

## INITIAL STUDY

### Environmental Checklist and Evaluation for the County of Santa Clara

<b>File Number:</b>	PLN20-095	<b>Date:</b> May 21, 2021
<b>Project Type:</b>	2-Lot Tentative Subdivision Map and Grading Approval	<b>APN(s):</b> 728-04-007
<b>Project Location / Address:</b>	2460 Shafer Ave, Morgan Hill	<b>GP Designation:</b> Agriculture Medium Scale
<b>Owner's Name:</b>	Sean and Tashana Burke	<b>Zoning:</b> A-20Ac-d1
<b>Applicant's Name:</b>	Hanna Brunetti	<b>Urban Service Area:</b> N/A
<b>Project Description</b>		
<p>The proposed project is a two-lot subdivision of an approximately 58-acre parcel at 2460 Shafer Avenue in unincorporated Morgan Hill (see Figure 1). The proposed Tentative Parcel Map is shown on Figure 2. Parcel B, which contains an existing residence that would remain, is proposed to be approximately 20 acres. Parcel A, which would be approximately 38 acres, could be developed with a new residence, subject to obtaining design review. A feasible location for a future residence is shown on Figure 3. However, construction of a residence on Parcel A is not proposed as a part of this subdivision.</p> <p>The existing residence on Parcel B is served by a septic system and on-site well. No trees would be removed as part of the proposed development. No buildings would be demolished, although two unpermitted mobile buildings would be removed. A new segment of driveway would be constructed along with two fire truck turnarounds for a total of 4,520 square feet (sf) of new impervious surfaces. However, there would be approximately 5,016 sf reduction in impervious surfaces from removal of an old driveway segment and unpermitted mobile buildings, for a net reduction in impervious surface of 496 sf. Grading cut and fill would be 177 and 92 cubic yards, respectively, with a maximum cut depth of 3.5 feet.</p>		
<b>Environmental Setting and Surrounding Land Uses</b>		
<p>The project site is located in the foothills east of the City of Morgan Hill. The parcel is relatively flat in the southwestern portion, but the slope increases in the northeastern direction. The site consists of open grasslands and areas of oak woodland. It is located in the Wildland Urban Interface and the State Responsibility Area. An existing residence is located on the southeast side of the property. Agriculture-related accessory structures are located in the lower portion of the property on the northwest side. The project site is in the Valley Habitat Plan Area, and is designated HCP Area 1, Private Development Covered. The surrounding land uses are agricultural, open space, and single-family homes.</p>		
<b>Other agencies sent a copy of this document:</b>		
CAL FIRE, Morgan Hill Unified School District		



