

**Diana Avenue – Mana Residential Development Project
Initial Study/Mitigated Negative Declaration**

**Errata Sheet
November 15, 2019**

This errata sheet presents, in ~~strike-through~~ and double-underline format, the revisions to the Initial Study/Mitigated Negative Declaration (IS/MND) for the Diana Avenue – Mana Residential Development Project (proposed project). The revisions to the IS/MND reflected in this errata sheet do not affect the adequacy of the previous environmental analysis contained in the IS/MND. Because the changes presented below would not result in any new significant impacts or a substantial increase in the severity of an environmental impact identified in the IS/MND, recirculation of the IS/MND is not required.

Text Changes to the Initial Study (IS)

The “Project Description/Existing Setting” on page 1 of the IS indicates that there are two homes on the project site. However, the City’s Residential Development Control System (RDCS) process, which is Morgan Hill’s voter-approved growth management system that limits the total amount and pace of new residential construction, only credited the project with one existing home for the project site. Further, examination of the records of Santa Clara County’s Assessor’s Office also indicate that there is only one house on the subject parcel. Consequently, the IS identification of existing residential uses on the project site occurring on pages 1, 5, 13, 37, 47, and 54 is changed to show that only one residence is located on the project site. The proposed text changes to the IS text has no bearing on the conclusions of the IS regarding the number or extent of environmental impacts resulting from the proposed project, nor affects the required mitigation measures identified in the IS.

The following text changes are required on the above-listed IS pages:

Page 1:

Paragraph 1

“Existing Setting. *The 4.84-acre project site is located immediately north of the intersection of Diana Avenue and Lotus Way within an urbanized portion of Morgan Hill. **Figure 1** shows the location of the project site. The subject property consists of two parcels (APNs 726-09-001 and 726-09-002) that have been historically used for agricultural purposes. The southern portion of the property has been improved with ~~two homes~~ one home, four sheds, a concrete-paved parking pad, two gravel driveways and associated gravel parking areas. A significant portion of the site has remained undeveloped.”*

Paragraph 3

“Regional access to the project site is available from U.S. Highway 101, East Dunne Avenue, Butterfield Boulevard, and Diana Avenue. Diana Avenue adjoins the project site and provides local access to the property. Access to the site is available from two driveways that serve the ~~two~~ one home on the subject property. Residential uses generally surround the project site with homes fronting on Diana Avenue, Lotus Way, Weichert Drive, Belletto Drive, Serene Drive, and Carriage Lamp Way.

Page 5:

“Proposed Residential Development. *The project applicant is requesting approval for the following on the 4.84-acre site (APNs 726-09-001 and 726-09-002):*

- *Demolition of ~~two~~ one residential units and associated outbuildings;”*

Page 13:

“1a. Scenic Vistas

The project site consists of 4.84 acres of relatively level land north of the intersection of Diana Avenue and Lotus Way within an urbanized portion of Morgan Hill. The southern portion of the property has been improved with ~~two~~ one homes.”

Page 37:

“Site History and Description. *The project site is comprised of two parcels. There are ~~two~~ one homes and various outbuildings located on the property. Normal household chemicals were observed within the...”*

Page 47, Column 2, Project Consistency:

“Consistent. The proposed project is consistent with the City’s objective of providing a variety and mix of housing types with an emphasis on encouraging single-family development in the community. The project also promotes the rehabilitation of single-family neighborhoods through the replacement of existing substandard housing with housing constructed to current building codes. The 24 new residential units would replace ~~two~~ one homes presently occupying the site. The 24 proposed residences include both one- and two-story residences in one of four various plan types.”

Page 54:

“13b, 13c. Displacement of Housing or Residents

The subject property contains an open, fallow grass field on 93 percent of the site and ~~two~~ one homes. The displacement of the ~~two~~ one homes as a result of project development would be offset by the development of 24 new single-family detached

dwellings. The proposed project would provide 22 additional residential units on the project site to serve the community's future housing needs."

Text Changes to the Mitigated Negative Declaration (MND)

The preparation of the City's environmental documentation generally does not include standard measures in the Mitigated Negative Declaration as they are not mitigation measures. In order to avoid confusion, the project's standard measures can be found in the Conditions of Approval as "Attachment A" to the Tentative Subdivision Resolution (Resolution 19-19) for the project.

On page 1 of the MND, the header is changed as follows:

"COMMUNITY DEVELOPMENT SERVICES DEPARTMENT, PLANNING DIVISION

**17575 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov"**

The MND text would include changes in the Project Description as reflected in the revisions listed for the IS above.

