FINAL
ENVIRONMENTAL IMPACT REPORT

GLEN LOMA RANCH
SPECIFIC PLAN

State Clearinghouse Number 2003042018

PREPARED FOR
City of Gilroy

September 2005

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GLEN LOMA RANCH
SPECIFIC PLAN

Final
Environmental Impact Report
State Clearinghouse Number 2003042018

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Community Development Department
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September 2005
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1.0 Introduction

The City of Gilroy, acting as the lead agency, determined that the Glen Loma Ranch Specific Plan (hereinafter “proposed project”) may result in significant adverse environmental effects, as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15064. Therefore, the City of Gilroy had a draft environmental impact report (EIR) prepared to evaluate the potentially significant adverse environmental impacts of the project. The Draft EIR was circulated for public review between June 15, 2005 and August 1, 2005 (45 days), and public comment was received. CEQA Guidelines section 15200 indicates that the purposes of the public review process include sharing expertise, disclosing agency analysis, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals.

This Final EIR has been prepared to address comments received during the public review period and, together with the Draft EIR, constitutes the Glen Loma Ranch Specific Plan EIR.

This Final EIR is organized into the following sections:

- **Section 1** contains an introduction to the Final EIR.
- **Section 2** contains written comments on the Draft EIR, as well as the responses to those comments.
- **Section 3** contains the revisions to the text of the Draft EIR resulting from comments on the Draft EIR.
- **Appendix A** contains the mitigation monitoring program.
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2.0 Comments on the Draft EIR

This section is compliant with CEQA Guidelines section 15088(c), which states, “The response to comments may take the form of... a separate section in the final EIR.” This section is dedicated to presenting the comments and the City of Gilroy’s responses to those comments.

CEQA Guidelines section 15132(c) requires that the Final EIR contain a list of persons, organizations, and public agencies that have commented on the Draft EIR. A list of the correspondence received during the public review period is presented below.

CEQA Guidelines sections 15132(b) and 15132(d) require that the Final EIR contain the comments that raise significant environmental points in the review and consultation process, and written response to those comments. A copy of each correspondence received during the public review period is presented on the following pages. The responses correspond to numbering systems in the letters or added along the left-hand side of the letter as necessary. A response to each comment that raises a significant environmental point is presented immediately following the letter. Where required, revisions have been made to the text of the Draft EIR based on the responses to comments, and these are included in Section 3, Changes to the Draft EIR.

The 45-day public review period ended on August 1, 2005. The following correspondence was received:

- County of Santa Clara Roads and Airports Department (July 7, 2005)
- California Department of Fish and Game (CDFG) (June 2, 2005)
- Santa Clara Valley Transportation Authority (VTA) (July 29, 2005)
- California Department of Transportation (Caltrans) (August 4, 2005)
- Save Open Space – Gilroy (SOS-Gilroy) (July 30, 2005)
- Ruggeri - Jensen – Azar & Associates (RJA) (August 1, 2005)
- Santa Clara Valley Water District (SCVWD) (August 1, 2005)

Table 1 summarizes the significant environmental comments received in each comment letter.
TABLE 1
Summary of Environmental Comments

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Source: EMC Planning Group Inc.
July 7, 2005

Cydney Casper, Planner II
City of Gilroy
Community Development Department
Planning Department
7351 Rosanna Street
Gilroy, CA 95020

Subject: GPA 00-01
Glen Loma Specific Plan EIR (Environmental Impact Report)

Dear Ms. Casper,

Your June 13, 2005 letter along with the attachments for the subject application have been reviewed. Our comments are as follows:

1. Please submit the plan of road connection from the subject development to Santa Teresa at the earliest stage possible. The plans for the proposed road should indicate the acceleration/deceleration lanes and left turn lanes.

2. It is presumed that the widening of Santa Teresa Boulevard will be completed this year (Page 2-105 of EIR). If the widening of Santa Teresa will not be completed as stated in the EIR, the occupancy of this new development should not occur prior to Santa Teresa widening between First Street and Longmeadow Drive.

Thank you for the opportunity to review this project. If you have any questions, please call me at 573-2464.

Sincerely,

Raluca Nitescu
Project Engineer

Cc: SK, WRL, File
LETTER 1 - Response to the letter from the County of Santa Clara Roads and Airports Department (July 7, 2005)

1. Comment noted. Plans for any improvements to Santa Teresa Boulevard, a county roadway, will be submitted to the Santa Clara County Roads and Airports Department for review and approval of an encroachment permit.

2. Comment noted. As stated in the Draft EIR (page 2-105), widening of Santa Teresa Boulevard between First Street and Longmeadow Drive is currently in process. The four-lane roadway is scheduled to be complete by December 2005.
June 2, 2005

Wendie R. Rooney, Director  
Community Development Department  
City of Gilroy  
7351 Rosanna Street  
Gilroy, CA 95020-6197

Dear Ms. Rooney:

Glen Loma Ranch Specific Plan  
Santa Teresa Area, Gilroy  
Draft Environmental Impact Report  
SCH 2003042018, File # GPA 00-01

We are writing to provide follow-up information on the above referenced project. The Department of Fish and Game (DFG) first commented on this project in a letter dated October 1, 2003. In that letter, DFG stated that it was our conclusion that the Glen Loma Ranch site could serve as movement and aestivation habitat for California tiger salamanders, a listed species.

Because of historic development patterns in the area, the local population of salamanders is in poor condition and the best mitigation approach is one which will directly benefit the local resident salamanders, rather than an alternative approach such as purchase of credits at an off-site bank.

We have been working with the Glen Loma Group to define appropriate mitigation and have reached a tentative agreement. We understand that the Group will be signing a development agreement with the City which outlines the responsibilities and rights of the developer and the City to guide the various phases of the project. As part of the development agreement, the Glen Loma Group has agreed to include a provision whereby a payment of $84,000 will be made to the City to be used for the funding of regional habitat enhancement activities specifically targeted at the local population of California tiger salamanders.

If the City is amenable to this approach and DFG retains the right to approve the projects to which the funds are directed, we believe that this proposal will provide adequate mitigation for any impacts that might occur to the local population of California tiger salamanders as a result of the construction of the Glen Loma Ranch project. Please note that all of the funds should be available at the beginning rather than being built up in phases.
Questions regarding this letter and further coordination on these issues should be directed to Dave Johnston, Environmental Scientist, at (831) 475-9065 or Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,

[Signature]
Robert W. Floerke
Regional Manager
Central Coast Region

cc:  Cydney Casper
City of Gilroy
7351 Rosanna Street
Gilroy, CA 95020-6197

Tim Filice
John Filice
Glen Loma Group
7888 Wren Avenue, Suite D 143
Gilroy, CA 95020

Mary Hammer
U. S. Fish and Wildlife Service
2800 Cottage Way, W-2605
Sacramento, California 95825
LETTER 2 - Response to the letter from the California Department of Fish and Game (June 2, 2005)

1. Comment noted.
July 29, 2005

City of Gilroy
Community Development Department
7351 Rosanna Street
Gilroy, CA 95020

Attention: Cydney Casper

Subject: City File No. GPA 00-01 / Glen Loma Specific Plan

Dear Ms. Casper:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for the specific plan for 1,643 mixed-density residences and roadway improvements for the area bounded by Santa Teresa Boulevard and Uvas Creek. We have the following comments.

