, so again,  
10 we won't waste a lot of time bringing somebody up from  
11 the back.

12 So I'll call you up in groups of four. When  
13 your names are called, please come up and the first one  
14 in the group, please come up to the podium. And please  
15 speak directly into the microphone like I'm doing here  
16 because we want to be able to hear you and address all  
17 your comments to the commission and SMPAC through me.

18 The clerk, as I said, has the clock that will  
19 notice when your time is up.

20 There are a few reminders to the audience on  
21 protocols and decorum for tonight's meeting. Please  
22 remember to turn off your cell phones and pagers. And  
23 I want to remind everyone to be respectful of each  
24 other and each speaker and allow him or her to finish  
25 without any interruption. And please do not speak or

1 clap or cheer or boo from the audience so that the  
2 court reporter can take an accurate record and also  
3 please don't clap, cheer or boo after a speaker  
4 completes their statements. Again, we are just here to  
5 take comments and it is much easier if we don't have  
6 that additional noise.

7 Again, please direct your comments to the  
8 Draft EIR that is the subject of tonight's meeting.

9 Before we begin with the public speakers, I  
10 want to ask staff if they have additional information  
11 to present to the commission, SMPAC members and the  
12 public.

13 MS. SANDHIR: Good evening, Commissioner  
14 Schmidt, respected planning commissioners and SMPAC  
15 members as well as members of the audience. I'm Manira  
16 Sandhir, principal planner with the county. I think we  
17 have a long list of speakers so I'll keep my  
18 presentation really brief here.

19 The project before us today is the South  
20 Valley Islamic Center has applied to the county for a  
21 use permit architecture and site approval for a  
22 religious institution as well as a cemetery permit in  
23 San Martin. And as a part of reviewing this  
24 application, the county planning department has  
25 prepared this draft environmental impact report to meet

1 the requirements of the California Environmental  
2 Quality Act.

3 This document was released for public review  
4 and comment on May 31st. The public review extends for  
5 60 days, and we have until the end of July to receive  
6 written as well as oral comments on the draft EIR.

7 The comments that are received will be  
8 responded to in the final EIR.

9 The purpose of tonight's meeting, again, is to  
10 hear from the public and transcribe all the oral  
11 testimony that we receive so we can respond to it in  
12 the final EIR.

13 The projected timeline for preparation of the  
14 final EIR would probably be a few months. So we expect  
15 it will take at least three to four months to prepare a  
16 final EIR. Once that is done, the project applications  
17 will come before SMPAC and the Planning Commission to  
18 make a recommendation and in a public hearing forum to  
19 the Board of Supervisors.

20 So there will be additional opportunity for  
21 the public to comment on the project and the specific  
22 findings that are -- that will be required for the use  
23 permit, the architecture and site approval, grading  
24 approval as well as the cemetery permit.

25 So Commissioner Schmidt mentioned we are



1 receiving comments via e-mail, and the e-mail address  
2 that you can send your written comments to is  
3 cordobaeircomments@pln.sccgovorg.

4 And if you have any questions, we have our  
5 project manager Chris Hoem here as well, and, you know,  
6 you're welcome to see us as staff after the meeting or  
7 send us an e-mail or phone call at the county during  
8 office hours so that we can provide you with any  
9 information that you need.

10 That concludes staff's presentation. And -- I  
11 repeat the e-mail address so in case you're taking  
12 notes you can easily note it down. It's Cordoba,  
13 C-o-r-d-o-b-a, eircomments, c-o-m-m-e-n-t-s,  
14 @pln.sccgov.org. And the comment period extends until  
15 July 30th.

16 COMMISSIONER: One thing if it helps the  
17 audience and the committee I know a lot of folks keep  
18 asking the question why can't the planning  
19 commissioner, why can't the SMPAC talk about the  
20 project tonight? Why aren't we taking a position? If  
21 it helps folks to frame it this way, the project that's  
22 before the county is a use permit and an EIR. And how  
23 that works we consider that a quasi-judicial process.  
24 The county at one point when it goes to SMPAC, the  
25 planning commission, the board, will review to see if

1 it meets the rules and it has discretion to see if it  
2 wants to approve the project and the EIR.

3 And if it helps folks think about it, it's a  
4 bit like a court case. And so if you think a bit of  
5 the SMPAC committee and the Planning Commission in that  
6 judge position at one point they will deliberate. They  
7 will evaluate the project. They'll make a  
8 recommendation on the project.

9 But at this time it's about submitting  
10 evidence and public comments. And if you can frame it  
11 that way, tonight's meeting is really sort of the  
12 beginning of that process, where the committee is  
13 reviewing those comments and kind of like a judge,  
14 they're evaluating and considering it. And you would  
15 never have a court case, of course, where a judge is  
16 deciding early on or making comments what they think  
17 about the project.

18 So if that helps the folks just to frame why  
19 tonight you'll see people listening but not  
20 deliberating, that's the context for this.

21 One or two last things before I turn it back.  
22 I know there's a lot of questions on process and a lot  
23 of questions just on how this works. Tonight we'll be  
24 taking a lot of notes. If there's a lot of consistent  
25 questions to which it really benefits us perhaps put it

1 on some kind of a website FAQ, answering those  
2 questions, we're going to take those down, and we'll do  
3 our best to get those up on the website to answer  
4 those. So now I'll turn it back to Chair Schmidt.

5 THE CHAIRWOMAN: Thank you. I'm going to  
6 start with the first group of those who want to make  
7 public comments, and I will try to pronounce your names  
8 correctly, but please forgive me if I make a mess of  
9 your name.

10 The first one I think I can make here, Swanee  
11 Edwards to be followed by Bob Cerutti, to be followed  
12 by Diane Nuno. And Linda Sotelo. If you would all  
13 please come up and be ready to speak.

14 MS. EDWARDS: Good evening. I know a lot of  
15 you, but I'll just say committee people. Good evening.  
16 My name is Swanee Edwards. I'm a resident of South  
17 County. I've been here for 30 years. I've been very  
18 involved with the San Martin community. I'm still  
19 sitting on the quarry advisory group. Back when Sylvia  
20 was still alive and kicking, we worked on the second  
21 attempt to incorporate. So I'm very familiar with San  
22 Martin community issues. I'm also an environmentalist.  
23 Very active. I studied the DEIR. It satisfies me  
24 completely. And I would really hope that this answers  
25 all of the questions if you study it and that you'll

1 approve it. Thank you.

2 THE CHAIRWOMAN: Thank you.

3 Next is Bob.

4 ROBERT CERUTTI: Yes. Good evening members of  
5 the San Martin Planning Advisory Committee and the  
6 County Board of Supervisors.

7 THE CHAIRWOMAN: Planning Commission.

8 MR. CERUTTI: Many years ago I had the  
9 opportunity to speak with a number of residents that  
10 their property is in close proximity to the project  
11 site. One of them told me that his well is only less  
12 than 175 feet from the cemetery location. When it  
13 rains hard, the water comes down and his well  
14 artesianians.

15 Another resident told me that when water comes  
16 down off that hill and floods down at their area, that  
17 their septic system backs up. They can't take a  
18 shower. And they can't flush their toilets. Another  
19 one told me that the water does come down and head  
20 towards the west.

21 We've been told by the county planning  
22 department that the water coming off of that hillside  
23 comes down and goes to the east. That is not true. It  
24 heads to the west and floods that area. El Nino will  
25 return. And we will have heavy rains again. And I'm

1 concerned about those residents whose properties in  
2 close proximity --

3 THE CLERK: Time.

4 MR. CERUTTI: -- to the area for their health  
5 and well being. Thank you.

6 THE CHAIRWOMAN: Thank you.

7 Diane Nuno.

8 MS. NUNO: Good evening. We request that the  
9 EPA be requested to comment on the project as they have  
10 identified endangered Llagas Creek on current EPA maps,  
11 which is in close proximity to the project site.

12 THE CHAIRWOMAN: Thank you.

13 MS. SOTELO: Linda Sotelo. This here was sent  
14 out in our water bills. Hot topics in water quality as  
15 shown in the chart. They have a chart that went with  
16 it. Nitrate is an ongoing challenge, particularly in  
17 South County. Common sources are fertilizers, septic  
18 systems and livestock waste. So nitrate is higher in  
19 rural and agriculture areas.

20 I just hope that we don't end up like Flint,  
21 Michigan. And I'm curious. Is County of Santa Clara  
22 going to take care of each and everybody's well? And  
23 inspect them regularly for contamination? You know, we  
24 don't want to be like Flint, Michigan.

25 And I heard on the news this morning they're

1 going to be putting filtration systems in all homes.

2 Thank you.

3 THE CHAIRWOMAN: Thank you. Okay. The next  
4 group is Deanna S.

5 This one I'm not really sure. Arnim Nicolson.  
6 I'm not really sure what that is.

7 Faizo Khan and Ed Merrill.

8 DEANNA S.: Good evening. As a government  
9 agency the county is required to be transparent and  
10 accountable. For the project of county submitted  
11 transmittal 2016122022 to the state clearing house  
12 boxes are supposed to be checked so that the government  
13 agencies can weigh in on determine if the project  
14 requires further review. Attorney Rachel Mansfield  
15 Howlett questions deficiencies in the admission within  
16 the transmittal to the state clearing house in her  
17 reply on February 15th, 2017. Nothing in the draft EIR  
18 answers why so many of the areas of review were  
19 omitted.

20 It is requested that the final EIR the county  
21 obtained written information from the state agencies  
22 that are highlighted here in the highlights in green.

23 THE CHAIRWOMAN: Thank you.

24 DR. KHAN: Good evening. My name is Dr. Khan.  
25 I live in rural South County, and I'm a computer

1 architect by profession. I'm also an environmentalist  
2 and I understand there are lots of concern about a  
3 cemetery with the associated project. And I'd like to  
4 highlight mitigation measures as drafted in the EIR  
5 section 4-4, namely cemetery phasing and groundwater  
6 monitoring.