Figure 1 - Location Map

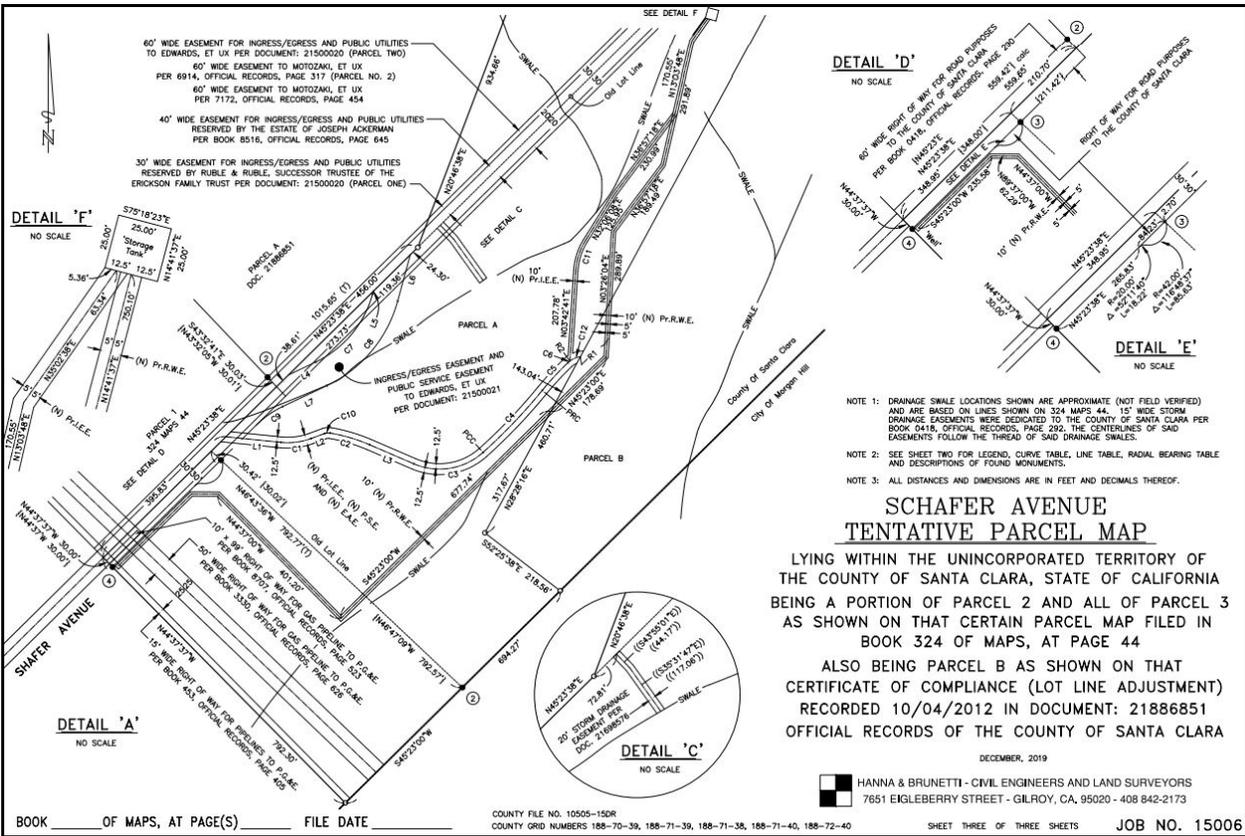


Figure 2 - Site Plan

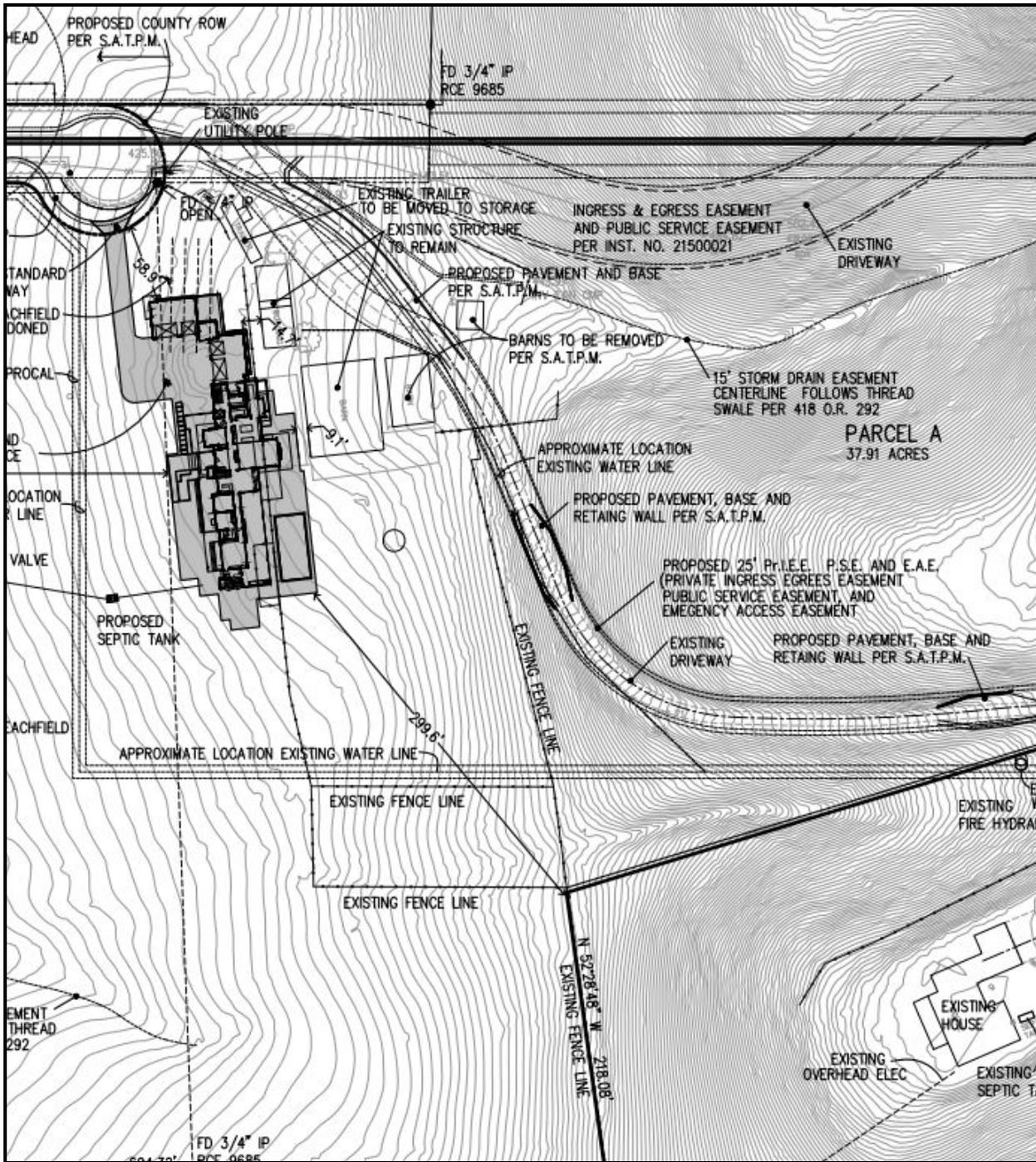


Figure 3 - Site Plan for Residential Development Feasibility of Parcel A

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The proposed project could potentially result in one or more environmental effects in the following areas:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture / Forest Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resource         | <input checked="" type="checkbox"/> Cultural Resources  | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology/Soils               | <input type="checkbox"/> Greenhouse Gas Emissions       | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology / Water Quality   | <input type="checkbox"/> Land Use / Planning            | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                       | <input type="checkbox"/> Population / Housing           | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                  | <input type="checkbox"/> Transportation                 | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                       | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

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

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

DocuSigned by:  
  
70A501202DD4D8...  
**Signature**

7/8/2021  
\_\_\_\_\_  
**Date**

**David M. Rader**

\_\_\_\_\_  
**For**

## ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

<b>A. AESTHETICS</b>					
	<b>IMPACT</b>				
<b>Except as provided in Public Resources Code section 21099, would the project:</b>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<b>Source</b>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3,4, 6,17f
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 6,7 17f
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,4

### SETTING:

The subject property is located at the end of Shafer Avenue in unincorporated Morgan Hill. Shafer Avenue is not a State- or County-designated scenic road. The property is in a -d1 scenic overlay zone. The purpose of the -d Design Review combining districts is to designate certain visually and environmentally sensitive areas as requiring design review, with the intention of mitigating adverse visual impacts of development and encouraging quality design.