On-Site Planning and Design

Building Density

1 The overall residential density for this project is relatively low and does not fully support any future, potential transit services to the project area. Thus, VTA encourages developing this site at the maximum possible density. Appendix D (page D-3) of VTA's Community Design & Transportation (CDT) Guidelines provides building density recommendations which support transit and foster lively pedestrian environments.

2 Alternatively, increased clustering of the residential units identified in the Specific Plan would create opportunities for developing transit-supportive environments, especially if the buildings are oriented to the street, with minimum setbacks and resident parking to the rear of buildings, and with thoughtful pedestrian connectivity incorporated into the site design.

Street, Bicycle and Pedestrian Networks

3 VTA recommends the use of grid pattern street networks to the maximum extent possible, with minimal cul-de-sacs, dead-ends or circuitous streets, in order to improve connectivity and reduce walking and biking distances to any future transit services, neighborhood serving retail and services, planned area schools and parks, and the Town Center identified in the plan. VTA encourages the inclusion of high quality pedestrian and transit supportive streetscape designs, which include, for example, safe and direct walking routes on wide sidewalks with trees, benches
and human-scale lighting, as well as special pavement treatments and sidewalk extensions at key crosswalks where appropriate.

4 VTA commends the inclusion of an “interconnected bicycle and pedestrian trail system” in the Specific Plan. VTA also recommends that the VTA Bicycle Technical Guidelines should be used when designing developments at this site. This document provides guidance on accommodating bicycles on roadways and on estimating supply, siting and design for bicycle storage facilities. This document may be downloaded from www.vta.org/news/vtacmp/Bikes. For more information on bicycle systems and parking, please contact Michelle DeRobertis, Development & Congestion Management Division, at 408-321-5716.

Mixed Uses

5 VTA recommends the incorporation of a mix of uses throughout the project area, especially where residential units are clustered at higher densities, in order to encourage non-automobile trips for certain errands and personal business.

6 The VTA CDT Guidelines and the VTA Pedestrian Technical Guidelines should be used when designing developments in the Specific Plan area. These documents provide guidance on site planning, building design, street design, preferred pedestrian environment, intersection design and parking requirements. Both documents are available upon request to agency staff. For more information, please call Chris Augenstien, Development & Congestion Management Division, at 408-321-5725.

With regard to the above specific recommendations, guidance may be found throughout the CDT Guidelines in addition to the following sections:

- Orienting Buildings to the Street: Chapter 3, page 3-7

- Placing Building Entrances which Support the Pedestrian Environment: Chapter 3, pages 3-7 & 3-8

- Minimizing Building Setbacks: Chapter 3, page 3-8

- Parking Design and Placement to Improve the Pedestrian Environment: Chapter 3, pages 3-9 thru 3-11

- Creating a Continuous Pedestrian Network: Chapter 4, pages 4-21 thru 4-23

- Illustration of Commonly Used Crosswalk Marking Styles: Chapter 4, page 4-33
City of Gilroy  
July 29, 2005  
Page 3

- Illustration of Typical Curb Extensions (Bulbouts) at Intersections: Chapter 4, page 36
- Example of Curvilinear vs. Grid Network Street System: Chapter 4, page 4-3
- Designing Narrower Streets, Reducing Design Speeds and Visual Cues to Slow Drivers: Chapter 4, pages 4-10 thru 4-13
- Further Discussions of Building Density Recommendations: Appendix D

Additional guidance may also be found throughout the Pedestrian Technical Guidelines in addition to the following sections:

- Discussion of Pedestrian Crossings, Midblock Crossings and Bulbouts: Chapter 3, pages 3.14 thru 3.25
- Discussion of Pedestrian Sidewalk Amenities: Chapter 4, pages 4.02 thru 4.04
- Discussion of Pedestrian Lighting: Chapter 4, pages 4.04 thru 4.07
- Suggested Building Setbacks for Land Use Classification: Chapter 6, page 6.03
- Discussion of Parking Design, Location, and Internal Pedestrian Circulation: Chapter 6, pages 6.05 thru 6.08

Transportation System Planning and Design

Bicycle and Pedestrian Facilities

7 The proposed project is located immediately adjacent to Santa Teresa Boulevard, which is a cross-county bicycle corridor as identified in the 2000 Santa Clara Countywide Bicycle Plan. Every effort should be made to design the project such that the quality of service and ambiance for bicycle traffic is enhanced on Santa Teresa Boulevard.

8 It is not clear from the site plan the extent to which the project has been designed to encourage and facilitate internal bicycle and pedestrian circulation.

9 Given that Uvas Creek separates the project from the remainder of Gilroy, multiple bicycle/pedestrian-only crossings of Uvas Creek are essential in order to maximize the use of these modes as an alternative to automobile use. More bicycle and pedestrian trips will be made to and from the project site if bridges for non-motorized users connect to such sites as the middle
school, the high school and Christmas Hill Park. Providing multiple bicycle/pedestrian-only access points in addition to access to the vehicular bridges is compatible with the project’s goals of “pedestrian friendly and less car-dependent neighborhoods” and “interconnected trail system”. Such bridges, if designed appropriately, can also improve emergency response to the project site.

Street widths of 38 feet (two 19-foot lanes) for single-family residential land uses are not recommended; wider roads encourage speeding which may ultimately need to be traffic calmed. VTA recommends that the residential street widths with parallel parking lanes not exceed 32 feet.

Proposed Mitigation Measures:

VTA concurs with the mitigation at the intersection of Thomas Road and Luchessa Avenue – Intersection #17 for a one-lane roundabout (Mitigation #5A) but not a two-lane roundabout (Mitigation #5C). Two-lane roundabouts are very difficult to traverse by both bicyclists and pedestrians and would adversely affect the bicycling and walking conditions at this location.

VTA disagrees with the provision of free right-turn lanes, especially on cross-county bicycle corridors as was the recommended mitigation at the intersection of Santa Teresa and Fitzgerald (Mitigation #15), and also at Monterey Road and Luchessa (Mitigation #28), and at US 101 southbound ramps at Monterey Road (Mitigation #29). Free right-turn lanes result in awkward placement of a through bicyclist on the far side of the turn. VTA recommends consideration instead of a one-lane roundabout with a right-turn slip lane for the northbound right-turn movement.

All new roadway bridges/bridge widenings should have bicycle lanes and sidewalks on both sides of the road.

Transit Services

As we previously commented on the NOP, the Transportation Section should discuss potential impacts to transit service due to the location of the project site far from existing transit service routes. The section should discuss the potential for increased transit service demand due to the large number of housing units and how the transit service would be financed.

VTA Support Services:

VTA staff looks forward to reviewing future development plans for this site when they become available.
For more information, general questions, technical support, or to arrange a meeting with VTA staff to discuss On-Site Planning and Design of this or any other development projects, please contact George Tacké, Development & Congestion Management Division, at 408-321-5865 or via email at george.tacke@vta.org. VTA staff looks forward to assisting you.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

Roy Molseed
Senior Environmental Planner

cc: Samantha Swan, VTA
LETTER 3 - Response to the letter from VTA (July 29, 2005)

Note: The project proponent consulted with VTA during the design phase of the Glen Loma Ranch Specific Plan (John Donahoe, pers. comm., August 3, 2005).