7 The draft proposes a number of monitoring  
8 wells around the cemetery to periodically assess the  
9 quality of the groundwater. I'd like to add on that,  
10 as some of the neighbors have highlighted their  
11 concerns. May I propose to include the wells of the  
12 neighbors in the properties in nearby.

13 This would help us twofold. Number one, it  
14 will help the concerned neighbors to assess the quality  
15 of the water.

16 And secondly, in an unlikely instance that  
17 there is a groundwater contamination, we can try to  
18 relieve the problem immediately. Is it from the  
19 cemetery or is it from a leaking septic tank or God  
20 forbid is it from some waste station?

21 THE CLERK: Time.

22 DR. KHAN: Thank you. Thank you very much.

23 MR. NICOLSON: My name is Arnim Nicolson. I  
24 live at 14755 Columbet Avenue, which is directly across  
25 from the temporary mosque where the Muslims now meet

1 and worship, and so I've seen -- I've been to several  
2 of their meetings. I've also seen all the documents  
3 and stuff and all the research that has been done by  
4 the staff.

5 Being on the fire department for 33 years I  
6 used to sit on the environmental staff for the fire  
7 department. So I understand the process. I commend  
8 the process and all the things that you've done to make  
9 sure that it's a safe environment in which they can  
10 build their building, and the water issues have all  
11 been addressed, and being in the water consulting  
12 business also, I am confident that all the requirements  
13 that you're requiring will make that a safe environment  
14 for them.

15 The traffic concerns, we live right across the  
16 street. The traffic has not been an issue for the last  
17 20 some odd years. We appreciate they're great  
18 neighbors. They have done great things in the  
19 community. And we support the program 100 percent.  
20 Thank you very much.

21 MR. MERRILL: Hello. My name is Ed Merrill.  
22 I'm a resident of Gilroy, a member of advent Lutheran  
23 church here in Morgan Hill, and I'm active in the  
24 interfaith community of South County where nearly 20  
25 faith communities participate in the interfaith



1 community and are committed to creating passionate  
2 communities through social, service and educational  
3 programs.

1  
4 I support the Cordoba Center project initiated  
5 by the South Valley Islamic community. The right to  
6 buy, build or lease a place to assemble for worship is  
7 an indispensable part of religious freedom. Religious  
8 groups simply cannot exercise their faiths without  
9 facilities adequate for their needs.

2  
Merrill  
10 The draft environmental impact report has a  
11 number of characteristics. All of those have concluded  
12 that they would be less than significant impact with  
13 mitigation.

3  
Merrill  
14 I expect that the Cordoba Center project will  
15 receive the same consideration as proposed building  
16 plans from any other religious community.

17 THE CHAIRWOMAN: Thank you.

18 The next group Eric Subaugh or Subaugh, I'm  
19 not sure. Susan Nicolson. Amina. And Annie Owen.

1  
Subaugh  
20 SPEAKER: Hello, staff. I'm very concerned  
21 with having a cemetery more than anything else because  
22 that's going to be there for hundreds and thousands of  
23 years. The county has not acted in good faith ignoring  
24 the fact that code violations for two religious  
25 institutions in the same area were turned down.

1           We're talking about transportation as well as  
2           a lot of traffic if they're going to be having 5- and  
3           600 people in these events. The environmental impact  
4           of being near Llagas Creek, had they looked at the red  
5           legged frogs and the other impacts there.

6           I live across from the golf course, which I  
7           know the environmental impact studies there were done  
8           after they built, you know. So it's kind of like it's  
9           good to get this done now and really look at these  
10          issues with having a major creek there that again may  
11          flood, overflow into the grave sites, and people think  
12          about these things today, I think that's important.

13           THE CHAIRWOMAN: Thank you.

14           MS. NICOLSON: I'm Susan Nicolson, and I'm  
15          grateful to be able to address all of you at the table  
16          today.

17           I want to say that I'm in favor of the Cordoba  
18          Center as an asset to our community. It's going to be  
19          a beautiful building. I've studied all of the  
20          paperwork. I can't quote it all back to you. I'm sure  
21          that the water problems have been resolved if there  
22          have been problems. I'm sure that they are going to be  
23          upstanding members of our community. There won't be  
24          loud noises and lights.

25           And I also happen to live across the street

1 from the mosque that has been there for the many years  
2 we've lived in San Martin, 49 years.

3 And if you talk traffic, look at Columbet  
4 Avenue. Look at the avenues around us. Every day 5  
5 o'clock in the morning and 6 at night, traffic because  
6 of people coming back and forth to work going back out  
7 to Pacheco Pass. So I don't have an issue with what's  
8 happening on Monterey Road. But this will be a  
9 beautiful community asset, and the people are beautiful  
10 people. So I just want to say I'm for this community.

11 AMINA: Good evening. My name is Amina and  
12 I'm a rural South County resident. By profession I'm a  
13 local special education teacher who taught so many  
14 children in the community in this very room. I  
15 currently serve as the vice president of the South  
16 Valley Islamic Center. I would like to address the  
17 concern regarding the size matter in support of our  
18 Cordoba Center.

19 According to the county zoning regulation and  
20 also to the EIR, to the proposed Cordoba Center is  
21 located in industrial rural zone.

22 In contrast with that, directly just across  
23 from the property there are numerous high intensity  
24 commercial and industrial development.

25 So today we are asking for equal treatment

1 under the law. I hope you will support the project.

2 Thank you for listening.

3 MS. OWEN: Good evening. My name is Annie  
4 Owen. I'm a long time resident of South County. On  
5 January 23rd, 2017 Santa Clara County Valley Water  
6 District replied to the NOP. They requested that the  
7 hydrology and the water quality section should evaluate  
8 runoff in terms of water quality and increased flow.  
9 There are increases in runoff from the property during  
10 frequent storms up to a hundred-year event.

11 Mitigation requires that the applicant to  
12 develop, submit for review and obtain approval of the  
13 county DEH waste water disposal plan. We or I request  
14 that the plan be reviewed and certified by experts in  
15 hydrology and environmental health. Thank you.

16 THE CHAIRWOMAN: Thank you. The next group  
17 Ken or Kim Z.

18 I have one here that does not have a name on  
19 it.

20 Raihan Ahmed. Thomas Bruner. And Ben Seward.

21 KIM: Good evening. My name is Kim and I'm a  
22 grateful resident of San Martin and live approximately  
23 1500 yards from the proposed project site. San Martin  
24 relies on Santa Clara Valley Water District to protect  
25 our aquifers and groundwater. This is the only water

1 source for most San Martin residents.

2 Our community is still recovering from the  
3 perchlorate and years of recurrent raw sewage  
4 contamination. We therefore have valid concerns that  
5 must not be dismissed.

6 The proposed mitigation measures 4.4-3  
7 revisions are not stringent enough. We request that  
8 the county hire an environmental water specialist to  
9 work with a biologist and geologist to establish a  
10 comprehensive plan and ensure that the water will be  
11 safe for our families and to avoid potential threats to  
12 our families. Thank you.

13 THE CHAIRWOMAN: Thank you.

14 MR. AHMED: Good evening. My name is Raihan,  
15 and I live in Morgan Hill. I have three kids. My  
16 family and I love the community and the town. My  
17 community regularly takes part in the social welfare  
18 activities that are offered through this mosque and its  
19 partnership with some of the local chapters. Giving  
20 back to the community where we live is an integral part  
21 of my religion. For prayer I take my kids to Cupertino  
22 and Santa Clara sometimes because there is no place or  
23 enough space this small place we have currently.

24 So if I live in Morgan Hill, my kids go to  
25 school in the Morgan Hill, why can't we have a place to

1 pray here? And I am quite perplexed as to why there is  
2 so much delay in this project. We need the mosque for  
3 my family and community who gather, pray, celebrate,  
4 undertake community projects and bury our dead as well.

5 I urge you to please pass this Cordoba project  
6 based on the finding of this EIR report. Thank you.  
7 Thank you.

8 THE CHAIRWOMAN: Thank you.

9 MR. BRUNER: Hi, my name is Tom Bruner. I  
10 live in Gilroy. I moved here four years ago for the  
11 rural atmosphere. I have three concerns mainly.  
12 Obviously traffic, fire and water. One of the things  
13 that I think you're going to hear over and over again,  
14 and I don't want to beat a dead horse is the state  
15 clearing house. I reviewed some of those and I see a  
16 lot of those areas missing.

17 I'm a retired county executive like yourself,  
18 and I also work for the district attorney's office.  
19 There is a thing called government integrity. I feel  
20 that you did not provide enough information to the  
21 clearing house to provide all the information that  
22 would clearly be needed to approve this project.

23 This is a meeting for just the draft. So I  
24 would recommend that you contact Santa Clara County  
25 Water District. I recommend you contact Cal Fire and

1 make sure you have a complete environmental impact  
2 report, because if not, further action would be taken.

3 Obviously the District Attorney's office, if  
4 we feel you're negligent in your duties, we would  
5 recommend that the government integrity unit take a  
6 look at that if there are things missing in this  
7 report.

8 THE CLERK: Time.

9 MR. YORK: Thank you very much.

10 MR. SEWARD: Hi. My name is Ben Seward and  
11 I've lived here since 1974. I got three questions for  
12 you. One is who's going to be the responsible agency  
13 to guarantee that the groundwater will not be  
14 contaminated?

15 Now today this month is ten years since we had  
16 the perchlorate fiasco that we had. And it's still an  
17 ongoing thing, and I understand it goes for a minimum  
18 of 20-plus years of contamination.

19 We had 188 wells that were affected, and if we  
20 have a chance, I think we should have somebody retrack  
21 those wells before we move forward.

