



May 6, 2022

Apex Bait  
c/o Amanda Musy-Verdel  
Hannah-Brunetti  
7651 Egleberry St  
Gilroy, CA 95020  
E-mail: [amanda@hannabrunetti.com](mailto:amanda@hannabrunetti.com)

HB responses in RED below -  
AMV

**\*\*Sent via email \*\***

**FILE NUMBER:** PLN21- 222  
**SUBJECT:** Additional Information and Issues of Concern - Architecture and Site Approval (ASA) and Grading Approval for Agricultural Research, a new SFR and ADU.  
**SITE LOCATION:** Burnett Ave, Morgan Hill, CA 95037 (APN: 728-38-001)

Dear Ms. Musy-Verdel:

Staff has reviewed the submittal that was received on April 7, 2022 and would like to provide additional information related to the project.

The items provided below are not incomplete items and are not required to deem the application complete for processing. The following additional information is required to be able to approve the project:

1. Per the California Environmental Quality Act (CEQA); an Environmental Assessment would be required for the proposed project. An Archeology Report is required to evaluate potential environmental impacts. The proposed project was reviewed by the Northwest Information Centre (NWIC). Per NWIC's comments (Attachment A), proposed project area has the possibility of containing unrecorded archaeological site(s). A study by a qualified professional archaeologist is recommended prior to commencement of project activities.  
**Submitted 6/13/22**
2. The proposed project was reviewed by Santa Clara County Parks and Recreation Department (County Parks Department) charged with the planning and implementation of the Santa Clara County Countywide Trails Master Plan Update (Countywide Trails Plan). The Countywide Trails Plan indicates that several trail routes and the Coyote Creek Parkway are in vicinity of the Project site. The County Parks Department has recommended that the Coyote Creek Parkway and trail routes (Juan Bautista de Anza National Historic Trail, Bay Area Ridge Trail, Coyote Creek/Llagas Creek Sub-Regional Trail, and Willow Springs Bikeway

Connector Trail) be labelled in any future documents related to this Project. Please see Attachment B for County Parks Department review comments.

**Noted trail on site plan**

3. The proposed project was reviewed by Valley Water and referral comments are below:

- a. The site is adjacent to Cochran Channel, a tributary to Coyote Creek. The plans should show the top of bank of Cochran Channel. The leach field and septic tanks should be setback a minimum of 100 feet from the top of bank of Cochran Channel.

**Added top of bank, which is offsite**

- b. The plans show a proposed well. The applicant will need to apply for and obtain a Well Construction Permit from Valley Water. Information and applications may be found on our website at: <https://www.valleywater.org/contractors/doing-businesses-with-the-district/wells-and-well-owners>.

**received well permit from Valley Water**

- c. The plans show a 100-foot building setback from the property line. It is not clear if this is the 100-foot riparian buffer setback from modified creeks (Cochran Channel) or a different buffer requirement. This should be clarified.

**Site back on site is 100 ft from PL, the creeks is off site so the set back would be more than 100 ft to any development**

- d. The site drainage is not clear in all areas. There should be no drainage from the site directed overbank into Cochran Channel. The applicant should clarify the proposed drainage pattern and discharge points.

**The grading plan shows the development drains toward Vista De Lomas**

For questions regarding this letter, please call me at (408) 299-5740 to discuss by telephone or to schedule an appointment to do so.

Sincerely,

Sincerely,

*Charu Ahluwalia*

Charu Ahluwalia  
Associate Planner

cc: Michael Meehan, Principal Planner

Attachments:

- Attachment A – NWIC Review Comments
- Attachment B – County Parks Department Review Comments

CALIFORNIA  
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SAN MATEO  
SANTA CLARA  
SANTA CRUZ  
SOLANO  
SONOMA  
YOLO

**Northwest Information Center**  
Sonoma State University  
1400 Valley House Drive, Suite 210  
Rohnert Park, California 94928-3609  
Tel: 707.588.8455  
nwwic@sonoma.edu  
<https://nwwic.sonoma.edu>

April 21, 2022

File No.: 21-1697

Charu Ahluwalia, Associate Planner  
County of Santa Clara  
Department of Planning and Development  
70 West Hedding Street  
San Jose, CA 95110-1705

re: PLN21-222 / APN 728-38-001 at Burnett & Vista De Lomas Ave, Morgan Hill / Apex Bait Technologies, INC

Dear Charu Ahluwalia,

Records at this office were reviewed to determine if this project could adversely affect cultural resources.

**Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

**Project Description:**

The proposed project is to provide an agricultural research facility to study agricultural pests to develop organic methods of pest control. The site will be for research with agricultural crops and greenhouses to support the research and harvest for sale. The Apex Bait site is generally located at the southeast corner of Burnett Ave and Vista De Lomas Ave, Morgan Hill (APN 728- 38-001). The 10.65 acre site is currently located outside the Urban Service Area, has a general plan designation of Large Scale Agriculture, with zoning of A-40AC-SR. The use is allowed due to the facility being Agricultural Research which is allowed in the general plan and zoning with a Use Permit. The site layout took great care to create agriculture portion of the property and provide privacy to the neighbors.

**Previous Studies:**

XX This office has no record of any previous cultural resource studies for the proposed project area (see *recommendation below*).

**Archaeological and Native American Resources Recommendations:**

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study by a qualified professional archaeologist is recommended prior to commencement of project activities.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

     The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

**Built Environment Recommendations:**

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,



Bryan Much  
Coordinator

# County of Santa Clara

## Parks and Recreation Department

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

[www.parkhere.org](http://www.parkhere.org)



April 21, 2022

County of Santa Clara  
Department of Planning and Development  
Attn: Charu Ahluwalia  
70 W. Hedding Street, 7<sup>th</sup> Floor East Wing  
San Jose, CA 95110

SUBJECT: ASA and Grading Approval Application- Apex Bait Agriculture Facility (PLN21-222)

Dear Charu Ahluwalia,

The Santa Clara County Parks and Recreation Department (County Parks Department) has received the ASA and Grading Approval Application- Apex Bait Agriculture Facility (PLN21-222) (Project) located at the Burnett Avenue and Vista de Lomas intersection in unincorporated Morgan Hill.

The County Parks Department functions to provide a sustainable system of diverse regional parks, trails, and open spaces that connects people with the natural environment and supports healthy lifestyles while balancing recreation opportunities with natural, cultural, historic, and scenic resource protection. The County Parks Department is also charged with the planning and implementation of 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). The Countywide Trails Plan indicates the following trail routes in the Project site vicinity:

*Juan Bautista de Anza National Historic Trail (R1):* an off-road trail for hiking, bicycling, and equestrian use, extending from the San Benito County line through Santa Clara Valley to the San Mateo County line.

*Bay Area Ridge Trail (R5):* an off-road trail for hiking, bicycling, and equestrian use, that follows the ridges and mountains that circle the San Francisco Bay Area.

*Coyote Creek/Llagas Creek Sub-Regional Trail (S5):* an off-road trail for hiking, bicycling, and equestrian use, following Coyote Creek and Llagas Creek from the Alameda County line to the San Benito County line.

*Willow Springs Bikeway Connector Trail (C24):* an on-street bicycle route connecting Coyote Creek County Park with Chesbro Reservoir.

The County Parks Department also indicates the Coyote Creek Parkway is in the Project site vicinity directly across Burnett Avenue and has a developed shared trail route featured in the Countywide Trails

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County Executive: Jeffrey V. Smith



Plan, including the Juan Bautista de Anza National Historic Trail, Bay Area Ridge Trail, and Coyote Creek/Llagas Creek Sub-Regional Trail (known publicly as the Coyote Creek Trail). A proposed segment of a shared trail route from the Countywide Trails Plan includes an off-road Juan Bautista de Anza National Historic Trail and Coyote Creek/Llagas Creek Sub-Regional Trail, located along Burnett Avenue on the northern border of the Project site, as well as an adjacent parcel owned by Santa Clara Valley Water District on the south-west boundary of the Project site. The Willow Springs Bikeway Connector Trail is proposed along Burnett Avenue within the road right-of-way.

The County Parks Department recommends that the Coyote Creek Parkway, Juan Bautista de Anza National Historic Trail, Bay Area Ridge Trail, Coyote Creek/Llagas Creek Sub-Regional Trail, and Willow Springs Bikeway Connector Trail be labelled in any future documents related to this Project.

The Project should incorporate appropriate design guidelines to support public use and open space experience and minimize any impacts to nearby Coyote Creek Parkway and developed Coyote Creek Trail, in addition to future construction of the proposed trail routes featured in the Countywide Trails Plan directly adjacent to the Project site. Any upcoming CEQA analysis should address the potential impacts related to Coyote Creek Parkway and the four Countywide Trails Plan routes in the Project vicinity during construction and post-construction, including but not limited to the following: aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, public services, recreation, and transportation.

Thank you for the opportunity to comment on the Apex Bait Agriculture Facility (PLN21-222) Project. If you have any questions, please feel free to email me at [Kelly.Gibson@prk.sccgov.org](mailto:Kelly.Gibson@prk.sccgov.org)

Sincerely,

*Kelly Gibson*

Kelly Gibson

Associate Planner



Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S.Joseph Simitian

County Executive: Jeffrey V. Smith