1. As presented in the Draft EIR (pg 2-36), VTA's Community Design & Transportation: A Manual of Best Practices for Integrating Transportation and Land Use (2002), the recommended densities for residential areas is at least seven units per acre. As stated in the Draft EIR (pg 1-21, table 2), the proposed project ranges from 6.3 to 21 dwelling units per acre, with an average of 8.8 dwelling units per acre. Based on the City of Gilroy General Plan (pg 4-8), residential density for the Neighborhood District land use designation should be between 6 and 12.5 dwelling units per acre. If the project site were developed at greater densities, it may be more effective to foster a lively pedestrian environment and more frequent bus service; however, the applicant has been allocated by the City of Gilroy a set number of RDO units and residential density can only be increased if the City allocates additional RDO units.

2. Comment noted. These design considerations could be taken into consideration as tentative maps are developed and reviewed or during architectural and site review.

3. See response to #2 above.

4. Comment noted.

5. Comment noted. The intent of the commercial areas within the specific plan is to provide a mix of uses that encourage non-automobile trips.

6. See response to #2 above.

7. See response to #2 above.

8. A site plan has not yet been created for the proposed project. The Glen Loma Ranch Specific Plan (June 2005, pg 3) identifies the aspects of the specific plan that encourage bicycles and walking. Section 11 (page 84) of the Glen Loma Ranch Specific Plan identifies the bicycle and pedestrian trail system, and standards for the trails.

9. There are currently three creek crossings in the immediate vicinity of the project site: Miller Avenue, located in the middle of the project site; Santa Teresa Boulevard, located at the western boundary of the project site; and Luchessa Avenue, located about 1,300 feet east of the eastern boundary of the project site. Long-term City of Gilroy plans include extension of Tenth Street across the creek. Tenth Street is located in the eastern portion of the project site. This road extension is planned to include a Class II bikeway. These crossing would allow pedestrian and bicycle access to the existing Debell Uvas Creek Park Preserve,
and downtown Gilroy, located on the opposite side of Uvas Creek. These crossings would also allow those from downtown Gilroy to access the residential, commercial, and public facilities proposed for the project site.

The adopted City of Gilroy Trails Master Plan (March 2005), which includes long-term plans for trails and bikeways, does not include any other additional creek crossings. The comment letter does not indicate how many additional crossings would be desired. Should the city determine that additional creek crossings are desirable, they will have to weight the benefits of these additional creek crossings, to the impacts to the creek and its associated habitat and wildlife.

10. The width of city streets is a policy issue. The streets within the proposed project should be developed to city standards, unless the city makes an exception to meet other specific city goals.

11. For clarification, this comment is about mitigation measure #41 in the Draft EIR (page 2-123), requiring either a two-lane roundabout or a conventional signalized intersection. Roundabouts feature yield control for all entering traffic, channelized approaches and appropriate geometric curvature to ensure that travel speeds on the circulatory roadway are typically less than 30 mph. However, roundabouts must be designed to meet the needs of all users – drivers, pedestrians, pedestrians with disabilities and bicyclists. As reported in the Intersection Safety Issue Brief of the U.S. Department of Transportation, Federal Highway Administration, April 2004, research indicated that roundabouts can be safer and more efficient than conventional intersections. Safety benefits of roundabouts include:

- Roundabouts have fewer conflict points in comparison to conventional intersections. The potential for hazardous conflicts, such as right-angle and left-turn head-on crashes is eliminated with roundabout use;

- Low absolute speeds associated with roundabouts allow drivers more time to react to potential conflicts, also helping to improve the safety performance of roundabouts;

- Since most road users travel at similar speeds through roundabouts, i.e., have low relative speeds, crash severity can be reduced compared to some traditionally controlled intersections;

- Roundabouts have fewer annual injury crashes than two way stop-controlled intersections, and the total number of crashes at roundabouts is relatively insensitive to minor street demand volumes; and

- Roundabouts have fewer injury accidents per year than signalized intersections.

It should be noted that heavy pedestrian and/or bicycle movements in conflict with high traffic volumes poses a problem for all types of traffic control. As
described in the traffic report, the recommendation of a two-lane roundabout was made at this location due to the increased traffic demand at this intersection under Cumulative conditions. Under the earlier scenarios (Background Plus Project Phase I, Background Plus Project Phase II), a single-lane roundabout is adequate to meet the traffic demands at this intersection and achieve the City of Gilroy's LOS C standard. However, the additional traffic generated by the cumulative projects would result in a substandard LOS E for a one-lane roundabout, therefore necessitating the second circulating lane. An alternative to the roundabout would be the implementation of a traffic signal, as discussed within the traffic report. Both a two-lane roundabout and signalization are included as future design options for the Thomas/Luchessa intersection within the City of Gilroy's Traffic Circulation Master Plan for its street infrastructure.

12. Comment noted. However, the mitigation measures are based upon the City of Gilroy Traffic Circulation Master Plan, which provide for free right turn lane at these locations. High pedestrian movements are not expected at any of the intersections and free right turn movements are already permitted under existing conditions at some of the intersections. The implementation of roundabouts could be considered at these intersections, but projected high traffic volumes at these locations and existing and future road geometry of Monterey Road, Luchessa Avenue, and Santa Teresa Boulevard would require at least two-lane roundabouts.

13. All new bridges and bridge widening projects will be constructed consistent with the City of Gilroy Traffic Circulation Master Plan, which provides for both bicycle lanes and sidewalks for all bridges and bridge widenings.

14. There is no indication the project would affect existing transit service. Transit service is funded via taxes that are funneled down from the state to the local transit authority. Unfortunately, it is unlikely that VTA would provide the Glen Loma Ranch Specific Plan area with transit service since new transit lines would need to be added which are not planned for in VTA's 25-year expansion plan (George Tacke, pers. comm., August 24, 2005). A possible solution that may be considered by the Glen Loma Ranch Homeowner's Association is to provide shuttle service to the train station in downtown Gilroy. The shuttle could provide peak hour service to the residents, under private contracts or with assistance from VTA. VTA can provide technical support to the HOA for developing a program of this type. Peak hour shuttle programs are anticipated to cost less than ten dollars per household per month.
August 4, 2005

Ms. Cydney Casper  
City of Gilroy  
7351 Rosanna Street  
Gilroy, CA 95020

Dear Ms. Casper:

Glen Loma Ranch Specific Plan – Revised Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the revised DEIR and have the following additional comments to offer.

1 Hydraulics
The storm water runoff and pollutants from the proposed development will drain to downstream Uvas Creek, which will eventually drain through the US-101 Right of Way. The proposed conceptual plan for mitigation includes discharges through biofilters such as vegetated swales and strips, and detention ponds for reducing the peak discharges of the tributary areas to the pre-project conditions and for water quality treatments with the Best Management Practices approach. The conceptual plan is acceptable to the Department. Please allow the Department the opportunity to review the development and design plans and the storm runoff calculations.

2 Forecasting
Was the Santa Clara Valley Transportation Agency (SCVTA) model used to develop the traffic forecasts? There are no future year forecasts in the study. The document lists cumulative traffic impacts; however, it is unclear whether these cumulative impacts are for existing conditions or future years. Please clarify.

“Caltrans improves mobility across California”
Highway Operations
Revised Draft Environmental Impact Report Volume I

1. Study Scope of Work, page 2-104: In response to the Department’s request to include the US-101 Ramps/Leavesley Rd. and US-101 Ramps/Monterey Rd., the report states that the shortest routes for project traffic approaching the site from the north would be via the US-101/Tenth St. interchange or the US-101/Masten Ave. interchange. The request for including US-101 Ramps/Monterey Rd. is for traffic approaching from the south. As for the US-101 Ramps/Leavesley Rd. it appears that this ramp is closer to the proposed development than the US-101 Ramps/Masten Ave. These two intersections should be included in the intersection analysis for this proposed specific plan, as some project traffic would use these ramps.