22 Also, the sewage on Harding that burst back in  
23 March 2017 due to too much rain and too much water,  
24 there was 22 wells in that area that were affected.  
25 Never heard anything about anybody checking --

1 THE CLERK: Time.

2 SPEAKER: -- or testing those wells. I'd like  
3 an answer. Thank you.

4 THE CHAIRWOMAN: Thank you.

5 The next group Farhad Asghar, Mike Moreni,  
6 Connie Ludwig and Jeffrey Moore.

7 MR. ASGHAR: Okay. I'd like to thank the  
8 commission for letting us speak tonight on the EIR.  
9 I've been a resident of the Bay Area for over 30 years  
10 and coming up on ten years in the South County.

11 Like one of the previous speakers, my children  
12 goes to the mosque which isn't really a mosque. It's a  
13 small shed in someone's backyard. I know it sounds  
14 kind of weird, but that's what it is. And so we're  
15 really hoping to get this project going.

16 And, you know, I've reviewed the designs for  
17 the Cordoba Center, as many of you I'm sure have. It's  
18 a beautiful place. It's going to bring the community  
19 together. It's all about family, education, community  
20 values, and I've also looked at the environmental  
21 impact report. It's very detailed and I really  
22 think -- advise the commission to give a lot of  
23 deference to it and approve the project. Thank you.

24 MS. LUDWIG: Hi. My name is Connie Ludwig and  
25 I want to thank you for being here as well as everyone



1 here in the audience.

2 Every senior in San Martin can verify a  
3 history of over a half century of flooding. We've been  
4 victims of flooding from the site that flows all  
5 through west San Martin. We've endured perchlorate and  
6 ongoing nearly annual raw sewage flooding because we  
7 have poor percolation. We only have one source of  
8 water. Our wells. What I want the county Board of  
9 Supervisors to make a decision on the local serving  
10 portion of the San Martin integrated design plan. They  
11 voted to revisit that and make a decision two years  
12 ago. And so I'd like that brought to the top of the  
13 stack.

14 Also today I found out that per the county,  
15 there are no permits at the present site of the SVIC  
16 where they're currently worshiping. So my question is,  
17 how are we going to get that up to date and monitor the  
18 future? Thank you.

19 MR. MORENI: Good afternoon. My name is Mike  
20 Moreni. The applicant has stated that the current  
21 membership is approximately 50. The draft EIR states  
22 that the facility is designed to accommodate the  
23 worshipers as intended in 2030.

24 In 2012 SVIC submitted an online petition to  
25 the county with 375 names on this petition. Of those

1 petitioners 55 reside locally. 292 were from San Jose  
2 and Dublin areas. 98 from out of state and ten from  
3 out of the country.

4 With the combined project of 41,780 square  
5 feet, the necessity for this project, the size of this  
6 is over exaggerated.

7 MR. MORE: Good evening. My name is Jeffrey  
8 Moore. I've been a resident of San Martin for 46  
9 years. 22 of those years I've owned and operated a  
10 business on the downtown corridor of San Martin Avenue.

11 Over those 22 years we've seen an incredible  
12 increase in traffic flow. I've lived on Columbet  
13 Avenue for all these years and have never even known  
14 that there was a mosque there, to be honest with you.  
15 So if it's that small, and they're saying there's not  
16 going to be that much of an increase in traffic flow  
17 and bringing in people, I'm wondering why the facility  
18 needs to be so much bigger than what they have at the  
19 current moment.

20 I don't believe this is a local serving  
21 institution. And we have seen the traffic flow, as I  
22 said, again, and two years ago amended the  
23 beautification downtown and put in curbs and gutters.  
24 The meetings we had with the county they told us there  
25 were no long-term plans for widening ability repairs to

1 San Martin Avenue, so I'm just wondering how they're  
2 going to handle the traffic increase that we all have  
3 to deal with downtown. We have a school zone --

4 THE CLERK: Time.

5 MR. MOORE: Thank you.

6 THE CHAIRWOMAN: The next group, the first one  
7 is Hamseh. Sandy Hoskin. Don Hoskin. Rose Hernandez.

8 SPEAKER: Good evening. I'm a resident of San  
9 Martin and a college student at Gavilan and I've read  
10 and support the draft environmental impact report,  
11 particularly on the grounds of the flooding. Given  
12 recent years I've been able to observe a lot of  
13 flooding in the area, highways being washed out, creek  
14 flooding, and throughout all that, I've never seen the  
15 proposed property experiencing any problems whatsoever.

1 Hamseh  
16 In fact, it is clearly visible that the site  
17 is the highest point along Monterey Road. Also, Llagas  
18 Creek which I've heard some people express concerns  
19 about, is actually on the opposite side of a large  
20 bedrock hill from the property which is something that  
21 can't be seen from a top-down view.

22 All in all, I'd say the property is actually  
23 the most flood safe zone in the area. And on that  
24 note, I just want to say I hope you support the  
25 project. And thank you for your time.

1 MS. HOSKIN: Hello. I'm Sandy Hoskin. I  
2 support the project. I've lived in San Martin for 45  
3 years. And for that entire time, my very deep, well  
4 dug well has been contaminated by agricultural  
5 nitrates. I buy water. I have seen increasing traffic  
6 over 45 years on Center Avenue, on San Martin Avenue,  
7 and on Monterey Highway.

8 I believe that the number of cars that will be  
1 Hoskin, S 9 added to Monterey for this project will not actually  
10 measure a big impact compared to the current traffic on  
11 Monterey Highway per hour. Very probably it will be  
12 unnoticeable.

13 I would like to see the rule of the law and  
14 the rule of the processes in this country. I see that  
15 they have not asked for any exemptions from normal  
16 procedures for building. I would like it to continue  
17 and thank you.

18 MR. HOSKIN: Hi, I'm Don Hoskin. I'm Sandy's  
19 husband. I have lived in San Martin for over 32 years.  
20 I entirely support this project. I don't believe that  
1 Hoskin, D 21 the cemetery is of any significance for groundwater.

22 I think that problems with septic tanks are a  
23 much bigger problem. And I welcome the diversity that  
24 this group brings to us. Thank you.

1 Hernandez 25 MS. HERNANDEZ: Hello. My name is Rose

1 Hernandez, and my family came to Morgan Hill in 1946.

2 I am here to speak in support of this project.

3 THE CHAIRWOMAN: Can you speak into the  
4 microphone, please?

5 MS. HERNANDEZ: Yes, I will.

1 6 It has always been my dream to live in a  
7 community where fears are lessened and cooperation and  
8 harmony exists. The Muslim religion is a religion that  
9 has longevity, and I know many people who are Muslims  
10 and are exemplary people. I have looked at the  
11 proposal, and I support it. I feel that to know one is  
12 to love one. So it is my prayer that the opposition to  
13 the Cordoba project is not based on the negative --

14 THE CLERK: Time.

15 MS. HERNANDEZ: Thank you.

16 THE CHAIRWOMAN: Thank you.

17 The next group is Kimberly Delgado. Sharon  
18 Luna. Steven McHenry and John Sanders.

19 MS. DELGADO: Thank you. My name is Kimberly  
20 Delgado. I've been a resident of San Martin over 30  
21 years. There are multiple layers that I've recognized  
1 Delgado 22 with this property. I am for the Cordoba project. I  
23 just am not in favor of the current proposal.

24 What I have noticed is that this is the only,  
25 only property in Santa Clara County that has been

1 identified in San Martin with a D1 designation within  
2 the use permit area. This is all of San Martin.

3 So my concern within that is the size and  
4 scale of the structure.

5 Not only is this portion of this property  
6 rural, but the front half of the property is designated  
7 the use permit area.

8 So my concern also is how is this property  
9 being built out to scale? Religious is I understand  
10 can be on any property. But the industrial in the  
11 front portion.

12 The size and scale of this property takes up  
13 about 75 percent of the parcel as it is with buildings,  
14 structures, parking lot, tennis courts, play ball  
15 courts, basketball, kid camp. Thank you.

16 MS. LUNA: Good evening. I and the next  
17 speaker are speaking on behalf of San Martin  
18 Neighborhood Alliance board of directors. My name is  
19 Sharon Luna and San Martin Neighborhood Alliance  
20 welcomes all religious institutions in our community.  
21 We categorically reject all allegations that our  
22 concerns have any basis whatsoever in religious bias.

23 In the past San Martin Neighborhood Alliance  
24 has opposed and/or sought modifications to a number of  
25 projects, both religious and commercial. Those efforts

1 have often been successful.

2 This unprecedented project as proposed is four  
3 times the size of the largest religious community  
4 social facility currently in San Martin. It is three  
5 times the limit that requires enhanced scrutiny under  
6 the recently revised and liberalized Santa Clara County  
7 planning regulations. It is two times the size that  
8 the EIR concludes would reasonably accommodate the  
9 needs identified by the proposers. Thank you.

10 SPEAKER: There are numerous inaccuracies in  
11 the EIR, as well as important issues which are not  
12 addressed. And we will address these issues in our  
13 written comments. Just to mention one example now, the  
14 EIR conclusion that there is no flooding issue is  
15 completely incorrect as illustrated by these  
16 photographs of the property and water flowing from it  
17 just last winter.

18 The proposed cemetery is of particular concern  
19 as it would be sited immediately adjacent to homes  
20 dependent on well water for household consumption.

21 We believe based on the references we can find  
22 from the World Health Organization and others that this  
23 aspect of the proposal requires further study by  
24 cognizant technical experts before it can be safely  
25 approved.

1 Further, we believe that suitable alternatives  
2 to meet this need exist and they have not been  
3 explored.

4 We would be pleased to engage with the  
5 proposers regarding a more modest project that would  
6 meet their needs with substantially less impact but  
7 regretfully cannot support this project as proposed.

8 THE CHAIRWOMAN: No clapping. Please, no  
9 clapping.

10 MR. SANDERS: I don't have to look. I know  
11 the applause isn't for me. But anyway, nice to see you  
12 all. I'm John Sanders from San Martin.

13 In addition to what many speakers have  
14 mentioned, I'd like to point out that for those of us  
15 in San Martin, we face tremendous development pressure  
16 from our neighbors to both the north and south. And if  
17 we are to host large developments that our other  
18 neighbors can't or won't accommodate, we hope and  
19 expect that the county will honor its general plan  
20 commitment to protect our integrity as a rural  
21 agricultural community.