### DISCUSSION:

b)  
**No Impact.** The project is not located along a designated scenic highway.

a, c-d)  
**Less Than Significant Impact.** The proposed project is a 2-lot subdivision. The property is located in a -d1 scenic combining zone due to its visibility from the valley floor to the west. To the east is a ridge of hills that slopes up toward Anderson Lake. Although no residential development on Parcel A is proposed as part of the Tentative Map, a feasible location is shown on Figure 3 as being on the lower portion of the property, where access to the driveway would be available and grading would be minimized. This area is also of relatively low visibility from the valley floor. Design Review would be required, which would further reduce visibility through application of color standards and findings of design compatibility. Therefore, the proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. A future home may contain some outside lighting. However, the source of light would be similar to that of other single family residences in the area and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

**MITIGATION:**

None required.

<b>B. AGRICULTURE / FOREST RESOURCES</b>					
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
	<b>IMPACT</b>				
<b>WOULD THE PROJECT:</b>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<b>Source</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,23,24,26
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9,21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 28
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	32
f) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**SETTING:**

The project site has a General Plan land use designation of Medium Scale Agriculture and is zoned Exclusive Agriculture (A-20Ac). It is rated by the State Farmland Mapping and Monitoring Program as *grazing land* with area designation of *other land* located where the existing agricultural accessory structures are located.

**DISCUSSION:**

c-e)

**No Impact.** The project area is not under a Williamson Act contract. The project site contains oak woodland. However, this is not considered timberland, and the property is not zoned as forest land. Therefore, approval and recordation of the Tentative Map would not result in the loss of forest land or conversion of forest land to non-forest use.

a-b,f)

**Less Than Significant Impact.** The project site is rated by the State Farmland Mapping and Monitoring Program as *grazing land* with an area of *other land* located where the existing agricultural accessory structures are present. Therefore, the proposed subdivision, including potential development of a second residence on Parcel A, would not convert 10 or more acres of farmland classified as prime to non-agricultural use. Single family residential development, subject to minimum lot size requirements, are allowed in agricultural zoning, such as A-20 Ac. Therefore, the proposed project would not conflict with existing zoning for agricultural use or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

**MITIGATION:**

None required.

<b>C. AIR QUALITY</b>					
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.					
<b>WOULD THE PROJECT:</b>	<b>IMPACT</b>				<b>Source</b>
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 29, 30

**SETTING:**

The project site is located in the Bay Area Air Basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) for criteria and other air quality pollutants.

**DISCUSSION:**

a, d)

**Less Than Significant Impact.** The project does not propose residential development but would enable future development of one single family residence on Parcel A. However, a single family residence would be below the Bay Area Air Quality Management District's screening level size for residential land uses; therefore, the proposed project would not result in significant short-term air quality impacts or the introduction of new long-term pollution sources. Rural residential development is not associated with substantial pollutant concentrations or odors.

**MITIGATION**

None

<b>D. BIOLOGICAL RESOURCES</b>					
<b>WOULD THE PROJECT:</b>	<b>IMPACT</b>				<b>Source</b>
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 7, 17b, 17o
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,7, 8a, 17b, 17e, 22d, 22e, 33
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 7, 17n, 33
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 31, 32
e) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,7, 17b, 17o
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	32
g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4, 17i

**SETTING:**

According to mapping of the Valley Habitat Plan, the project site habitat land cover consists of Serpentine Bunchgrass Grassland in the upper portion. The middle portion of the parcel contains a mix

of Grain, Row-crop, Hay and Pasture, disked / Short-term Fallowed and Coast Live Oak Forest and Woodland. The lower portion is classified as Rural Residential. The project site is in the Valley Habitat Plan Area, and is designated HCP Area 1, Private Development Covered.

**DISCUSSION**

c,g)

**No Impact.** The project site contains no wetlands. The project is covered under the Valley Habitat Plan, and fees would be assessed at the time of development of a future residence.

a-b,d-f)

**Less Than Significant Impact.** Bay checkerspot butterfly, a federally threatened species, may be present in the Serpentine Bunchgrass Grassland habitat located in the upper portion of the parcel. No development in that area is proposed as part of the subdivision. A single-family residence could be developed in the lower portion of the parcel, which is mapped as Rural Residential land cover.

The project is covered under the Valley Habitat Plan, and take authorization for the bay checkerspot butterfly habitat is granted through participation in the Plan. Therefore, the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species. The parcel is not in an identified wildlife movement corridor. Oak woodland on the property may provide nesting and cover for migrating bird species. However, no tree removal is proposed, and no trees are located in the portion of Parcel A where future development of a residence is anticipated to occur.