2. Study Scope of Work, page 2-104: Previous request to include State Route (SR) 152 segments between Santa Teresa to Llagas Creek (instead of US-101 to Llagas Creek) and US-101 segments between Masten Ave. to south of Castro Valley Rd. (instead of Masten Ave. to South of Monterey Rd.) were not included in the analysis for this proposed specific plan. These locations need to be included in the operational analysis for this proposed specific plan.

3. Study Scope of Work, page 2-104: In addition to the above comments, the Leavesley Rd./Monterey Rd. intersection should be included in the analysis for this specific plan.

4. Project Analysis, page 2-111: Why is the Monterey Rd./Tenth St. intersection stated twice on this list?

5. Cumulative Plus Project Phase III (Project Buildout) Traffic Conditions, Cumulative Project, page 2-114: The report states that to avoid double counting of new residential trips, a reduction of approximately 50 percent was applied to the residential development trip distribution. Explain why residential trips would be double counted.

6. Cumulative Plus Project Phase III (Project Buildout) Traffic Conditions, Street Segment Analysis, page 2-115: The report indicates that the reason that no mitigation measures are recommended for the short length between intersections is discussed in the Existing conditions section of this report. There is no mention of this in the Existing conditions section of this report. Please revise.

7. Cumulative Plus Project Phase III (Project Buildout) Traffic Conditions, Intersection Analysis, page 2-117: In the discussion of the operations and left-turn pocket storage lengths at the Monterey Rd/Luchessa Ave. would the storage length be adequate with the proposed double left-turn lanes?

"Caltrans improves mobility across California"
8. Existing Conditions, Mitigation Measure, page 2-118: Developer should contribute fair share fees for this proposed mitigation.

9. Transportation/Traffic, page 3-13: The LOS letter is missing for the Santa Teresa Blvd./Miller Ave.-Tenth St. intersection for worst approach.

10. Transportation/Traffic, page 3-14: US-101 SB Ramps/Monterey Rd. intersection proposed free right-turn; if there are pedestrians at this intersection, a free right-turn will not be allowed and an alternative mitigation measure should be proposed.

Revised Draft Environmental Impact Report Volume II

11. Appendix G, Traffic Impact Report: Appendices B-O are missing from this report. We cannot review this report until a complete report is submitted with all appendices included.

12. Appendix G, Traffic Impact Report: Need to revise Traffic Impact Report to include the Leavesley Rd./Monterey Rd. intersection, the US-101 Ramps/Leavesley Road intersection, and the US-101 Ramps/Monterey Road intersection. In addition, the SR-152 segments between Santa Teresa to Llagas Creek (instead of US-101 to Llagas Creek) and US-101 segments between Masten Ave to south of Castro Valley Rd. (instead of Masten Ave. to south of Monterey Rd.) should be included in this analysis.

13. Appendix G, Traffic Impact Report, Figure 4: Some of the turning movement volumes on this figure are not legible.

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: Scott Morgan (State Clearinghouse)
LETTER 4 - Response to the letter from Caltrans (August 4, 2005)

1. Comment noted.

2. The VTA model was not utilized for the future travel forecasts within the traffic analysis. Instead, the existing City of Gilroy traffic model with manual traffic assignment, utilizing the software Traffix, was used for all traffic forecasts within this report. The forecasts were developed based upon lists of approved projects (i.e. approved by the Gilroy City Council or other agencies, assumed to be implemented within the next three years), cumulative projects (i.e. projects currently being reviewed by the City of Gilroy Community Development Department or other agencies, assumed to be implemented within the next 10 years), and the City of Gilroy General Plan (adopted in 2001). The projects included within each scenario (i.e. approved, cumulative, and General Plan) are included reporting the Draft EIR. The Glen Loma Specific Plan itself is expected to be phased in over a 13-year time frame. The traffic analysis assumed a construction start date of 2005; therefore, Phase I would be constructed between 2005 and 2010, Phase II between 2010 and 2014, and Phase III between 2014 and 2018.

3. At Caltrans' earlier request, the Highway 101 (US-101) ramp intersections with Monterey Road are included within the Draft EIR study area, as Intersections #21 and #22 (Draft EIR, page 2-103). Page 2-104 of the Draft EIR was incorrect in stating, "it is not anticipated that the project traffic would utilize these intersections". See Section 3.0, Changes to the Draft EIR, for the revision to the Draft EIR. With respect to the Highway 101/Leavesley interchange, although the interchange is close to the Glen Loma property (in a straight line) the Gilroy street network renders travel to and from the project site through the Highway 101/Leavesley interchange a rather circuitous venture. The Tenth Street and Monterey Road interchanges can be easily accessed from the project site via Luchessa Avenue and Monterey Road, both of which are high-speed arterials (Luchessa has a signed speed limit of 40 mph, while Monterey is signed at 50 mph). The Highway 101/Masten Avenue interchange is can be accessed via Miller Avenue, Club Drive, the future Tenth Street, and Santa Teresa Boulevard, the latter of which is signed at 45 and 50 mph and proposed to be upgraded to a 4-lane expressway in future. Traffic volumes generated by residential neighborhoods in western Gilroy, principally those adjacent to or west of Santa Teresa Boulevard, tend to use the Masten Avenue interchange, rather than the Leavesley Road interchange, when traveling to and from the north via Highway 101.

In addition, the traffic assignment to Highway 101 will vary for different parts of the project site. Project trips from Phase I of the project, located at the eastern end of the property, would access Highway 101 via the Tenth Street and Monterey Road interchanges, and, to a lesser extent, the Highway 101/Castro Valley Road intersection. Trips from Phase II, located at the northwestern end of...
the property, and Phase III, in the middle of the property, would access Highway 101 via the Masten Avenue, Tenth Street, and Monterey Road interchanges, as well as the Highway 101/Castro Valley Road intersection.

4. The scope of work for this traffic analysis has been developed with the direction of the City of Gilroy staff and it is the opinion of the city staff that the selected road segments adequately address the traffic operations on SR 152.

5. See response to comment #3 above.

6. Two intersections were listed twice because improvements are required at two different phases of project buildout.

7. The issue here relates to the way that traffic is modeled using the software program Traffix. Unlike in more complex models such as the aforementioned VTA model, Traffix only models the trips generated by projects not yet built and occupied, and any assignment of these trips is done manually. The double counting can occur when trip origins or destinations for both residential and industrial/commercial projects are modeled.

Residential trips could be assigned to and from, for example, existing retail areas within town, existing industrial and business parks within town, and commute out of town to jobs outside the immediate area. Trips from the new residential developments could also travel to and from any proposed retail areas, or proposed industrial/business parks under the future traffic conditions. Trips from proposed retail areas and industrial/business parks would travel to and from, for example, existing residential neighborhoods within town, as well as to neighborhoods outside the immediate area. Trips from these new retail and industrial/business park developments could also travel to any proposed residential developments. These trips between the proposed developments are where double-counting can occur, as trips between proposed residential and retail/industrial/business developments can be counted in two different ways – either as traveling to and from the proposed neighborhood, or to and from the proposed retail/industrial/business development – even though they are really only one outbound and one inbound trip. That is why the residential distribution was reduced in the Traffix model. The magnitude of the reduction was chosen due to the large increase in retail and industrial/business park development proposed within the city’s general plan.