22 A more modest project would meet the SVIC  
23 needs with substantially less impact as numerous  
24 speakers have mentioned.

25 Finally, next time please have the courtesy to



3  
1 hold the public meeting in San Martin as this is a San  
2 Martin project. Thank you.

3 THE CHAIRWOMAN: Please avoid clapping. We've  
4 asked that several times. It is not appreciated. So  
5 just be silent in response to these.

6 The next speakers are Bakri Musa, Steve  
7 Lasordi, Georgine Cordega, and Mimona.

8 DR. MUSA: Good evening. I'm Dr. Musa. I'm a  
9 surgeon here for the past four decades, and I live in a  
10 ranch west of here in San Martin.

11 There is a lot of talk tonight about cemetery.  
12 That always brings emotions, fear. But we have been  
13 burying dead bodies since time immortal. There is a  
14 reason for that. It is the safest. In times of  
15 epidemic, in times of war, we bury people. There is no  
16 pollution, no contagion.

17 More recently we have the mad cow disease, the  
18 avian flu. No reports ever of damage.

19 So what I'd like the commission to do with  
20 review the EIR with respect that this cemetery is  
21 different from the so-called modern cemetery.

22 In the hospital I have to account every ounce  
23 of formaldehyde. With embalming we use gallons of it.  
24 And the modern cemetery puts that in the ground. That  
25 never gets destroyed.

1 With our cemetery is the natural way. And I  
2 hope you accept the EIR for that purpose. Thank you.

3 SPEAKER: Good evening. My name is Steve  
4 Lasordi and the Board of Supervisors approved minor  
5 modifications to local serving general plan and zoning  
6 ordinance policy provisions to establish objective  
7 standards for regulated local serving use in rural  
8 areas. The item was presented to the Board of  
9 Supervisors October 20th, 2015. They required a  
10 one-year report back through the planning commissions  
11 and said they would make a decision at the second  
12 meeting on August 25th, 2016. To date the Board of  
13 Supervisors has not made a decision on this.

14 We ask that a decision be made prior to  
15 further action concerning any proposed developments in  
16 San Martin and Santa Clara County.

17 Also, the founders and family of San Martin  
18 have no cemetery. And for good reason. We're on well  
19 water. Legally we cannot even bury our pets if they  
20 die. So how can they think about putting 5,000 dead  
21 bodies in the land? Thank you.

22 SPEAKER: CEQA guidelines are clear regarding  
23 the lead agency's responsibility in notifying the  
24 reviewing agencies regarding this project.

25 The county was notified by legal counsel that

1 they were negligent in their notification process as  
2 their forms were incomplete. I'm asking that you  
3 resend the notice of preparation notifying all the  
4 correct agencies in this project.

5 Cordoba's test cemetery will be the first of  
6 its kind in the United States with its current  
7 parameters. The draft EIR does not provide any studies  
8 that guarantee that this pilot cemetery would not  
9 contaminate San Martin wells. I'm requesting that the  
10 county do extensive studies that will guarantee the  
11 proposed experimental test cemetery will not  
12 contaminate the groundwater in San Martin residents'  
13 wells.

14 SPEAKER: Good evening. My family and I live  
15 in rural Gilroy. I attend Gavilan College and my  
16 younger sister goes to the local public high school.  
17 As daughters, grand daughters and great grand daughters  
18 of generational farmers, we understand the concerns  
19 about groundwater or flooding.

20 As a public school special education teacher,  
21 I think you might be best to do research by providing  
22 reliable sources and make good decisions. If I can ask  
23 my students to make sound decisions, then I must  
24 implore everyone here to do the same. The findings of  
25 the thorough draft EIR are clear, and we must support

1 them.

2 This controversy is not about groundwater  
3 because research shows cemeteries are not even the top  
4 source of water contamination. This is not about  
5 traffic or noise because the EIR shows no significant  
6 impact, and our Friday noon prayers are outside of peak  
7 commuting hours.

8 Let's call this opposition for what it is:  
9 bigotry.

10 We fully support the Cordoba project and our  
11 community's right to the practice our faith. The clear  
12 findings of the EIR support this project. Thank you.

13 THE CHAIRWOMAN: Thank you.

14 The next speakers are Kim Kanos Chance. I  
15 think Faizo Khan. I think Faizo Khan already spoke; is  
16 that right? Rick Yanes and Shoba. Mashaba.

17 MR. CHANCE: Good evening, Commissioners. My  
18 name is Kim Chance, owner of Cypress Environmental and  
19 Land Use Planning. You've heard quite a bit tonight.  
20 From what I know about the project, which is quite a  
21 lot, some of what you heard is accurate. Some of what  
22 you heard is less than accurate.

23 My plea to you is read the EIR, the draft EIR  
24 document. I know it's big. It's voluminous. But  
25 please read it and when the final EIR comes out, which

1 is another volume, another document, please read that.  
2 Because you have a big decision to make in the fall or  
3 the winter to come on this project. Thank you very  
4 much.

5 MR. YANES: My name is Rick Yanes. I'm a  
6 Morgan Hill resident since 1980. This is regarding a  
7 letter concerning the water that was hand delivered to  
8 the county back in February of 2017. And the Regional  
9 Water Quality Board, State Water Resources Board,  
10 Office of Statewide Health and DEH, we require that  
11 every point made in the letter be specifically  
12 addressed by the EIR. Thank you.

13 SPEAKER: To start with, wonderful park-like  
14 several acres away and at the wrong street corner. So  
15 we really need to look at the facts. Our family is  
16 four generations of farmers and we live right here in  
17 unincorporated Gilroy. I'm an educator, a counselor.  
18 We've served public schools for the last two decades,  
19 but we've continued the farming tradition. We have  
20 thoroughly reviewed the EIR and we fully support the  
21 Cordoba project based on the EIR findings.

22 We've heard some individual concerns expressed  
23 about groundwater, cemetery flooding, et cetera. As a  
24 mother we take these concerns very seriously. Our  
25 children will be the first to drink this water. We

1 want to assure it is safe.

2 Contaminations for groundwater come first from  
3 septic tanks. Well owners such as myself all know our  
4 own personal septic tanks are much closer than any  
5 other septic tanks that might be on this property. We  
6 look forward to your approval.

7 THE CHAIRWOMAN: Thank you. The next group is  
8 Habib, and Amy McElroy, Katherine Delschlager, and Dale  
9 Pedersen.

10 HABIB: First off, I would like to thank you  
11 for your service to our community. My name is Habib.  
12 I'm a five-year resident of rural south Santa Clara  
13 County, but I've been in the county for well over two  
14 decades. I currently have several acres of land here  
15 and I work in the medical field.

16 I have a comment in regards to the EIR and the  
17 groundwater especially because the water quality as I  
18 too have a ground well which I drink, water my crops  
19 with, give it to my livestock. But I also realize that  
20 my own well is only about 60 feet away from my septic  
21 field, and I've had no issues.

22 And as a reference the nearest off-site well  
23 to this community center is 350 feet and that's an  
24 agricultural well not for drinking.

25 And my understanding is that the other two

1 local cemeteries here have never resulted in any  
2 groundwater issues.

3 And finally, the mitigation planning in the  
4 EIR calls for several years of water monitoring to  
5 further ensure our water safety and give us peace of  
6 mind.

7 And for that reason and many more, I support  
8 the proposed mitigation recommendations. And support  
9 the approval of the community center. Thank you so  
10 much.

11 MS. McELROY: Hello. I'm Amy McElroy speaking  
12 on behalf of Robert Rivas who could not be here tonight  
13 because of a previously scheduled commitment.

14 As a county supervisor, a candidate for state  
15 assembly and as a private citizen of this district,  
16 I've reviewed the plans to build the Islamic Center in  
17 San Martin's industrial center, a summary of the EIC  
18 and the history of the litigation in this matter.  
19 Based on the information I see no reason why building  
20 this building should not proceed as proposed.

21 For hundreds of years this country has been  
22 welcoming people of different religions to worship in  
23 places they construct based on their beliefs, including  
24 building adjacent cemeteries for their dead. This  
25 project poses no additional risks as compared to other

1 projects, including those by other faith communities.

2 It's important that in this time of division and in our  
3 nation, we stand up and ensure that our community  
4 protects the rights of all. Thank you.

5 SPEAKER: West San Martin Water Works stated  
6 in 2015 that they are willing to provide water and  
7 suggested, quote, the project may require multiple  
8 water meter connections to the dwellings within your  
9 development. This is for domestic and fire protection.  
10 This is still water. The project is on top of a  
11 historic aquifer.

12 We recommend a complete usage study and have  
13 calculations performed to determine how much water will  
14 be required compared to how much water will be returned  
15 to replenish the groundwater. The proposed buildings  
16 cover much of the historical aquifer which restores  
17 domestic wells. Thank you.

18 THE CHAIRWOMAN: Thank you.

19 Katherine Delschlager was not here.

20 The next group, Sal Akhter, Susan Myers,  
21 Youssef, and Karen Musa.

22 MR. AKHTER: Good evening, everyone. My name  
23 is Sal Akhter. I respect all the opinions and personal  
24 views that have been presented tonight on both sides of  
25 this project.



1           And while opinions are good to hear, I beseech  
2     the planning staff, the commissioners and the members  
3     of the advisory committee to not lose sight of the  
4     extensive research work and overwhelming evidence that  
5     is contained in the draft EIR.

6           The applicant has followed every rule, met or  
7     exceeded every requirement under the law. The proposed  
8     mitigation measures has shown that this project will  
9     not have any significant environmental impacts as also  
10    evidenced by the document, the draft EIR.

11           We all believe whatever we want to believe in  
12    to be the truth. But we're not here to examine our  
13    beliefs. We're here to examine scientific data.  
14    Empirical evidence should be the only basis of your  
15    determination. Only find an analytical analysis.