**MITIGATION:**

None

<b>E. CULTURAL RESOURCES</b>					
	<b>IMPACT</b>				
<b>WOULD THE PROJECT:</b>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<b>Source</b>
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations, or demolition of historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 16, 19, 40, 41
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 19, 40, 41
c) Disturb any human remains including, those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 19, 40, 41

## SETTING:

The subject parcel has no historic designation or structures listed as historic or eligible for listing. A letter dated July 14, 2015 from the California Historical Resources Information System - Northwest Information Center at Sonoma State, recommended an Archeological study in the event archaeological remains were located on the property.

## DISCUSSION:

a)

**No Impact.** The subject parcel has no historic designation or structures listed as historic or eligible for listing.

b-c)

**Less Than Significant with Mitigation Incorporated.** A study was prepared by Archaeological Resource Management on September 10, 2015, which identified traces of fire-cracked rock that were observed during surface reconnaissance. Fire-cracked rock is created through repeated heating and cooling of the stone, and is indicative of likely Native American habitation activities (i.e. cooking fires) in the vicinity. As a result, in order to reduce impacts to undiscovered archaeological resources and human remains to a less-than-significant level, monitoring of grading and earth-moving activities would be required during grading for the driveway realignment or for any future residential construction on Parcel A.

## MITIGATION:

### *Archaeological Monitoring During Construction*

The following measures would apply to grading for the driveway realignment or for future construction of a single family residence on Parcel A:

- Prior to the issuance of a grading permit, a contract with a registered Archaeologist for grading monitoring shall be submitted by the applicant and approved by the County Department of Planning and Development (Planning Department).
- Prior to grading activities commencing a registered Archaeologist shall be on site to monitor grading activities until it can be demonstrated that earthwork activities cannot impact any sensitive cultural resources.
- If evidence of any archaeological, cultural, and/or historical deposits are found, hand excavation and/or mechanical excavation will proceed to evaluate the deposits for determination of significance as defined by the CEQA Guidelines. The archaeologist shall submit reports, to the satisfaction of the Planning Department, describing the testing program and subsequent results. These reports shall identify any program mitigation that the applicant shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources.)
- In the event that human remains and/or cultural materials are found, all project-related demolition shall cease within a 50-foot radius in order to proceed with the testing and mitigation measures required.
- In the event of the discovery of human remains during demolition, there shall be no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The

Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-enter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

- If archaeological resources are encountered during monitoring, a final report shall be submitted to the Planning Department prior to final grading inspection. This report shall contain a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusions, and a description of the disposition/curation of the resources.

F. ENERGY					
WOULD THE PROJECT:	IMPACT				Source
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5

**SETTING:**

The project site is located in a rural area of unincorporated Santa Clara County.

**DISCUSSION:**

a-b)

**Less Than Significant Impact.** The proposed project is the subdivision of a parcel into two parcels. Parcel B contains an existing residence. Development of a residence on Parcel A is not proposed but could occur in the future. This development would be subject to CALGreen Requirements (Part 11, Title 24 of the California Building Code) designed to improve energy efficiency. Therefore, the project would not result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

**MITIGATION:**

None required.

G. GEOLOGY AND SOILS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 17c, 43
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 17c
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 17c, 17n, 18b
iv) Landslides	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 17L, 118b
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 14, 23, 24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 17c, 23, 24, 42
d) Be located on expansive soil, as defined in the report, <i>Soils of Santa Clara County</i> , creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	14,23, 24,
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,6, 23,24,
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3,4,40,41

**SETTING:**

The project site is located in a *State Seismic Hazard Zone*, a *County Fault Rupture Hazard Zone* and *County Landslide Hazard Zone*.

**DISCUSSION:**

a-f)

**Less Than Significant Impact.** The proposed project is subdivision of a parcel that contains an existing residence. Grading is proposed to realign the existing driveway. No residential development is proposed as part of the subdivision. However, a future residence could be constructed on the proposed Parcel A. The County Geologist has approved a geology report<sup>1</sup> in 2016. The on-site investigation found no evidence of slope instability, and the report concluded that the potential for earthquake-induced landsliding to affect the building site is low. The investigation also determined that the project site is located in an area where the potential for liquefaction is very low. The report concluded that the primary hazard would be seismic ground shaking and the presence of expansive soils which could cause damage to the foundation. It recommends that the foundation of a future residence should be designed for seismic shaking, including horizontal and vertical accelerations, and the presence of expansive soils as required by the California Building Code. Future construction of a residence would require a Plan Review Letter that confirms compliance with recommendations presented in the approved report. Compliance with this condition would ensure the construction would not create or increase the risk of damage to be caused by a geologic hazard. Erosion control measures would be reviewed through the drainage permit application prior to construction. Therefore, the proposed project would not result in substantial soil erosion or the loss of topsoil.

The County Department of Environmental Health has reviewed soil and percolation tests submitted by the applicant and determined that a septic system is feasible in the area identified for a future residence. No paleontological resources have been identified on the site.

**MITIGATION:**

None required.