8. This issue is discussed in the Existing Intersection and Street Segment Levels of Service section of the Draft EIR (page 2-107 and 2-108). This is relevant to roadway segments along three roadways – Santa Teresa Boulevard between First and Third streets, Pacheco Pass Highway on the overpass over Highway 101, and Pacheco Pass Highway between Highway 101 and Camino Arroyo. Additional road widening mitigation measures are not recommended along these segments because the intersections along these segments are closely spaced (i.e. less than half a mile apart); in such situations, operations at the traffic signals along the route regulate the traffic capacity along those segments much more so than the
width of the roadway. Widening of these roads should be based upon operations at the intersections, rather than the segment operations.

9. The current left turn storage lengths are 140 feet for the northbound Monterey Road left turn lane, and 115 feet for the westbound Luchessa Avenue left turn lane. When the second left turn lanes are added, it is recommended that they be constructed to the lengths recommended in the City of Gilroy Traffic Circulation Master Plan document, namely two 210-foot northbound left turn lanes on Monterey Road, and one 115-foot and one 205-foot westbound left turn lanes on Luchessa Avenue. The storage length would be adequate to accommodate the anticipated vehicle queues.

10. It is unclear as to which of the multiple mitigations on this page the commenter is referring to; the only mitigation on this page that would be under Caltrans jurisdiction would be the merge lane improvements on southbound Highway 101 at Castro Valley Road. This deficiency is an existing deficiency and not the responsibility of the proposed project. However, if a mechanism is in place for development within Gilroy to contribute to improvements at this intersection when development occurs on the project site, developers would be required to pay into the program.

11. This sentence should read, “The worst approach (eastbound) would also operate at LOS F during both peak hours.” See Section 3.0, Changes to the Draft EIR, for the revision to the Draft EIR.

12. Caltrans’ concerns regarding pedestrians and free right-turn lanes are acknowledged, however these mitigations were made based upon the City of Gilroy’s Traffic Circulation Master Plan, which provide for free right turn lane in these locations. In addition, this portion of town is not in a residential portion of town, and as a consequence has very little pedestrian activity.

13. A CD with the entire Draft EIR and all appendices was sent to Caltrans District 4 through the State Clearinghouse, in accordance with the CEQA Guidelines and State Clearinghouse procedures. In addition, the City of Gilroy sent a hard copy to Caltrans District 4. Section 2.8, Transportation/Traffic, page 2-100 of the Draft EIR, states, “The text, tables, and figures of the traffic report are included as Appendix G. The complete traffic report, including all level of service calculations, is available for review by contacting the Planning Division.” In addition, in response to this comment, Higgins Associates sent a CD with the entire traffic report, including appendices, to Jose L. Olveda of Caltrans on August 11th, 2005.

14. See above responses to Comments #2, #3, and #4.

15. A few of the turning movement volumes on this exhibit did not display correctly on this exhibit. A corrected version of this exhibit is included in this FEIR. See Section 3.0, Changes to the Draft EIR, for the revision to the Draft EIR. These volumes are the same volumes utilized in the traffic analysis.
July 30, 2005

Mayor and Council Members
City of Gilroy
7351 Rosanna St.
Gilroy, CA 95020

Re: Comments on the Glen Loma Ranch Specific Plan Revised Draft EIR

Honorable Mayor and Council Members:

In general, Save Open Space-Gilroy (SOS-Gilroy) is pleased with Glen Loma’s sensitive approach to planning the largest residential/commercial project ever proposed in our city. We believe they have set a high standard for future neighborhood districts. We were especially pleased with their plans for providing natural open space, buffers and public park facilities totaling 108.8 acres as well as the connectivity of planned pedestrian and bicycle trails. Maintaining the natural drainage channels is also commendable. However we would like to see the following questions and concerns addressed prior to approval of the Plan.

I. Prime Agricultural Land and Cultivation History

The EIR states on page 2-23 “The Important Farmlands Map for Santa Clara County designates ....... slightly less than 50 percent of the project site as Prime Farmland.” Also on page 2-23 it says, “Based on the project site soil types identified on the soil survey of Eastern Santa Clara, approximately 63.4% of the project site, or 227.3 acres would be considered prime farmland.” It seems to be very clear that much of the project site is considered prime farmland by the State of California. And yet the EIR has stated the conversion of this land would be a “less than significant impact.” We believe that inaccurate information was used to make this determination.
We know a Land Evaluation and Site Assessment (LESA) model was used. In the EIR Vol. II Appendices, 7/10/03 Memorandum from EMC Planning Group, Inc. Megan Tolbert to Cydney Casper, City of Gilroy it states: “According to the California Department of Conservation, loss of agriculture or farmland with a LESA score of 40 to 59 points is considered significant only if both the Land Evaluation and the Site Assessment subcategories have scores greater than 20 points. The project site has a total LESA score of 46.27. The Land Evaluation sub score is 27.52 and the Site Assessment sub score is 18.75. Therefore, the loss of agricultural resources resulting from the conversion of these parcels to urban uses is considered a less that significant impact.”

By the slim margin of just 1.25 points in the Site Assessment sub score this project was allowed to escape agricultural mitigation for the conversion of prime farmland.

SOS-Gilroy believes the LESA Site Assessment was based primarily on inaccurate statements regarding the availability of water and the length of time since crops (other than grazing and dry land) were raised.

There are two letters (Vol. II Appendices, Appendix B Farm Management Letters) from the former farm manager, Paul Filice, dated 5/6/04, and a farmer who leased the land, Mario C. Fiorio, dated 4/19/03. In point #5 of his letter Mr. Filice states, “To the best of my recollection, the last irrigated farming in the Home Ranch area occurred in 1995-1996 and the last irrigated farming at Glen Loma Ranch occurred in 1998 within the Olive Grove area as shown on the Specific Plan.” Mr. Fiorio’s letter states, “We farmed the Glen Loma Ranch from about 1980 to 1992.”

However, in the Specific Plan Vol. I page 2-23 it inaccurately states, “Since that drought period, for the past 26 years, irrigation has not been economically feasible and the Glen Loma Ranch has supported only dry land and hay crops. In conclusion, the project site has not been irrigated for more that two decades and therefore does not qualify as Prime Farmland.” Then on page 2-25 under Impacts and Mitigation Measures it states, “However, the project site and its soils are not considered prime farmland because they have not been irrigated within approximately the last 26 years, and it is economically infeasible to provide irrigation for high value crops.” There is a definite conflict between the statements by the former farmers who have attested to irrigated farming up until 1998 and the EIR which states that irrigated farming hasn’t occurred since 1984.

Therefore, we believe the LESA scores and the resulting Less than Significant findings for the loss of Prime Agriculture are based on false premises and information. We recommend the LESA model should be redone to reflect that indeed irrigated farming was occurring up until the building of Ascension Solorsano Middle School. In fact the Gilroy Unified School district owned one ten-acre parcel in this area and leased it for the growing of marigolds.
The EIR and LESA model should also acknowledge that only in drought years was water expensive to pump and unreliable, as it was in all agricultural areas.

The determination of Prime Farmland is not dependent on economic feasibility (cost of water, land rent, labor costs, fertilizer costs, etc.). Costs and economic feasibility should not be used as criteria to make the conversion of Prime Farmland a less than significant impact.