16           The applicant is afforded certain rights under  
17    the law. They are also supported by the findings of  
18    the EIR. Cordoba project as proposed has the right of  
19    the local Muslim community. It serves unique religious  
20    needs of the community. It promotes ecological  
21    conservation and it gentrifies the neighborhood. Thank  
22    you very much for your time.

23           YOUSSEF: My name is Youssef. I'm a  
24    17-year-old. I live right here around -- right around  
25    here in rural San Martin, and I'm a student at Gavilan

1 College in Gilroy.

2 I have read, reviewed and accepted what the  
3 EIR says, and I want to add to some of the concerns  
4 fellow residents have expressed with the idea of a new  
5 cemetery being built here.

6 Living here I understand that many of the  
7 local residents have been taught that it is considered  
8 risky to even bury their own livestock on the property  
9 and they worry that a cemetery may pollute the well  
10 water. But the fact of the matter is that there is  
11 almost no chance of something like that happening. The  
12 proposed burial site is over 350 feet away from the  
13 nearest well, which is an agricultural well, and over  
14 600 feet away from the nearest off-site drinking  
15 fountain.

16 Also I would ask the other locals who harbor  
17 concerns, please refer back to the EIR which clearly  
18 states that no significant impact should to the  
19 environment with mitigations.

20 I support the project and encourage all of us  
21 here to please do the same. Thank you for your time.

22 MS. MYERS: My name is Susan Myers. I'm a lot  
23 shorter than the person who was here before.

24 I live in unincorporated South Santa Clara  
25 County out in the country where it is quiet and dark at

1 night so I appreciate the initial concerns that arose  
2 around environmental impacts related to light and  
3 noise.

4 My support for the proposed Silicon Valley  
5 Islamic Community Cordoba Center is based on a careful  
6 review of the environmental impact to the project and  
7 the Silicon Valley Islamic community's response  
8 mitigating the issues of light, noise, traffic and the  
9 green cemetery.

10 The First Amendment of our United States  
11 constitution guarantees a person's right to hold  
12 whatever beliefs he or she wants; to freely exercise  
13 that belief and to physically gather with others for  
14 religious purposes. It's time to provide the Silicon  
15 Valley Islamic community the opportunity to enjoy those  
16 First Amendment rights in their chosen place of  
17 worship. Thank you.

18 MS. MUSA: Thank you all for coming this  
19 evening. I am Karen Musa and I live in rural South  
20 County in the hills to the west. I have taught at  
21 Gavilan College for 21 years and I managed my husband's  
22 surgical practice in Gilroy for the last four decades.  
23 I am the current president of the South Valley Islamic  
24 community, the applicant for the Cordoba project.

25 This process has taken us over 12 years. So

1 long that people have asked me haven't you got your  
2 permit yet? We did when the county Board of  
3 Supervisors unanimously approved our application in  
4 2012. When the county was sued over that, we  
5 voluntarily relinquished our permit in the spirit of  
6 openness and being good neighbors. Even though the  
7 county assured us that it would prevail in court.

8 In the same spirit, we also agreed to do this  
9 expensive and protracted environmental impact studies,  
10 which is now in front of us. Please accept this EIR  
11 and give us our permits. Thank you.

12 THE CHAIRWOMAN: Okay. The next group Leonard  
13 Trumble, Christopher Pyle, Stephen Montgomery, Susan  
14 Mister.

15 MR. TRUMBLE: Hello there. This campus is too  
16 big for this county. Anyhow, there's not a clear  
17 definition of the bath house. Please provide a  
18 well-defined description of what the bath house is. Is  
19 it a restroom, bathroom, outhouse or bath house  
20 outlying or onlying? Are there stalls, sinks, showers,  
21 locker rooms, however defined? What are the baths? Do  
22 they have pools or whatever? You know, how much water  
23 will this be taking in our ground area, you know? I'd  
24 like to know that.

25 And first of all, I don't know how many people

1 lived here. But 15 years ago they were talking about  
2 groundwater. In Morgan Hill they had a rocket fuel  
3 thing that polluted all of our wells. We had to have  
4 bottled water. So that took six months to clear up.  
5 So think about that. They're talking about if the  
6 water is clean, you know.

7 And next of all, if this is a town hall  
8 meeting, why didn't you have somebody stand up and take  
9 their hats off and salute the flag? Thank you.

10 MR. PYLE: Good evening. Thank you all for  
11 your time. By my luck I have been able to live in this  
12 part of the country in Morgan Hill since 1976. I moved  
13 all over this country looking for someplace better than  
14 here to live. The best place I could possibly find was  
15 San Martin. I have been here and I've raised my family  
16 here. We have gone through chloride. We have had to  
17 have drinking water brought in. We have had problems  
18 all the way through.

19 Now you're asking me to say okay. I'm going  
20 to let you monitor my well and you're going to take  
21 care of it if something goes wrong. I'm sorry, I don't  
22 buy it.

23 For something that's community serving if  
24 there's truly 50 people that are there, why do we need  
25 a cemetery for 4,000? Legally I can't bury my horse if

1 it dies in my field. So how are we going to bury 4,000  
2 people and not affect my well water and my kids?

3 All of our wells are connected. No matter how  
4 much you dislike it, they're all connected.

5 MR. MONTGOMERY: Good evening. My name is  
6 Stephen Montgomery. I'm a 23-year resident.

7 According to the planning department, there  
8 are no use permits on file for the present SVIC site  
9 that is operating on Columbet Avenue. If permits are  
10 required, why has the SVIC been allowed to operate with  
11 this ongoing code enforcement issue?

12 Another religious institution in San Martin  
13 has had numerous complaints of excessive events, noise,  
14 parking and traffic problems. It has been left to the  
15 neighbors to report concerns, and no action has been  
16 taken to prevent these problems from reoccurring.

17 These facts alone lessen the confidence of San Martin  
18 residents that the county will hold SVIC to guidelines  
19 of future development. What insurance will you provide  
20 us that you value the unique qualities of this  
21 residential community?

22 I realize that the questions will not be  
23 answered tonight, but we request that you provide a  
24 reply to the San Martin Neighborhood Alliance so that  
25 they can record your response.

1 MS. MISTER: Good evening, my name is Susan  
2 mister, and I am now a resident of unincorporated  
3 Gilroy, but I did actually live on the site of where  
4 the Cordoba campus will be. It was just at the base of  
5 the hill and on grower's property. I lived in a  
6 cottage and it was in the mid '80s and it was  
7 constantly wet. It was damp inside the building and it  
8 was wet outside. Just consider that because of  
9 whatever tests have been done.

1  
Mister

10 And I want you to consider that how many  
11 applicants have been denied on this location.

12 This is not about religion. This is not about  
13 the bigotry. It is about the location. It is bad for  
14 this Cordoba campus.

15 And can I say that the Santa Clara Valley  
16 Audubon Society submitted letters on February 14th to  
17 address aesthetics, agriculture, air quality, Llagas  
18 Creek being inclusive of wildlife corridor and riparian  
19 buffer. Water supply alternatives and the high speed  
20 rail. We ask that these items please be included in  
21 the EIR. This draft is not complete. Thank you.

2  
Mister

22 THE CHAIRWOMAN: The next group of speakers  
23 are Lois, Margaret Wolford, Kathy Napoli, Anita Warner.  
24 It's okay if it's out of order. But thank you.

25 MS. WOLFORD: Well, I'm Margaret, and I think

1  
Wolford

1 everyone in this room is aware of and respects that  
2 this country was founded on the basic tenet of freedom  
3 of religion. So I don't think that there is any  
4 problem there with that, all right?

5 The main thing that I'm concerned about and  
6 from what I've been hearing about three quarters of the  
7 people is the cemetery issue. On your handout here it  
8 says in Gilroy and Morgan Hill there's like four  
9 cemeteries and in over a hundred years there's been no  
10 problem at all. No adverse effects. Well, that's  
11 because I haven't researched, but I will if I need to,  
12 those burials have been in caskets and/or are cremains.  
13 They're not just buried.

14 Now, this group, the Cordoba group, has a  
15 total right to their religious beliefs and burying  
16 their deceased, whichever way they wish, but I am  
17 concerned. Does it affect the groundwater? And it  
18 says it's a pilot cemetery. What was happening before?  
19 I really want to know. I'm not being smart. I want to  
20 know what was happening before. So I'm concerned about  
21 the cemetery issue.

22 THE CHAIRWOMAN: Thank you.

23 MS. NAPOLI: Good evening. My name is Kathy  
24 Chavez Napoli, and I'm one of the few people who was  
25 actually born and raised in Santa Clara County. And



1 I'm also a Native American from California.

2 So I would applaud the people that are here,  
3 but I would ask them if they're so concerned about  
4 having a cemetery or not having a cemetery, please  
5 support the people who have been here for over 10,000  
6 years, the Amah Mutsun. They're buried here and  
7 they're not respected.

8 But I am not a bigot. I am not in support of  
9 this draft EIR. And the primary reason is because make  
10 no mistake, this is a regional facility. People will  
11 come from everywhere.

12 The county does not even have enough staffing  
13 to monitor people who are having parties at 12:00 or 1  
14 o'clock in the morning. How are you going to monitor  
15 an event that has 500 people or 800 people? Who is  
16 going to count those people?

17 Until you answer those basic questions, then  
18 you should not approve this draft EIR.

19 MS. WARNER: Good evening. I'm Anita Warner.  
20 I serve as pastor of Advent Lutheran Church in Morgan  
21 Hill where I have served for 24 years. And before that  
22 I was a working scientist and science instructor.

23 And I commend the EIR field commissioners, and  
24 we welcome the community this coming Wednesday at  
25 7:00 p.m. at our congregation, 16870 Murphy Avenue in

1 Morgan Hill for those who want to dig into the science  
2 a little further in a group dialogue with neighbors.

3 As a faith community we believe we are one  
4 community, and that it is important for neighbors to  
5 speak with neighbors about shared and common concerns.  
6 And to be able to evaluate the science together. Thank  
7 you.