H. GREENHOUSE GAS EMISSIONS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30

**SETTING:**

Given the overwhelming scope of global climate change, it is not anticipated that a single development project would have an individually discernible effect on global climate change. It is more appropriate to conclude that the greenhouse gas (GHG) emissions generated by a proposed project would combine

<sup>1</sup>Earth Systems Pacific, May 12, 2014.

with emissions across the state, nation, and globe to cumulatively contribute to global climate change. The primary GHG associated with a development project is carbon dioxide, which is directly generated by fuel combustion (vehicle trips, use of natural gas for buildings) and indirectly generated by use of electricity.

**DISCUSSION:**

a-b)

**Less Than Significant Impact.** The proposed project is the subdivision of a parcel that contains an existing residence. Grading is proposed to realign the existing driveway. No residential development is proposed. However, a future residence could be constructed on the proposed Parcel A. Emissions generated from a single-family residence would be well below the BAAQMD operational-related GHG emissions screening level for residential land uses; therefore, the project would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment.

**MITIGATION:**

None required.

I. HAZARDS & HAZARDOUS MATERIALS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	46
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	47
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 48
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4, 17g

**SETTING:**

The project site is not identified as having hazardous materials pursuant to Government Code Section 65962.5. The nearest school is Jackson Academy of Math and Music in Morgan Hill, which is approximately 1/2 mile from the project site. The project site is located within the Cal Fire State Responsibility area, with Cal Fire SRA Hazard Class ratings of High (91.6%), Moderate (8.3%). The project site is not located within an airport land use referral area. The nearest airport is located in San Martin, approximately 4 miles away.

**DISCUSSION:**

a-e)

**No Impact.** The proposed project is subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel. The project would not involve routine transport, use, or disposal of hazardous materials or create an upset hazard. The project site is not within 1/4 of a school or located on a site where hazardous materials have been identified. The site is not located within an airport land use plan referral area. The nearest airport is located in San Martin, approximately 4 miles away.

f-g)

**Less Than Significant Impact.** The proposed project is subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel. The project site is located along a private driveway that extends from Shafer Avenue, a County-maintained road. Shafer Road intersects Hill Road, which is also a County-maintained road. The private driveway is 20-feet wide and includes a 50-foot wide turnaround just below the right-hand branch to the subject parcel, as shown on Figure 3. Development of a future residence would also require a 40-foot fire truck turnaround per conditions of approval from the Fire Marshal’s Office. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Because the project site is in a Cal Fire State Responsibility Area, future construction of a residence would be subject to wildland building codes (CBC Chapter 7A), including requirements for defensible space and fire resistant construction. These requirements would ensure that the project would not expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.

**MITIGATION:**

None required.

J. HYDROLOGY AND WATER QUALITY					
Would the project:	IMPACT				SOURCE
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	34, 36
b) Substantially decrease groundwater supplies or interfere substantially with	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 4

	groundwater recharge such that the project may impede sustainable groundwater management of the basin?					
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17n,
i)	Result in substantial erosion or siltation on- or off-site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17p
II)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 36, 21a
III)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
IV)	Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17p, 18b, 18d
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 18b, 18d
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 4, 17p

**SETTING:**

From the southwestern edge of the parcel, the project site slopes upward to the northeast, with elevations above mean sea level (MSL) ranging from 400 to 800 feet. The nearest water way to the project is a drainage along Hill Road, approximately 1,400 feet southwest of the project site. The project site is not located within a flood hazard zone.

**DISCUSSION:**

a-e)

**Less Than Significant Impact.** The proposed project is subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel. Grading is proposed to realign the existing driveway. As a condition of approval, issuance of the grading permit would be required prior to Land Development Engineering (LDE) Division clearance of the issuance of the final map. Review of the grading permit application would include LDE review by the of an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period. The Erosion and Sediment Control Plan would prevent substantial erosion or siltation on- or off-site. LDE would also review site development drainage plans to ensure that development would not increase the downstream peak flow for the 10-year and 100-year storm event or cause a hazard or public nuisance. This permit process would prevent the development from causing on- or off-site erosion, increasing the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or otherwise violating water quality standards for stormwater runoff. The project site is not located in a flood hazard, tsunami, or seiche zones. The potential construction of a new well for a future residence would not affect ground water levels to the extent it would obstruct implementation of a sustainable groundwater management plan.

**MITIGATION:**

None required.

K. LAND USE					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 4
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8a, 9, 18a

**SETTING:**

The project site is located in an area of rural residences and agricultural uses. The zoning is A-20Ac, and the General Plan designation is Agriculture Medium Scale.

**DISCUSSION:**

a) **No Impact.** The proposed project is subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel. Such a development would not physically divide an established community.

b) **Less Than Significant Impact.** The proposed parcel map meets the minimum lot size requirement for the zoning district, and single family residential is an allowed use. The proposed subdivision, grading, and potential development of a future residence would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Environmental effects of the proposed project are evaluated in other sections.

**MITIGATION:**

None required.

L. MINERAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 44
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 8a

**SETTING:**

The project site is located in a rural residential area with agricultural uses. It is not located an area identified as having locally important mineral resources.

**DISCUSSION:**

a-b)

**No Impact.** The project site is not located in an area of known mineral resources. Development of a future residence would not result in a loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

**MITIGATION:**

None required.

M. NOISE					
WOULD THE PROJECT RESULT IN:	IMPACTS				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8a, 13, 22a, 45
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13, 45
c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 5, 22a

**SETTING:**

The project site is located in a rural residential and agricultural area. It is not located within an airport land use referral area. The nearest airport is located in San Martin, approximately 4 miles away.