We also want to go on record as opposing the practice of “averaging” the LESA ratings between prime and mediocre farmlands in any project areas. If the land has been mapped as “prime” by the state of California and has been farmed in recent history it should be mitigated and subject to Gilroy’s Agricultural Mitigation Policy.

II. Tenth Street Bridge over Uvas Creek

We have read carefully the traffic analysis by Higgins & Associates and refer to Section 6 of their report, speaking to the "Cumulative Plus Project Buildout Traffic Conditions", pages 57 & 58. The final paragraph refers to the "conflicts between vehicles and pedestrians at the entrances to Christmas Hill Park and sports fields across the street" and notes that "Miller Avenue was not designed to function as an arterial."

Under their "Recommendations and Mitigation Measures", in 8.1, p. 89 Higgins states "There is great concern over the pedestrian/vehicular conflict along Miller Avenue at the entrance to Christmas Hill Park. The implementation of the Tenth Street Bridge would result in reductions in traffic along Miller Avenue, Uvas Park Drive, and Luchessa Avenue, which would enhance the traffic safety in the project vicinity and reduce the conflicts between vehicles and pedestrians....."

An additional concern is the fact that Miller Avenue is closed at Uvas Park Drive when Uvas Creek is flooded during winter rainstorms, rendering Miller Avenue impassable for a few hours or days.

As planned, buildout of the Glen Loma Ranch does not technically require completion of the 10th Street Bridge. However, we believe that the population added in the center of the Glen Loma project during Phase III will create a great deal of stress on Miller Avenue through Christmas Hill Park creating safety problems for both pedestrians and vehicles. Just adding stoplights at Miller Ave./Uvas Park Drive and Miller Ave./Santa Teresa Blvd. won’t solve the problem. Completion of the Tenth Street Bridge should be required prior to completion of Phase III of the Glen Loma project.

Page 3
III. Biological Impacts

Local members of the Audubon Society and others have observed red shouldered hawks at the top of Christmas Tree Hill and white tailed kites on Reservoir Creek, although Zander Associates found no raptors during the field survey. Protected species such as the Oak Titmouse, Chestnut-backed Chickadee, Western Bluebird, Tree Swallow, Barn Owl and Ashthroated Flycatcher have all nested near Christmas Hill and Uvas Creek. We have asked the Audubon Society to evaluate the adequacy of the mitigation measures described in Chapter 2.4, especially Mitigation Measures 4, 5 and 6. The Audubon Society is also planning to do a biological field survey in September, 2005.

IV. Drainage

Much of the information about drainage in Section 2.6 is confusing and conflicting. On page 2 of the letter to Megan Tolbert dated March 9, 2005 (Vol. II, Appendix F) Schaaf and Wheeler admitted that their earlier report had omitted 32.4 acres of impervious surfaces in their calculations. "The revised report calls for a minimum of 3.5 acre feet of detention storage...for the 2 year storm event." On page 4 of the same letter paragraph 14 speaks to the "need for 3.5 acre feet for detention and an additional 5.4 acre feet for water quality treatment." Then the following paragraph says, "It should be noted......that the detention requirement is actually the minimum detention required..... The actual storage required for an on-channel facility is approximately 3 times greater than this minimum storage; therefore the project shall provide approximately 10.5 acre feet of detention." MM 23 c. calls for 5.4 acre feet of capacity for storm water and "filter pollutants for the purpose of water quality". Is this enough capacity? Which of these quantities is correct? The EIR should be revised to reflect the correct number of acre feet required for detention ponds.

In Volume I, page 2-90 Mitigation Measure 23 specifies that the "plan shall be revised to include a detention pond or ponds to collect storm water in the case of 2-, 10-, 25- and 100-year peak storm events." We certainly concur that the plan should have capacity for all those, not just the 2-year events.

MM 23 d. also notes that "the ponds shall not replace any proposed preserved open space......." because those open spaces are already included in figuring the hydrological needs. We recommend that the proposed sites for the detention ponds be shown in the map of the project.

We do want to commend the proponents for their plans to use biofilters such as grassy swales to pre-treat stormwater runoff.
V. Impact of future elementary school

11 In the discussion of proposed land uses on page 1-18 the inclusion of an elementary school on a 10 acre site is only vaguely alluded to and it is not included in Table I or Table S-1, Proposed Uses and Acreages. This appears to be a change from the original version of the Plan in 2003. It is our understanding that Gilroy Unified School District definitely plans to build an elementary school within the project and that it is not replacing any residential capacity. References to the inclusion of an elementary school are scattered throughout other parts of the EIR. This conflicting information leads us to question the accuracy of much information in the document.

We cannot tell whether the traffic and drainage figures presented include the impacts of a ten acre elementary school site or ten acres of residential uses. It would seem that those two uses would result in different impacts. We are concerned that the traffic and drainage analyses need to accurately reflect the uses of the property. Please state which land use the figures are based on and if needed report new figures based on including ten acres for an elementary school.

We appreciate the opportunity to comment on this complex and aesthetically pleasing project and look forward to your answers.

Save Open Space, Gilroy

David Collier
Carolyn Tognetti
John Hewitt
Connie Rogers
Norman Watenpaugh
LETTER 5 - Response to the letter from SOS - Gilroy (July 30, 2005)

1. The important farmlands map provides generalized information of the agricultural suitability of a site. However, according to the California Department of Conservation, any “prime farmland” identified on this map is not “prime farmland” if it has not been irrigated or used for row crops in the past four years or more (Draft EIR, pg 2-23). The Glen Loma Ranch Specific Plan project site has not been irrigated since 1998 and therefore has exceeded the four-year irrigation threshold for consideration as “prime farmland” (Letter from Mike Filice, April 9, 2004, page 2, item 4, Appendix B of the Draft EIR). The reference to the farmland categories of the project site in the Draft EIR (pg 2-23) is for disclosure purposes only, and after more in-depth analysis utilizing the LESA model, the conversion of agricultural land to urban uses was found to be less than significant (Draft EIR, pg 2-24).

The USDA soil survey also provides generalized information about the agricultural suitability of a soil type, and the location where that soil may occur. It is impossible for the USDA to precisely survey all land in the United States for exact soil types and their precise boundaries. The LESA model provided a greater depth of analysis, which utilized more precise information about the historic and existing agricultural conditions at the project site and irrigation feasibility. The Department of Conservation determines all soils that have not been irrigated in the last four years to not only not be prime farmland, but also the Land Capability Classification (LCC) ranking should be reduced by two classes. In other words, a soil with an LCC of Class I that is not or cannot feasibly be irrigated would automatically be reduced to a soil with an LCC of Class III. About 13 percent of the site historically supported row crops (Letter from Mike Filice, April 9, 2004, pg 1, Appendix B of the Draft EIR), or about 17 percent based on a more conservative analysis presented in the Draft EIR (pg 2-23). However, the majority of the project site has remained in dryland production because, according to the letters presented in Appendix B of the Draft EIR (e.g., Michael Filice, May 14, 2003, paragraph 2, 3rd sentence, Appendix B of the Draft EIR), irrigation of the site has been infeasible due to the lack of availability of water, removal of orchards and crops during periods of drought, and economic infeasibility of bringing enough water in from off-site.