8 THE CHAIRWOMAN: Thank you.

9 The next speakers are Vanessa McLaren, Paul  
10 Rude, Joni Lewis, Shari McEnery.

11 MS. McLAREN: Hi, I'm Vanessa McLaren. I live  
12 in San Martin. I live in shouting distance of the  
13 current mosque. I just want to say there have been  
14 absolutely no issues with traffic, noise, odd  
15 activities at odd times of day, nothing. They're my  
16 best neighbors. And I expect they'll be the same good  
17 neighbors when they move to the commercial district on  
18 the side of a major highway, which is what Monterey  
19 Road is.

20 My biggest concern today that other people  
21 haven't mentioned is that I see a lot of interference  
22 here from people who are not from around here. I got a  
23 letter postmarked from San Jose from somebody who spent  
24 a lot of money to put together a flyer that made this  
25 project look scary. And it was not signed and it came

1 with a return address from some PI in Morgan Hill.

2 So these are outliers. And I would hope that  
3 when people review comments, that you will take with  
4 most seriousness those from the residents of Santa  
5 Clara County and San Martin. Thank you.

6 MR. RUDE: Hi, my name is Paul Rude and the  
7 main thing here tonight is water quality, something  
8 I've been arguing and fighting since 15 years ago.  
9 Since this all started.

10 We all share the same groundwater. Once it's  
11 contaminated, it's too late. We don't have enough  
12 safeguards in place and we need to have this for sure.  
13 It has to happen. So I ask that you would hire  
14 somebody, environmental water specialists or biologists  
15 or whoever to do a comprehensive plan to ensure that  
16 the water will be safe, so there's no regrets. We  
17 can't change that. So to avoid potential threats to  
18 our families. Thank you.

19 MS. McENERY: Hello. My name is Shari. I'm  
20 actually a Native American. I'm from the Ohlone Mutsun  
21 tribe. So one of the things you should reach out to is  
22 our Native American people to make sure because these  
23 are their lands technically. So I would like to see a  
24 reach out to the Native American tribes in this area to  
25 make sure that they're okay with this.

1           Second of all, I think it's really, really  
2     important to understand I don't have a problem with  
3     Muslims. I think they should have a church and pray  
4     and do whatever they want to do. Like I'm not against  
5     that. What I am against is the cemetery.

6           I'm sorry. But we just are very fearful of  
7     our groundwater. I cannot bury my horse in my own  
8     backyard. So you can protest against me, but that's  
9     just the law. I'm sorry. So to bury people not in  
10    like coffins or whatever, is not safe for my drinking  
11    water. My kids live here. I live here. I've lived  
12    here all my life. I want it safe. Thank you.

13           THE CHAIRWOMAN: Okay. The next group of  
14    speakers -- and we are getting close to the end. If  
15    anyone else wants to speak, please put a card over on  
16    that side table.

17           SPEAKER: Can I just request that you remind  
18    everyone to follow the rules? Because you can clearly  
19    see, we can clearly hear. And to honor the rules that  
20    we're all following, it would be nice if everyone would  
21    do that. That's just equity.

22           THE CHAIRWOMAN: Thank you. And I have tried  
23    to do that. And not everyone is following the rules.  
24    But many are. But I think very few are following the  
25    rules.

1           The last group down is Musafa Elkasal, Sora,  
2           Dana Klein and Jose Antonio Rubio.

3           MR. ELKASAL: Hi. I've lived in this area for  
4           nearly 30 years right now. So I guess I'm one of us.  
5           And I'm honestly hurt. Many people here, I don't know  
6           what they're responding to. I mean, why there is  
7           different standard for us versus everybody else? We've  
8           been through this process more than once. Maybe twice  
9           or three times. Everybody is complaining. Okay, fine.  
10          What do we need to do in order to get the permit?

11          You guys are supposed to be here in order hear  
12          from the community. We live here. We're Americans.  
13          We have our constitutional right to be here. As you  
14          can hear a few minutes ago some protest, somebody  
15          shouted Allah aber as if that is a battle cry of some  
16          sort. That was disgusting, by the way. Allah aber  
17          does not mean anything. It just means that we love  
18          God. That's all it means. I'm super offended by this.  
19          I live here. I love it here. This is my country that  
20          I chose. Thank you.

21          THE CHAIRWOMAN: Thank you.

22          MR. RUBIO: Good evening. I'm Jose Rubio. I  
23          am the parish priest at St. Mary's Catholic Church in  
24          Gilroy. And our parish boundary extends into San  
25          Martin.

1           We own a cemetery. It is the oldest cemetery  
2 in South County. It was founded in 1890, and although  
3 currently all of the bodies are in coffins and in  
4 cement liners, in the early years at old St. Mary's  
5 cemetery, bodies were simply buried without any coffin  
6 and without any liner. And there have never, ever been  
7 any problems with the groundwater from St. Mary's  
8 cemetery.

9           For us as Catholics it's very important that  
10 we have cemeteries to bury our own dead. We support  
11 the right of Muslims to have their own cemeteries where  
12 they can bury their dead.

13           4,000 is an exaggerated number of burials. We  
14 have -- we have been there for a hundred year -- over a  
15 hundred years. And those are just exaggerated numbers,  
16 and I want to support the right of the Muslim  
17 community. Our parish supports the right of the Muslim  
18 community to have their own proper burial site. Thank  
19 you.

20           THE CHAIRWOMAN: Thank you.

21           MS. KLEIN: Good evening. My name is Dana  
22 Klein. I've lived in Morgan Hill my entire life and  
23 San Martin for the last ten years. So I'm more than  
24 familiar with this location.

25           My parents live on Easy Street, which is right

1 down the street from California Avenue and Monterey.

2 And I have rode my bike there, past there millions of  
3 times and it's the most beautiful location, I do have  
4 to say. I commend you on finding that location.

5 Although I do have concerns about the RV park,  
6 which has not been addressed. Now, I don't know is  
7 this a true thing or a false thing? I received  
8 something in the mail, just like someone else said and  
9 this is something I need clarification about the RV  
10 park, which is supposed to be right on the edge of  
11 California and Monterey.

12 So there is an RV park in Morgan Hill. I  
13 can't remember the name of it. But the traffic coming  
14 out of there is unbelievable. So I could only imagine  
15 what the traffic would be on California and Monterey as  
16 well. It's just for me to take a turn from Monterey to  
17 turn on to California takes a good amount of time. So  
18 traffic concerns are there. Thank you.

19 MS. LEACH: Good evening. My name is Sora  
20 Leach. I'm a local resident. I'm a mother. A wife, a  
21 vet and a member of SVIC and I stand here in full  
22 support of the Cordoba project. I urge you to follow  
23 the findings of the draft EIR and to support the  
24 project.

25 To address one key point, in reading the EIR

2  
1 as a local resident, I drive up and down Monterey  
2 Highway on a regular basis. And I'm delighted to find  
3 that it has absolutely no significant impact on  
4 traffic. And especially someone mentioned earlier that  
5 the Islamic gathering on a weekly basis is on Fridays.  
6 And it's at 12:00 noon. Never have I seen traffic  
7 around 12:00 noon on Monterey Highway. So please look  
8 at the facts and please support this project. Thank  
9 you.

10 THE CHAIRWOMAN: Thank you.

11 That's the last speaker card that I have  
12 unless there are some over on the table. Okay. We  
13 will retrieve those and let those speakers speak.

14 Okay. The next group is -- the first one is  
15 about Masam, and Hannah, and then Michelle Rasner, and  
16 Jaime Orozco.

17 MASAM: Hi. Thank you for having me today. I  
18 just moved down here in Morgan Hill about four years  
19 ago with my wife and daughter. I had my daughter  
20 actually born here in Morgan Hill. I'm an engineer. I  
21 work in Santa Clara. My wife is a doctor. We bought  
22 our house here and we were real excited to hear that  
23 there is a mosque that was going to be built here  
24 because the nearest mosque is about 25 miles away.

25 So I'm listening to all of the concerns about



1 the cemetery and I'll be honest. I didn't read about  
2 the cemetery issue. But it sounds like everybody is  
3 doing their due diligence to do the research. So I  
4 just wanted to represent that we support the mosque and  
5 we are excited about having it. Thank you.

6 MS. RASNER: Hi. My name is Michelle Rasner  
7 and I'm actually here -- I've been here for seven years  
8 now in the Gilroy area. I am not a Muslim, but I am a  
9 person of faith and I believe that they have every  
10 right to worship in a place that they have found, that  
11 they paid for, that the reports have been made on.  
12 They have gone above and beyond what is expected. And  
13 unfortunately, the protesters are simply protesting  
14 because they don't like Muslims and it's unfortunate  
15 that we -- you can hear them because they're booing and  
16 they don't know how to follow the rules. So they clap  
17 when they're not supposed to clap, and I find that very  
18 offensive and I hope that this goes forward.

19 I hope that you move forward and I hope that  
20 we can agree that it is important that all people get  
21 the right to worship the way they choose. Thank you.

22 HANNAH: Good evening. My name is Hannah.  
23 I'm currently pursuing a JD and my family and I have  
24 lived in rural South County for over 23 years.

25 Today I'd like to touch upon the concerns

1 regarding traffic in reference to the Cordoba project.  
2 I want you to know that most SVIC members will utilize  
3 the project as often mentioned on Fridays during noon  
4 on non commute traffic hours.

5 And also unlike most other religious  
6 institutions, San Martin -- in San Martin that line  
7 residential streets, the Cordoba site is situated on  
8 Monterey Highway in a sparsely populated area of town.  
9 Also, the EIR has shown no significant impacts on  
10 traffic resulting from the Cordoba project.

11 I would like to thank you for your time in  
12 listening to all of our concerns as a community, both  
13 opinions and factual evidence. As a member of this  
14 community I support the Cordoba project and I encourage  
15 you to do the same. Thank you.