"Project Description: The project applicant is requesting approval for the following on the 4.84-acre site (APNs 726-09-001 and 726-09-002):

- Demolition of ~~two~~ one residences and associated outbuildings;"

On page 5, the text is revised as follows:

~~**"SM BIO-1: Tree Replacement.** Pursuant to the Morgan Hill Municipal Code, replacement planting is required at a one-to-one (1:1) ratio, subject to the approval of the Community Development Services Director.~~

~~**SM BIO-2: Tree Protection Plan.** Prior to site preparation for project construction, the arborist's report recommends the implementation of a detailed Tree Protection Plan for the project."~~

On pages 5-6, the Cultural Resources SM is revised as follows:

~~"C. Cultural Resources~~

~~The following standard measures will reduce potential impacts from site preparation and construction grading on unknown cultural resources that could occur on the project site.~~

~~**SM CUL-1:** The proposed project would be subject to the provisions of City of Morgan Hill Municipal Code Section 18.60.090. This section requires that if a project is located within or adjacent to a known archaeological site, the CEQA review shall consider~~

~~potentially significant impacts on archaeological resources. If appropriate, mitigation measures shall be included, in addition to the standard conditions identified in subsection B of Section 18.60.090. Subsection B stipulates that if the project is not located within or adjacent to a known archaeological site, then the project applicant has the option to complete an archaeological survey of the property to determine the appropriate mitigation to be used as conditions of project approval or comply with the Standard Conditions of Approval which shall conclusively reduce potentially significant impacts to less than significant level.~~

A Noise Assessment Study prepared as part of the IS for the proposed project also identified SM that would be required for the proposed project to preclude or minimize the noise effects potentially generated by project development; there were no noise-related MM required for the proposed residential development, as the project's potential noise impacts would not be considered significant with the application of the required SM."

Page 6 of the MND is changed as follows:

~~"D. — Geology and Soils~~

~~The project site, like other surrounding developed areas in Morgan Hill, will be subject to very strong ground shaking from future strong earthquakes in the site vicinity.~~

~~SM GEO-1: Conformance with the 2019 California Building Standards Code (CBSC) along with site-specific seismic design parameters specified in the geotechnical report required by the City will be adequate to reduce potentially significant groundshaking hazards to less than significant.~~

~~SM GEO-2: As a Standard Condition of Approval, the project applicant would be required to implement an erosion control plan. The proposed erosion control measures would include use of fiber rolls or silt fences along the perimeter of all proposed private drives, installation of a sediment barrier at the site's principal storm drain inlet, provision of gravel bag check dams on the proposed public street, and hydroseeding of designated areas.~~

~~SM GEO-3: As a Standard Condition of Approval, the project applicant is required to prepare a geotechnical engineering report, which includes soil classifications and foundation design recommendations in conformance with the CBSC. The geotechnical investigation was completed in response to this requirement and recommends use of post-tensioned slab-on-grade foundations to minimize the adverse effects of expansive soils."~~

Pages 7-8 of the MND is changed as follows:

~~“SM HYD-1: In order to be consistent with the City’s requirements for storm runoff control, the proposed project design would need to include the development of a storm water detention basin or other drainage control structures on the subject property. The storm drainage facilities proposed for the project would need to be consistent with provisions the City’s Storm Drainage System Master Plan and the stormwater-related conditions of project approval. The incorporation of the Stormwater Conditions for construction activities, post-construction operation of the project, and LID would reduce the potentially significant impacts of the project on stormwater quality to less than significant levels.~~

G. — Land Use

~~The proposed zoning for the project site includes a Planned Development (PD) Combining District. The purpose of the Planned Development (PD) combining district is to allow for high quality development that deviates from standards and regulations applicable to base zoning districts in Morgan Hill.~~

~~SM LUP-1:—The review and approval of the PD Combining District is subject to the provisions of Chapter 18.30.050 of the City of Morgan Hill Municipal Code.~~

H. — Tribal Cultural Resources

~~SM TCR-1:—The City will require monitoring of ground-disturbing activities for archaeological resources and the reporting of appropriate treatment and disposition of such resources that may be uncovered. In the event that undocumented human remains or unknown significant historic or archaeological resources are discovered, subsection B.2. in Section 18.75.110 provides a specific protocol for the treatment of the uncovered human remains and/or resources. The protocol entails the process of identifying the human remains and the contact of appropriate parties such as the Native American Heritage Commission (NAHC) and the NAHC-designated Tribe to determine Most Likely Descendant for further consultation on the disposition of the remains. As noted in the City’s ordinance, the completion of the standard conditions of approval would reduce potentially significant impacts on archaeological resources to a less than significant level.”~~

Page 8 is changed as follows:

“III. FINDING

The City of Morgan Hill Community and Economic Development Services Director hereby finds that the...

Jennifer Carman
Community Development Services Director

Date: _____”

Text Changes to the Mitigation Monitoring and Reporting Program (MMRP)

The cover page is corrected as follows:

“Prepared for the:



Community Development Services Department
17575 Peak Avenue
Morgan Hill, CA 95037
408.778.6480”

The Table of Contents, page i, is corrected as follows:

“TABLE OF CONTENTS

	Page
Mitigation Monitoring and Reporting Program.....	1
Introduction.....	1
Summary of Mitigation Measures.....	2
Mitigation Measures.....	4
Air Quality.....	64
Biological Resources.....	64
Hazards and Hazardous Materials.....	96
Hydrology and Water Quality.....	117
Noise.....	12
<u>Finding</u>	<u>8”</u>

Page 1 is corrected as follows:

“Contact Information:

City of Morgan Hill
~~Community Planning Development Services~~ Department
17575 Peak Avenue
Morgan Hill, CA 95037
408.778.6480”

In addition, as with the MND, all references in Table 1 and on page 10 of the MMRP to the “Community Development Department” are changed to reflect the Department’s current name, “Development Services Department.”