2. The Draft EIR incorrectly stated on page 2-23 and 2-25 that it has been 26 years since the project site was irrigated. As stated in the subject comment letter, farming occurred up until 1998. However, as presented in response #1 above, there is a four-year threshold for when a soil is no longer considered prime or be reduced two classes in the LCC scale. Since the site has not been irrigated for at least the last four years, the same results still hold true for the LESA model and the determination that the loss of agricultural land from implementation of the proposed project is considered less than significant. David Kelley & Associates prepared the LESA model, which was reproduced and verified by EMC Planning Group Inc.
3. Comment noted.

4. Comment noted. Statement is correct – Prime Farmland determination is not dependent on economic feasibility. The determination of Prime Farmland depends upon a variety of factors, including irrigation of the site within the last four years. The LESA model, which was created by the California Department of Conservation, acknowledges that if it is economically infeasible to provide water to a site for irrigation, then that precludes the site from being irrigated, thus reducing its value as farmland.

5. Comment noted. See response to #1 above. The analysis was done in accordance with the city’s CEQA thresholds for significance and the city’s agricultural mitigation policy. The thresholds for significance and the city’s agricultural mitigation policy would need to be modified to comply with the request in this comment.

6. As noted by the commenter, Miller Avenue has been temporarily closed in the past due to a rain-swollen Uvas Creek. However, it is important to recognize that the traffic analysis analyzed traffic conditions of an average day, in which Miller Avenue is open. Furthermore, the commenter notes that on occasion when Miller Avenue is closed, it is only closed for “a few hours or days,” representing a more temporary condition, rather than a regularly-scheduled closure. Regardless of the status of the Glen Loma project, it will continue to be the City of Gilroy’s responsibility to temporarily close Miller Avenue when necessary for the safety of the motoring public, as well as inform the public of the closure and the alternative routes.

7. The commenter is correct in stating that, with the implementation of the other improvements recommended within the traffic report, the project does not trigger the need for the Tenth Street Bridge. It is also true that, with construction of the Tenth Street Bridge, the other identified measures would not be required. This is discussed in the Draft EIR (mitigation measures #35 on page 2-120, #36 on page 2-121, and #39 on page 2-122). The Gilroy City Council will need to make the decision as to whether the Tenth Street Bridge, or the other mitigations, will be required.

8. Nesting red shouldered hawks, white tail kites, and barn owl are protected in California under provisions of the State Fish and Game Code, Section 3503.5, 1992. This section states that it is unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. Disturbance that causes nest abandonment and/or loss of reproductive effort, such as construction during the breeding season, is considered a take by the CDFG. Mitigation Measure #5, on page 2-62 of the Draft EIR requires preconstruction surveys and implementation measures if nesting raptors are identified during the surveys. These measures will
ensure that impacts to nesting raptors are avoided. No additional measures are necessary to comply with the Fish and Game Code.

Oak titmouse, chestnut-backed chickadee, western bluebird, tree swallow, and ash-throated flycatcher are not protected by the California Endangered Species Act or the Federal Endangered Species Act. They are not listed in State and Federally listed Endangered and Threatened Animals of California (CDFG, June 2005). These species were not detected during surveys specific to the project site, however if they do occur, it is expected that they nest within the Uvas Creek corridor or in oak woodland. To ensure preservation of these habitats, policy POSG-3 of the Specific Plan specifies that development should not occur closer than 100 feet to a defined creek bank or tree canopy of a defined riparian area or 50 feet to other preserved open space areas (coastal scrub areas, mixed cultivated woodland, and rocky serpentine grassland areas). Therefore, this policy protects the areas where nesting activities of these birds likely occur. No additional mitigation is necessary.

9. Mitigation measure 23 incorrectly calls for 5.4 acre feet of capacity for storm water retention and water quality remediation. The correct total is 8.9 acre feet (Schaaf & Wheeler, March 9, 2005, pg 8). See Section 3.0, Changes to the Draft EIR, for the revision to the Draft EIR.

10. Mitigation measure 23 requires the Specific Plan to be revised “to include a detention pond or ponds to collect storm water in the case of 2-, 10-, 25-, and 100-year peak storm events.” Furthermore, figures E-2 and E-3 of the Glen Loma Ranch Specific Plan Engineering Report show the detention areas indicated with an asterisk. A copy of the Engineering Report may be obtained from the City of Gilroy Community Development Department.

11. Figure 4, Proposed Land Use Plan, in the Draft EIR identifies two potential school sites. Schools are an appropriate land use within any residential district. At the time the draft specific plan was published, the school district had not decided which site to go forward with, although they had completed environmental review on the approximate 10-acre site west of Greenfield Avenue, and approved the project. The specific plan, and subsequently the Draft EIR, was prepared so that the elementary school could be developed at either location. Whichever site is developed as a school, the other would be developed with residential. The traffic report and hydrologic report include the construction of a ten-acre school site, which is intended within the specific plan area, the most realistic buildout scenario, and provides a worst case scenario for traffic issues, and equivalent results for the school due to the permeable versus impermeable surfaces associated with home sites and school sites (classrooms, gymnasiums, parking and turf, versus rooftops and front and rear yards). Lastly, because the 10-acre elementary school is an approved project, the traffic impacts were accounted for in the Background scenario of the traffic impact analysis.
August 1, 2005
(Supersedes letter submitted on July 29, 2005)

Ms. Cydney Casper
City of Gilroy
Community Development Department
7351 Rosanna Street
Gilroy, CA 95020-6196

RE: Glen Loma Ranch Specific Plan - Comments on the Draft EIR
(SCH #2003042018)

Dear Ms. Casper:

This letter is submitted on behalf of the Glen Loma Group (Glen Loma), in response to the Draft Environmental Impact Report (DEIR) for the Glen Loma Ranch Specific Plan (Project) in the City of Gilroy. We appreciate the substantial efforts of the City’s staff and consultants on this document and have just a few comments.

Payments to Fund Regional Conservation Efforts

1 At two locations in the document, on page 1-43 and again on page 2-59, Glen Loma’s anticipated financial contribution toward regional conservation efforts is described as consisting of a $50,000 payment into a City fund to be used as requested by the California Department of Fish and Game (DFG), and a $100,000 reimbursable payment to the City to be used to fund a portion of the City’s participation in regional habitat conservation planning (HCP) efforts. These specific numbers are still being refined. As reflected in the June 2, 2005 letter from DFG to the City included at the end of Appendix E to the DEIR, Glen Loma’s commitment regarding the first payment (the "DFG fund") has been increased from the $50,000 level to $84,000, and the Final EIR should reflect that change. The second payment toward the City’s participation in a regional HCP, however, has not yet been specified, in part due to the City’s evolving understanding of what that process will entail and how it may best participate as well as ongoing discussions with respect to a development agreement for the project.

We request that the Final EIR, not specify a particular figure for Glen Loma’s commitment to funding for the HCP.

Intersection Improvements

2 There are a number of transportation system improvements and suggested mitigations in the DEIR which are not required for level of service purposes but are items that the DEIR states "should be considered" (see, for example, pages 2-113, 2-116, 2-117, 2-118, 2-119, 2-123 and 2-124). Since the thresholds of significance for the DEIR generally are triggered by inadequate levels of service resulting from project contributions, we believe that the summary table on pages S-7 and S-8 incorrectly identifies the impacts at various intersections as being significant before mitigation. As you know, Glen Loma is currently negotiating a development agreement with the City. Further discussions with the City in the context of those negotiations will determine whether the improvements recommended by the consultant for the intersections...
Mitigation Measures

3 Mitigation Measure #3: The appropriate timing mechanism for this mitigation measure should be more specific. The applicants recommend that this mitigation measure's timing be "prior to approval of each final grading plan".