16 MR. OROZCO: Good evening. My name is Jaime  
17 Orozco. I'm a resident of the county, unincorporated  
18 area of Gilroy. Been a resident of Gilroy since --  
19 south Santa Clara County for 45 years. And I want to  
20 speak in favor of this proposal for the Cordoba  
21 project. I think that it meets the requirements of  
22 the -- of the IRA -- the EIR project. I have read it  
23 and I think that it meets the requirement.

24 I strongly support this. I think that it's  
25 important that we provide the same equity to all

1 faiths. And I think that this clearly meets the  
2 standard. And so I encourage you to support this.  
3 Thank you very much.

4 THE CHAIRWOMAN: Okay. Thank you. Jaime was  
5 the last speaker card that I have. So since I don't  
6 see any more, I'm going to bring this back to the  
7 commission and SMPAC to ask if there are any questions.

8 Again, we are not discussing the project  
9 tonight. We are just taking questions. And any of us,  
10 the audience and SMPAC and the commission can submit  
11 written comments and questions up until July 30th. So  
12 there's still plenty of time to add questions and  
13 comments that will be responded to.

14 Does anyone -- okay. Aaron Resendez?

15 COMMISSIONER RESENDEZ: Thank you. Aaron  
16 Resendez from the Santa Clara County Planning  
17 Commission. I just first of all, I want to thank  
18 everybody here for coming to this meeting. The ones in  
19 favor, the ones against the project because I know some  
20 of you are skipping dinner with the family. And it's  
21 been a nice time over here debating this proposal.

22 We will not take any action today. Hearing  
23 the comments we will know more or less how they are. I  
24 read the comments back in 2012 when the first one -- or  
25 the last one that it was in. I wasn't a commissioner

1 back then.

2 Now as a commissioner, I assure you that I  
3 will read everything, including all the letters, but  
4 remember, we're going to make a decision based on the  
5 facts of planning, based on the facts of the county  
6 already ordinance and rules and regulations.

7 We will not -- or we're not scientists. We're  
8 all this in the Planning Commission, we're all  
9 volunteer doing this job as a volunteer. So we'll  
10 base -- we will base our decision on those comments, on  
11 those real comments. And those against if they have  
12 something to prove that is right, that is true, fine.  
13 And those in favor, the same thing. You know, don't  
14 lie or don't make a big deal out of something that you  
15 don't have a make a research in this.

16 So I will personally do a research.  
17 Personally will read this twice so to make sure the  
18 vote that I'm going to make when this comes to our  
19 commission, you know, will be the best.

20 And I'm just trying to do the best that they  
21 know at this time not taking a position on any side.  
22 But thank you very much once again for coming to this  
23 meeting tonight. Thank you.

24 THE CHAIRWOMAN: Are there questions from the  
25 commission? Okay. Are there questions from SMPAC?

1           Okay. Thank you then. We will complete this  
2 particular item. And I too want to thank everyone for  
3 coming tonight and spending your evening with us and  
4 giving us your comments. We know this is an important  
5 project. And we will definitely be deliberating at a  
6 future time and taking everything into consideration.  
7 Thank you very much.

8           The last item on our agenda is public comment.  
9 And that is the portion of the meeting reserved for  
10 persons desiring to address the commission on any  
11 matter that is not on the agenda. So nothing about the  
12 Cordoba project.

13           Speakers are limited in time that they can  
14 talk to us. And we would not be able to take any  
15 action or have any discussion.

16           So is there anyone who wishes to speak on an  
17 item that was not on the agenda tonight? Okay. I  
18 don't see anyone. Oh, there is. You want to speak on  
19 an item?

20           SPEAKER: No, I want to stand up and salute  
21 the flag.

22           THE CHAIRWOMAN: That's not typical procedure.

23           SPEAKER: Okay.

24           THE CHAIRWOMAN: Thank you. Okay. In the  
25 commission we don't do that. But SMPAC does

1     apparently.    So would you like to?   Linda?

2                   COMMISSIONER:   I'd be happy to.   So for those  
3     who would like to, we'd like to stand and pledge  
4     allegiance to the flag.

5                   (Pledge of allegiance recited.)

6                   COMMISSIONER:   Thank you.

7                   THE CHAIRWOMAN:   Now the meeting is adjourned.  
8     Thank you all very much.

9                   (The meeting was adjourned  
10                   at 8:39 p.m. this date.)

11                                       --oOo--

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1 I, DIANE S. MARTIN, duly authorized to  
2 administer oaths pursuant to Section 2093(b) of the  
3 California Code of Civil Procedure, do hereby  
4 certify: That said meeting was taken at the time and  
5 place therein cited; that the testimony of the said  
6 speakers was reported by me and was thereafter  
7 transcribed under my direction into typewriting;  
8 that the foregoing is a complete and accurate  
9 record of said meeting to the best of my ability.

10 I further certify that I am not of counsel  
11 nor attorney for any of the parties in the  
12 foregoing matter and caption named nor in any  
13 way interested in the outcome of the cause named.

14 Dated: July 26, 2018,

15 \_\_\_\_\_  
16 DIANE S. MARTIN, CSR NO. 6464  
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#### **4.3.118      Response to Comments from Public Meeting**

- 118-PM-Edward-1:      The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Cerutti-1:      Exhibit 4.4-4 of the Draft EIR shows the nearest residential wells to the proposed cemetery. The reference to drainage from the property is an existing condition. See Response to 9-SMNA-28. The 5<sup>th</sup> sentence in Section 3.2.2 of the Draft EIR states that the onsite stormwater sheet-flows to the south-southwest, away from the northern property boundary and Llagas Creek. See Response to 9-SMNA-37.
- 118-PM-Nuno-1:      The proposed development would maintain the required County setback from the top of bank of Llagas Creek. Onsite stormwater sheet-flows to the south-southwest, away from the northern property boundary and Llagas Creek. Stormwater run-off from the project-site would have contaminants removed as it passes through vegetated bioswales on its way to the proposed retention pond, before being released to the existing off-site drainage system. Several jurisdictions have regulatory jurisdiction over Llagas Creek, including the Santa Clara Valley Water District, the Central Coast Regional Water Quality Control Board, and the California Department of Fish and Wildlife, all three of which received the Draft EIR for review and comment (SCVWD and CDFW provided comments which have been responded to above). The comment does not explain what aspect of the proposed project or environmental analysis would require review by the U.S. Environmental Protection Agency, which does not have direct regulatory authority over the Llagas Creek.
- 118-PM-Sotelo-1:      The Draft EIR evaluates potential impacts related to nitrate concentrations from operation of the on-site wastewater treatment system and cemetery in Impacts 4.4-3 and 4.4-4, and identifies mitigation measures that would reduce these impacts to less-than-significant levels (Mitigation Measures 4.4-3, and 4.4-4, respectively).
- 118-PM-S-1:      See Responses 57-LeFaver-2 and 64-Lude-2.
- 118-PM-Khan-1:      See Responses 5-SCVWD-9 and 5-SMNA-27.
- 118-PM-NicoA-1:      The Draft EIR evaluated drainage and stormwater runoff in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR). Water supply is addressed in Section 18.2d) of the Initial Study (Appendix A of the Draft EIR). The effects of the proposed project on groundwater supplies are evaluated in Section 9.2b) of the Initial Study. The Draft EIR evaluated groundwater quality impacts in Section 4.4.



- 118-PM-NicoA-2: The Draft EIR evaluated traffic in Section 4.6.
- 118-PM-Merrill-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Merrill-2: The adequacy of the EIR will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Merrill-3: The comment is acknowledged.
- 118-PM-Subaugh-1: The Draft EIR evaluated the environmental impacts of the proposed cemetery.
- 118-PM-Subaugh-2: The Draft EIR evaluated traffic in Section 4.6. See Response 1-CDFW-8.
- 118-PM-Subaugh-3: The comment is acknowledged.
- 118-PM-NicoS-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-NicoS-2: The Draft EIR evaluated traffic in Section 4.6.
- 118-PM-Amina-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Owen-1: The Draft EIR evaluated stormwater runoff in terms of water quality impacts under Impact 4.4-1. Drainage and stormwater runoff in terms of increased flow were evaluated in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR). The effects of the proposed project on groundwater supplies are evaluated in Section 9.2b) of the Initial Study. The Draft EIR evaluated groundwater quality impacts in Section 4.4 and identified mitigation measures to reduce any potentially significant impacts to less-than-significant levels.
- 118-PM-Owen-2: The comment appears to be referring to Mitigation Measure 4.2-2. County Department of Environmental Health staff possess the qualifications to review the project's wastewater disposal plans.

- 118-PM-Z-1: Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center. The reference to sewage regards an existing condition with no relationship to the proposed project, which would be served by an on-site wastewater treatment system.
- 118-PM-Z-2: The Draft EIR analyzed the project's wastewater treatment system (Impact 4.4-3) and concluded that the proposed on-site wastewater treatment system would not exceed acceptable nitrate or salt concentrations in groundwater with implementation of Mitigation Measure 4.4-3. The evaluation used to support the analysis in Impact 4.4-3, "Wastewater Facilities Review for Cordoba Center Project," was provided by Questa Engineering in the report, "Cemetery Water Quality Impact Review For Cordoba Center Project Santa Clara County, California" (Appendix F of the Draft EIR). The report's author, Norman Hantzsche, P.E., has more than 40 years of professional experience in hydrology, water resources and environmental engineering, has been a consultant since 1979, and before that was on the staff of the California State and Regional Water Quality Control Boards. His principal areas of specialization are hydrology and drainage, water quality management, non-point source watershed management, land-based wastewater treatment and disposal, and groundwater hydrology.
- 118-PM-Ahmed-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Bruner-1: The Draft EIR evaluated traffic in Section 4.6. Wildland fire was evaluated in Section 8.2e) of the Initial Study (Appendix A of the Draft EIR). Fire protection was address in Section 14.2a) of the Initial Study.
- 118-PM-Bruner-2: See Responses to 57-LeFav-2 64-Lude-2.
- 118-PM-Bruner-3: SCVWD received the Notice of Preparation and Notice of Availability of the Draft EIR directly from the Planning Office. In addition, the Planning Office consulted extensively with SCVWD in the preparation of the technical studies used in Section 4.4 of the Draft EIR. Cal Fire is not a responsible or trustee agency for purposes of CEQA review of the proposed project. As noted on page A-36 of the Initial Study (Appendix A of the Draft EIR), the project site is not located at the wildland urban interface.
- 118-PM-Seward-1: The County would be responsible for ensuring that the project complies with applicable regulations and mitigation measures identified in the Draft EIR to prevent groundwater contamination.
- 118-PM-Seward-2: Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center. The reference to sewage regards an existing condition with

no relationship to the proposed project, which would be served by an on-site wastewater treatment system.