On page 2, in Table 1 of the MMRP, the following text changes are required:

“BIO-1: A qualified biologist ~~should~~ shall conduct a pre-construction survey for suitable bat roosting...”

On page 2, in Table 1 of the MMRP, the following text changes are required:

“HYD-1: The project sponsor shall determine the location of the site’s water well, if present, prior to the start of project construction. The project sponsor shall retain a licensed well driller to destruct or abandon the former irrigation well at the project site in accordance with the standards specified in Santa Clara Valley Water District Ordinance 90-1, Santa Clara County Environmental Health Department, and the California Water Well Standards.

~~City of Morgan Hill Community Development Services Department and City of Morgan Hill Public Works Department”~~

On page 3, in Table 1 of the MMRP, the following text changes are required:

~~“HYD-1: The applicant shall retain a licensed well driller to destroy or abandon the water well at the project site in accordance with the standards specified in Santa Clara Valley Water District Ordinance 90-1 and the California Water Well Standards developed by the California Department of Water Resources. Documentation of appropriate disposal shall be submitted to the City of Morgan Hill Building Inspection Department prior to issuance of a demolition permit.
(http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html).”~~

On pages 6-8, the following text changes are also required:

“MM BIO-1: Special-Status Bats. Prior to the removal of mature trees or the demolition or renovation of structures, the measures outlined below ~~should~~ shall be performed.

- a. A pre-construction survey ~~should~~ shall be conducted by a qualified biologist to identify suitable bat roosting sites.
- b. Any trees or structures determined to support or potentially support maternal roosting sites may only be removed or demolished after coordination with the CDFW and/or the

USFWS. Passive exclusion of roosting bats will be required and this may only be performed during the non-breeding season (i.e., between October 1 and March 30).

- c. Any trees or structures determined to provide suitable bat day or night roosting sites ~~should~~ shall be identified and marked on site plans. Such roosting sites include snags, rotten stumps, and decadent trees with broken limbs, exfoliating bark, cavities, openings leading to interior portions of any structures. If no suitable roost sites or evidence of bat roosting are identified, impact minimization measures are not warranted. If suitable roosting sites or evidence of bat roosting are identified, the following measures ~~should~~ shall be conducted:
 - i. A qualified biologist ~~should~~ shall survey suitable roost sites immediately prior to the removal or significant pruning of any of the larger trees, or demolition or significant renovation of any structures.
 - ii. If the project biologist identifies suitable day or night roost sites or evidence of bat occupation, the following steps ~~should~~ shall be followed to discourage use of the sites by bats and to ensure that any bats present are able to safely relocate.

For trees:

- o Tree limbs smaller than 7.6 cm (3 in) in diameter ~~should~~ shall be removed and any loose bark should be peeled away.
- o Any competing limbs that provide shelter around the potential roost site ~~should~~ shall be removed to create as open of an area as possible.
- o The tree ~~should~~ shall then be alone to allow any bats using the tree/snag to find another roost during their nocturnal activity period.
- o The project biologist ~~should~~ shall re-survey the trees a second time 48 hours after trimming.
- o If no bats are present, work may proceed.
- o If bats remain on-site, additional measures ~~would~~ shall be prescribed by the biologist.

For structures:

- o Depending on the location of potential roost sites and the nature of bat occupation, partial dismantling of a suspect structure ~~may~~ will be performed to discourage use by bats. Partial dismantling ~~may~~ will consist of the removal of siding, roof sections, and roof gables to permit air flow and exposure to sunlight. This work ~~should~~ shall be performed under the supervision and direction of a qualified biologist.
- o The project biologist ~~should~~ shall re-survey the structures a second time 48 hours after performance of the partial dismantling work...”

On pages 9-10, the following text changes are also required:

“MM HYD-1: Properly Abandon Site Well. The project sponsor shall determine the location of the site’s water well, if present, prior to the start of project construction. The applicant shall retain a licensed well driller to destroy or abandon the water well at the project site in accordance with the standards specified in Santa Clara Valley Water District Ordinance 90-1, Santa Clara Environmental Health, and the California Water Well Standards developed by the California Department of Water Resources. Documentation of appropriate disposal shall be submitted to the City of Morgan Hill Building Inspection Department prior to issuance of a demolition permit. (http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html). “

On page 10, the following text changes are as follows:

“III. FINDING

The City of Morgan Hill ~~Community and Economic Development Services~~ Director hereby...”

Conclusion

The aforementioned revisions are for clarification purposes only, and do not affect the conclusions of the IS/MND.