**DISCUSSION:**

c)

**No Impact.** The project is not located within the vicinity of a private airstrip or public airport. Hence, there would be no impact.

a-b)

**Less Than Significant Impact.** Development of a future residence would not generate permanent noise levels that exceed existing ambient noise levels or standards of the Santa Clara County Noise Ordinance. The noise levels created during grading and construction could create a temporary disturbance to neighboring properties. The project would be required to conform to the County Noise Ordinance (Section BII-I92), which sets maximum exterior noise levels for land use categories. Compliance with these specifications would ensure that the neighboring properties are not adversely affected. The impact would be less than significant.

**MITIGATION:**

None required.

N. POPULATION AND HOUSING					
	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
<b>WOULD THE PROJECT:</b>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4

**SETTING:**

The project site is located in a rural residential area of Santa Clara County, the population of which was estimated to be 1,928,000 in 2019, which includes 15 cities and unincorporated areas. The population of the unincorporated areas is approximately 96,000.

**DISCUSSION:**

a-b)

**Less Than Significant Impact.** Development of future single-family residences with an allowed accessory dwelling unit would not induce substantial population growth or displace existing housing or people as defined under CEQA.

**MITIGATION:**

None required.

O. PUBLIC SERVICES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 17h
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5

**SETTING:**

The project site is located in a rural residential area, outside of the urban service area of the City of Morgan Hill. Fire protection would be provided by Cal Fire. Police protection is provided by the Santa Clara County Sheriff's Office. The nearest school is Jackson Academy of Math and Music in Morgan Hill. Several parks are located in Morgan Hill to the southwest.

**DISCUSSION:**

a) **Less Than Significant Impact.** The proposed project is subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel. Available public services would not require expansion or alteration that result in substantial adverse physical impacts in order to service one additional single family residence.

**MITIGATION:**

None required.

P. RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17h
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

**SETTING:**

Several parks are located in Morgan Hill to the southwest. Anderson Lake is located approximately one (1) mile to the northeast.

**DISCUSSION:**

a-b)

**Less Than Significant Impact.** The proposed project is subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel. The construction of an additional residence would not increase use of recreation facilities to the extent that substantial physical deterioration would occur or require the construction or expansion of new recreational facilities that might have an adverse physical effect on the environment.

**MITIGATION:**

None required.

Q. TRANSPORTATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 4, 5, 6, 7, 49, 52
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? <sup>2</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 49, 50, 52
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 5, 6,7, 52
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 48, 52

**SETTING:**

Access to the project site is via Shafer Avenue, with the nearest major intersection at Hill Road.

**Vehicle Miles Traveled (VMT)**

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that “promote the reduction of GHG emissions, the development of multi-modal transportation networks, and a diversity of land uses.” Specifically, SB 743 directed the Governor’s Office of Planning and Research to update the CEQA Guidelines to replace automobile delay—as described solely by Level of Service or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts. The Office of

<sup>2</sup> The provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide. The County of Santa Clara has elected not to be governed by the provisions of this section until they become effective statewide on July 1, 2020.

Planning and Research has updated the CEQA Guidelines for this purpose by adding a new section 15064.3 to the Guidelines, which became effective statewide July 1, 2020. CEQA Guidelines section 15064.3, subdivision (b), establishes criteria for evaluating a project’s transportation impacts under CEQA. The lead agency has discretion to choose the most appropriate methodology to evaluate VMT.

**DISCUSSION:**

**a-d)**

**Less Than Significant.** The proposed project is the subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel. The future residence on Parcel A would access the County-maintained Shafer Road through an existing easement at the end of Shafer Road, with no changes to public right-of-way proposed.

The Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA<sup>3</sup> recommends a method for screening out small projects that would be presumed to have less-than-significant VMT impacts. The method uses a daily trip rate as a screening level threshold based on the Class 1 and 3 Categorical Exemptions (Sections 15301 and 15303 of the CEQA Guidelines). For rural areas, this daily trip rate screening level would be 27.<sup>4</sup> The project is a 2-lot residential subdivision in a rural area. However, approval would only enable one net new single-family residence because the existing residence would remain. The daily trip rate for a single-family residence provided by the Institute of Transportation Engineers (ITE) is 9.57.<sup>5</sup> This would be below the screening level of 27. Therefore, the proposed project would not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

**MITIGATION:**

None required.

R. TRIBAL CULTURAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					

<sup>3</sup>Office of Planning and Research. December 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA.

<sup>4</sup>According to OPR’s analysis, typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact. However, the 10,000 square-foot limit examples in the Class 1 and 3 applies to urban areas. Outside of urban areas, the example limit is 2,500 square feet, which would yield a trip rate of 27, which is the rate that would be considered not to lead to a significant VMT impact.

<sup>5</sup>ITE Trip Generation, 10th Edition, 2018.

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SETTING:**

Under an update to CEQA through state legislation know as AB 52, lead agencies must consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. Section 21084.2 of the Public Resources Code also specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.

**DISCUSSION:**

a) **Less Than Significant.** No tribe has requested that the County notify it when development applications in the unincorporated areas of the County are submitted and undergo CEQA review, which is the required precursor for consultation under AB 52. There are no resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources on the project site or in the vicinity. Mitigation measures are included under Section E, “Cultural Resources” that require archaeological monitoring due to potential for archaeological resources; and appropriate response if human remains or other potential archaeological resources are uncovered during project construction. Therefore, impacts related to the implementation of the project would be less than significant with respect to Tribal Cultural Resources.