- 118-PM-Asghar-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Lude-1: The Draft EIR evaluated drainage and stormwater runoff in Sections c) and e), respectively, on page A-45 of the Initial Study (Appendix A of the Draft EIR). See Responses 5-SMNA-28 through 5-SMNA-39. Perchlorate is not a chemical that would be used as part of operation of the Cordoba Center. The reference to sewage regards an existing condition with no relationship to the proposed project, which would be served by an on-site wastewater treatment system.
- 118-PM-Lude-2: See Responses 4-LAFCO-2, 58-Lefaver-1, and 60-Lillie-3.
- 118-PM-Lude-3: The comment is not a comment on the Draft EIR.
- 118-PM-Moreni-1: The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission when it evaluates the EIR and considers the proposed project.
- 118-PM-Moore-1: The Draft EIR evaluated traffic in Section 4.6. The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee, following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors. See Responses 4-LAFCO-2, 58-Lefaver-1, and 60-Lillie-3.
- 118-PM-Hamseh-1: The Draft EIR evaluated flood impacts in Section d) on page A-45 of the Initial Study (Appendix A of the Draft EIR).
- 118-PM-HoskinS-1: The Draft EIR evaluated traffic in Section 4.6.
- 118-PM-HoskinD-1: Water quality impacts of the proposed cemetery were evaluated in Section 4.4. of the Draft EIR.
- 118-PM-Hern-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Delgado-1: The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission when it

evaluates the EIR and proposed project, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

- 118-PM-Delgado-2: The County estimates that project development would occupy approximately 37 percent of the project site.
- 118-PM-Luna-1: The comment is acknowledged.
- 118-PM-Luna-2: The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission when it evaluates the EIR and considers the proposed project, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-McHenry-1: See Responses 5-SMNA-28 through 5-SMNA-39.
- 118-PM-McHenry-2: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level.
- 118-PM-McHenry-3: See Responses 5-SMNA-4 and 57-Lefaver-4.
- 118-PM-McHenry-4: The Draft EIR evaluated alternatives in Chapter 6. The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission when it evaluates the EIR and considers the proposed project, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Sanders-1: The comment is acknowledged.
- 118-PM-Sanders-2: The Draft EIR evaluated reduced-size alternatives to the proposed project. These alternatives will be considered by the Planning Commission when it evaluates the EIR and considers the proposed project, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Sanders-3: The comment is acknowledged.
- 118-PM-MusaB-1: Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of

Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level.

- 118-PM-Lasordi-1: An analysis of the project's conformity with policies regarding Local-Serving Uses in Rural Districts will be provided in the staff report to the Planning Commission. See Responses 4-LAFCO-2, 58-Lefaver-1, and 60-Lillie-3.
- 118-PM-Lasordi-2: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level.
- 118-PM-Cordiga-1: See Responses to 57-LeFaver-2 64-Lude-2.
- 118-PM-Cordiga-2: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level, as supported by analysis conducted by Questa Engineering (see *"Cemetery Water Quality Impact Review for the Cordoba Center Project"* in Appendix F of the Draft EIR).
- 118-PM-Mimona-1: The adequacy of the EIR will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Mimona-2: Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level. Noise and traffic were evaluated in Sections 4.5 and 4.6, respectively.
- 118-PM- Tschantz-1: The comment is acknowledged.
- 118-PM-Yanes-1: Letters received on the Draft EIR are listed in Section 4.0. The Central Coast Regional Water Quality Control Board has responded in a letter to correspondence received from People's Coalition for Government Accountability (PCGA). This letter is contained in Appendix E of the Final EIR.
- 118-PM-Shoba-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

- 118-PM-Shoba-2: The Draft EIR evaluated impacts to groundwater quality in Section 4.4 and proposed mitigation measures to ensure that all potentially significant impacts are mitigated to less-than-significant levels.
- 118-PM-Habib-1: The Draft EIR evaluated impacts to groundwater quality in Section 4.4. Exhibit 4.4-4 in the Draft EIR shows off-site well locations in relation to the project site.
- 118-PM-Habib-2: Groundwater monitoring is required by Mitigation Measures 4.4-3 and 4.4-4.
- 118-PM-Habib-3: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-McElroy-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Peder-1: See Response to 3-LAFCO-2 and 3-LAFCO-3.
- 118-PM-Akhter-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Yous-1: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level.
- 118-PM-Myers-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-MusaK-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

- 118-PM-Trum-1: The bathhouses are defined in the Draft EIR in Section 3.3.3 under “Youth Summer Camp,” where it is noted that separate 290-s.f. bathhouses would be provided, one for girls and one for boys; each would include shower and toilet facilities. Regarding use of groundwater, see Response to 3-LAFCO-3.
- 118-PM-Trum-2: The comment refers to a previous incident involving well contamination by rocket fuel that is unrelated to the proposed project or project site.
- 118-PM-Trum-3: The comment is acknowledged.
- 118-PM-Pyle-1: Monitoring wells would be required on the project site as part of implementation of Mitigation Measure 4.4-4. No off-site well monitoring is proposed or would be required by the County.
- 118-PM-Pyle-2: Text changes have been made to page 3-5 of the Draft EIR based on an updated cemetery plan submitted by the applicant in July of 2018 (Appendix C of this Final EIR). The updated cemetery plan shows the maximum density of graves would be 562 per acre for a total capacity of 1,996 grave sites.
- 118-PM-Mont-1: The comment is not a comment on the Draft EIR.
- 118-PM-Mont-2: Non-compliance with conditions of approval, which include mitigation measures, can include a halt to construction, non-issuance of a building occupancy permit, modification or revocation of the use permit, and civil or criminal enforcement proceedings. The County has also significantly expanded its enforcement capabilities.
- 118-PM-Mont-3: Responses to all comments on the Draft EIR are provided in the Final EIR.
- 118-PM-Mister-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Mister-2: Responses to comments in the letter from the Santa Clara Valley Audubon Society are provided in Section 4.2.
- 118-PM-Wolf-1: The comment is acknowledged.
- 118-PM-Wolf-2: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level.
- 118-PM-Napoli-1: The comment is acknowledged.
- 118-PM-Napoli-1: See Response 118-PM-Mont-2.

- 118-PM-Warner-1: The comment is acknowledged.
- 118-PM-McLaren-1: The comment is acknowledged.
- 118-PM-Rude-1: The Draft EIR evaluated impacts to groundwater quality in Section 4.4. Questa Engineering conducted the water quality analysis under contract to the County. The Questa report, entitled “Cemetery Water Quality Impact Review For Cordoba Center Project Santa Clara County, California” (Appendix F of the Draft EIR), was prepared by Norman Hantzsche, P.E., who has more than 40 years of professional experience in hydrology, water resources and environmental engineering, has been a consultant since 1979, and before that was on the staff of the California State and Regional Water Quality Control Boards. His principal areas of specialization are hydrology and drainage, water quality management, non-point source watershed management, land-based wastewater treatment and disposal, and groundwater hydrology.
- 118-PM-McEnery-1: As discussed in Section 17 of the Initial Study (Appendix A of the Draft EIR), the County contacted by letter six tribes identified by the Native American Heritage Commission. None of the tribes responded.
- 118-PM-McEnery-2: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level.
- 118-PM-Elkasal-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Rubio-1: The Draft EIR evaluated the impact on groundwater quality of the proposed cemetery under Impact 4.4-4 and concluded that implementation of Mitigation Measure 4.4-4 would reduce this impact to a less-than-significant level. Text changes have been made to page 3-5 of the Draft EIR based on an updated cemetery plan submitted by the applicant in July of 2018 (Appendix C of this Final EIR). The updated cemetery plan shows the maximum density of graves would be 562 per acre for a total capacity of 1,996 grave sites.
- 118-PM-Klein-1: The comment is acknowledged.
- 118-PM-Klein-2: The County has received an application for an RV park at the corner of California Avenue and Monterey Road. The proposed Patel RV Park (File PLN15-2229) has no connection to the Cordoba Center project other than their proposed location on neighboring parcels. With that in mind, the Draft EIR considered the RV park in a number of cumulative impact evaluations in Chapter 4, including under Impacts 4.1-4, 4.1-5, 4.1-6, 4.4-5, 4.5-5, 4.4-6, and 4.6-6.



- 118-PM-Klein-3: A traffic analysis for the proposed Patel RV Park would be conducted as part of an EIR for that project.
- 118-PM-Leach-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Leach-2: The Draft EIR evaluated traffic in Section 4.6.
- 118-PM-Masam-1: The Draft EIR evaluated impacts to groundwater quality impacts from the proposed cemetery in Section 4.4. Whether or not the proposed project should be approved will be considered by the Planning Commission.
- 118-PM-Rasner-1: Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Hannah-1: The Draft EIR evaluated traffic in Section 4.6. Whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.
- 118-PM-Orozco-1: The adequacy of the Environmental Impact Report and whether or not the proposed project should be approved will be considered by the Planning Commission, with input from the San Martin Planning Advisory Committee following completion of the Final EIR. Any Planning Commission action would be appealable to the Board of Supervisors.

## **SECTION 5.0      APPENDICIES**

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