**MITIGATION:**

None required.

S. UTILITIES AND SERVICE SYSTEMS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,6,70

which could cause significant environmental effects?

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 6,24b
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3,6,70
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5,6
e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,5, 6

**SETTING:**

The project site is located within PG&E's service area. The project site has no access to public water or wastewater utilities.

**DISCUSSION:**

a-e)

**Less Than Significant Impact.** Electricity and gas would be provided by PG&E. The existing residence has a well and septic system. Development of a future residence would require either a new well or an arrangement to share the existing well. The future residence would require its own on-site wastewater treatment system. The County Department of Environmental Health has reviewed soil and percolation tests submitted by the applicant and determined that a septic system is feasible in the area identified for a future residence. Stormwater would be retained on site. Therefore, no expansion of utilities would be required. Construction wastes associated with demolition of the existing residence and construction of a new residence would be minor and would not exceed the capacity of existing solid waste disposal facilities.

**MITIGATION:**

None required.

T. WILDFIRE					
	IMPACT				SOURCE
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 44
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6,8a

wildfire?					
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17h
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

**SETTING:**

The project site is located within the Cal Fire State Responsibility area, with Cal Fire SRA Hazard Class ratings of High (91.6%), Moderate (8.3%). The project site is not located within an airport land use referral area. The parcel is relatively flat in the southwestern portion, but the slope increases in the northeastern direction.

**DISCUSSION:**

a-d)

**Less Than Significant Impact.** The proposed project is the subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel (Parcel A). No changes are proposed to the existing public right-of-way on Shafer Avenue, and development of a future residence would not affect use of the public right-of-way that may be used for emergency response. As shown on Figure 3, a feasible location for a residence is shown in the southwest portion of Parcel A, which is relatively flat land that is partially developed and used for grazing. Because the project site is in a Cal Fire State Responsibility Area, future construction of a residence would be subject to wildland building codes (CBC Chapter 7A), including requirements for defensible space and fire resistant construction. These requirements would ensure that the project would not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

**MITIGATION:**

None required.

U. MANDATORY FINDING OF SIGNIFICANCE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES		NO		
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 to 52

b)	Have impacts that are individually limited, but cumulatively considerable (“Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 to 52
c)	Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 to 52

**DISCUSSION:**

a) **Less Than Significant Impact.** As discussed in the Biological Resources section, impacts of the proposed project on special status species or habitat would either be less than significant. The proposed project would not have the potential to substantially reduce the habitat of any fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of, or restrict the range of, a rare or endangered plant or animal (i.e., Bay checkerspot butterfly) or eliminate important examples of the major periods of California history or prehistory.

b) **Less-Than-Significant Impact.** No past, current, or probable future projects were identified in the project vicinity that, when added to project-related impacts, would result in cumulatively considerable impacts. As discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant. The incremental effects of the proposed project are not cumulatively considerable or significant when viewed in context of the past, current, and/or probable future projects. Therefore, cumulative impacts would be less-than-significant.

c) **No Impact.** The proposed project is a 2-lot subdivision with potential future development of one single family residence. As described in the environmental topic sections of this Initial Study, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

## Initial Study Source List\*

1. Environmental Information Form  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss\\_Form.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf)
2. Field Inspection
3. Project Plans
4. Working knowledge of site and conditions
5. Experience with other Projects of This Size and Nature
6. County Expert Sources:
  - Geologist  
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GeoHazards/Pages/Geology.aspx>
  - Fire Marshal  
<https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx>
  - Roads & Airports  
<https://www.sccgov.org/sites/rda/Pages/rda.aspx>
  - Environmental Health  
<https://www.sccgov.org/sites/deh/Pages/deh.aspx>
  - Land Development Engineering  
<https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx>
  - Parks & Recreation  
<https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx>
  - Zoning Administration,  
Comprehensive Planning,  
Architectural & Site Approval Committee  
Secretary
7. Agency Sources:
  - Santa Clara Valley Water District  
<https://www.valleywater.org/>
  - Santa Clara Valley Transportation Authority  
<http://www.vta.org/>
  - Midpeninsula Regional Open Space District  
<https://openspace.org/>
  - U.S. Fish & Wildlife Service  
<https://www.fws.gov/>
  - CA Dept. of Fish & Game  
<https://www.wildlife.ca.gov/>
  - Caltrans  
<https://dot.ca.gov/>
  - U.S. Army Corps of Engineers  
<https://www.usace.army.mil/>
  - Regional Water Quality Control Board  
<https://www.waterboards.ca.gov/>
  - Public Works Depts. of individual cities
8. Planning Depts. of individual cities:
  - Santa Clara County (SCC) General Plan  
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GP/Pages/GP.aspx>
  - The South County Joint Area Plan  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP\\_Book\\_B.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf)
9. SCC Zoning Regulations (Ordinance)  
<https://www.sccgov.org/sites/dpd/DocsForms/Documents/ZonOrd.pdf>
10. County Grading Ordinance  
[https://library.municode.com/ca/santa\\_clara\\_county/codes/code\\_of\\_ordinances?nodeId=TITCCODELAUS\\_DIVC12SULADE\\_CHIIIGRDR#TOPTITLE](https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE)
11. SCC Guidelines for Architecture and Site Approval  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA\\_Guidelines.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA_Guidelines.pdf)
12. SCC Development Guidelines for Design Review  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR\\_Guidelines.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR_Guidelines.pdf)
13. County Standards and Policies Manual (Vol. I - Land Development)  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual\\_Vol1.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf)
14. Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]  
[http://digitalassets.lib.berkeley.edu/ubc/UBC\\_1994\\_v2.pdf](http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf)
15. SCC Land Use Database
16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
17. GIS Database
  - a. SCC General Plan Land Use, and Zoning
  - b. USFWS Critical Habitat & Riparian Habitat
  - c. Geologic Hazards
  - d. Archaeological Resources
  - e. Water Resources
  - f. Viewshed and Scenic Roads
  - g. Fire Hazard
  - h. Parks, Public Open Space, and Trails
  - i. Heritage Resources - Trees
  - j. Topography, Contours, Average Slope
  - k. Soils
  - l. HCP Data (habitat models, land use coverage etc)
  - m. Air photos
  - n. USGS Topographic
  - o. Dept. of Fish & Game, Natural Diversity Data
  - p. FEMA Flood Zones
  - q. Williamson Act
  - r. Farmland monitoring program
  - s. Traffic Analysis Zones
  - t. Base Map Overlays & Textual Reports (GIS)
18. Paper Maps
  - a. SCC Zoning
  - b. Barclay's Santa Clara County Locaide Street Atlas
  - c. Color Air Photos (MPSI)
  - d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding

## Initial Study Source List\*

- e. Soils Overlay Air Photos
- f. "Future Width Line" map set

19. 2019 CEQA Statute Guidelines [Current Edition]  
[http://resources.ca.gov/ceqa/docs/2019\\_CEQA\\_Statutes\\_and\\_Guidelines.pdf](http://resources.ca.gov/ceqa/docs/2019_CEQA_Statutes_and_Guidelines.pdf)

Area Specific: San Martin, Stanford, and Other Areas

San Martin

20a. San Martin Integrated Design Guidelines  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin\\_DesignGuidelines.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_DesignGuidelines.pdf)

20b. San Martin Water Quality Study

20c. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford

21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)  
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

21b. Stanford Protocol and Land Use Policy Agreement  
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

Other Areas

22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport comprehensive Land Use Plan [November 19, 2008]

22b. Los Gatos Hillside Specific Area Plan  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP\\_Book\\_B.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf)

22c. County Lexington Basin Ordinance Relating to Sewage Disposal

22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006.  
<https://www.valleywater.org/contractors/doing-business-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams>

22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.

22f. Monterey Highway Use Permit Area  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin\\_GeneralPlanInformation.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_GeneralPlanInformation.pdf)

Soils

23. USDA, SCS, "Soils of Santa Clara County

24. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Agricultural Resources/Open Space

25. Right to Farm Ordinance

26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"  
<https://www.conservation.ca.gov/dlrp/Documents/TOC%20and%20Intro.pdf>

27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

28. Williamson Act Ordinance and Guidelines (current version)  
<https://www.sccgov.org/sites/dpd/Programs/WA/Pages/WA.aspx>

Air Quality

29. BAAQMD Clean Air Plan  
<http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a-proposed-final-cap-vol-1-pdf.pdf?la=en>

30. BAAQMD CEQA Air Quality Guidelines (2017)-  
[http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en)

31. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

Biological Resources/  
Water Quality & Hydrological Resources/  
Utilities & Service Systems"

32. Site-Specific Biological Report

33. Santa Clara County Tree Preservation Ordinance  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree\\_Ordinance.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf)

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands\\_Guide.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands_Guide.pdf)

# Initial Study Source List\*

Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure\\_TreePreservation.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure_TreePreservation.pdf)

33. Clean Water Act, Section 404  
<https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404>
34. Santa Clara Valley Water District – GIS Data:  
<https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley>
35. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
36. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
37. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
38. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
39. County Environmental Health Department Tests and Reports

## Archaeological Resources

40. Northwest Information Center, Sonoma State University
41. Site Specific Archaeological Reconnaissance Report

## Geological Resources

42. Site Specific Geologic Report
43. State Department of Mines and Geology, Special Report #42
44. State Department of Mines and Geology, Special Report #146

## Greenhouse Gas Emissions

45. BAAQMD CEQA Air Quality Guidelines (2017)-  
[http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en)

## Hazards & Hazardous Materials

46. Section 21151.4 of California Public Resources Code
47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List
48. County Office of Emergency Services Emergency Response Plan [1994 version]

## Noise

49. County Noise Ordinance  
[https://www.sccgov.org/sites/cpd/programs/NP/DOcuments/NP\\_Noise\\_Ordinance.pdf](https://www.sccgov.org/sites/cpd/programs/NP/DOcuments/NP_Noise_Ordinance.pdf)

## Transportation/Traffic

50. Official County Road Book
51. Site-specific Traffic Impact Analysis Report

## Tribal Cultural Resources

52. Office of Planning and Research. 2017. Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA

## Wildfire

53. Office of Planning and Research. 2020. Fire Hazard Planning Technical Advisory

---

**\*Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.**

---