4 Mitigation Measures #7 and #8: The appropriate timing mechanism for these mitigation measures should be more specific. The applicants recommend that this mitigation measure’s timing be tied to the approval of each tentative map.

5 Mitigation Measure #11: The establishment of a Home Owners Association for Glen Loma Ranch will be dependent on a variety of items, including the final resolution of the development agreement between the City of Gilroy and the project applicants. In order to allow sufficient time for the completion of the development agreement and the adoption of the specific plan, we feel that the timing for this mitigation measure should be tied to the recordation of the first Final Map within the specific plan area, not prior to the first tentative map. We request that mitigation measure #11 be changes to "prior to recordation of the first final map within the Glen Loma Ranch Specific Plan area."

6 Mitigation Measure #12: This mitigation measure relates to the Rocky Knoll open space area, and the appropriate timing for this measure should be tied to "prior to the approval of the tentative map for Canyon Creek and/or Rocky Knoll, whichever occurs first."

7 Mitigation Measure #13: This mitigation measure, as written, implies that erosion control measures must be in place for the entire plan area prior to construction. Since the project will build out on a neighborhood-by-neighborhood basis, the timing of this mitigation measure should be tied to the approval of each individual tentative map, and erosion control measures would apply only to the proposed neighborhood in question and any adjacent areas potentially affected by the development of the proposed neighborhood.

8 Mitigation Measure #18: This measure is related to the preservation of significant trees, and requires a field survey to be conducted prior to "removal". The applicants believe that the timing of this mitigation measure should be tied to tentative map approval, since it is at this stage that preliminary grading plans are developed, which determine the impact of the proposed project on existing trees. The applicants believe that it is in both the City’s and future builder’s interests to evaluate the potential removal of any significant tree earlier in the development process. We request that mitigation measure #18 be changed to "Prior to tentative map approval of neighborhoods that contains significant trees, a field survey shall be conducted by a certified arborist to determine the number and location of each significant tree to be removed, the type and approximate size of each significant tree, and the reason for removal. These findings shall be included in a written report that contains specifications for replacing significant trees to be removed."

9 Mitigation Measure #48: The previous mitigation measure (#47) is requiring a map showing the location of lands previously used for non-dryland farming, and this mapping will be used to identify what areas within the specific plan will require a Phase I Environmental Site Assessment. We recommend that Mitigation Measure #48 be modified to read as follows: Prior to the approval of tentative maps or architectural review applications of neighborhoods identified as part of mapping required in Mitigation Measure #47, the
Mitigation Measure #51: we suggest that this mitigation measure be amended to read "a ‘urban wild land interface planner’ or other professional acceptable to the City of Gilroy Fire Marshall, prepare...".

Editing and Other Corrections

1. Page 1-21, bottom of the page above the bullets, delete "within a neighborhood area" and replace with "within the specific plan area".

2. Page 1-37, first paragraph, delete everything after the second sentence and replace with the following: "The City of Gilroy is in the process of adopting revised citywide street standards. If those amendments are made, it is anticipated that the specific plan will be modified to conform to the new standards".

3. Page 2-59, first paragraph, after fourth sentence, insert the following: "However, since there is no aestivating habitat for the salamander on the Glen Loma Ranch project site, the Glen Loma project would not make a cumulatively considerable contribution to this impact."

We appreciate your consideration of these comments and request that this clarifying information and substantive comment be reflected and addressed in the Final EIR.

Sincerely,
Ruggeri-Jensen-Azar & Associates

By: John Donahoe,
Gilroy Planning Division Manager,
Ruggeri-Jensen-Azar Associates

cc: Tim Filice, Glen Loma Group
    John Filice, Glen Loma Group
    Jack Kent, Glen Loma Group
    Alan C. Waltner, Bingham McCutchen, LLP
LETTER 6 - Response to the letter from Ruggeri-Jensen-Azar & Associates (August 1, 2005)

1. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

2. "Should be considered" occurs twice in the Draft EIR: pages 1-113 and 1-117. The analysis pertains to the Princevalle Street/Luchessa Avenue southbound approach that would operate at LOS D during the AM and PM peak hour. Also, improvements are required at the Monterey Road/Luchessa Avenue intersection due to left-turn volumes and queuing. Staff considered the traffic report recommendations and determined that they shall be required as mitigation for safety reasons.

The commenter also notes that several improvements required for safety should not be mitigation measures. The city's thresholds include, "would the project substantially increase hazards..." Because the project increase in traffic at these intersection does substantially increase the hazards, the mitigation measure are required.

3. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

4. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

5. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

6. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

7. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

8. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

9. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

10. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

11. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

12. Comment noted. See Section 3.0, Changes to the Draft EIR, for the text edits.

13. Comment noted. The text in the identified paragraph (page 2-59, first paragraph) correctly states: "Although the Glen Loma site is no longer suitable aestivation habitat due to barriers and other restrictions between the site and the nearest breeding ponds, historically the site was likely utilized by the species. By continuing to develop open grassland areas in the region, fewer aestivation sites are available. This is considered a potentially significant cumulative impact." CEQA requires that the cumulative analysis considered past, present, and future projects. Development of the Santa Teresa expressway between the project site and known breeding ponds is considered one of the past projects applicable to the cumulative analysis discussion in the Draft EIR.
From: Yvonne Arroyo [yarroyo@valleywater.org]
Sent: Monday, August 01, 2005 8:44 AM
To: Cydney Casper
Cc: Kristi Abrams
Cydney/Kristi,
I have looked through the DEIR for the Glen Loma Ranch. I have one question. The report from Schaaf & Wheeler in Appendix F states that the detention basin requires 3.5 acres for flood detention and 5.4 acres for water quality benefits and summarizes with a total of 8.9 acres to provide both benefits. The DEIR Mitigation Measure 23, item c, states the pond will be sized at 5.4 acres to provide both benefits. Is this correct?

Yvonne Arroyo
Associate Engineer
Community Projects Review Unit
SCVWD
Ph (408) 265-2607, extension 2319
Fax (408) 979-5635
LETTER 7 - Response to the letter from SCVWD (August 1, 2005)

1. Mitigation measure 23 incorrectly calls for 5.4 acre feet of capacity for storm water retention and water quality remediation. The correct total is 8.9 acre feet (Schaaf & Wheeler, March 9, 2005, pg 8). See Section 3.0, Changes to the Draft EIR, for the revision to the Draft EIR.
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3.0 Changes to the Draft EIR

This section contains text, tables, and graphics from the Draft EIR with changes indicated. Additions to the text are shown with underlines and deletions are shown with strikethroughs.

1.5 Project Description

The following edits were made to section 1.5, page 1-21, paragraph 2:

As presented earlier, the City of Gilroy General Plan target mix for residential land uses within the specific plan area a neighborhood area is to provide, in addition to single family (R1) uses, the following:

- 10 percent of the residential land area for R2 uses;
- 15 percent of the residential land area for R3 uses; and
- 5 percent of the residential land area for R4 uses.

The following edits were made to section 1.5, page 1-37, paragraph 1:

Interior neighborhood streets will be identified in future tentative map applications for the various neighborhoods within the specific plan. The City of Gilroy is in the process of adopting revised citywide street standards. If those amendments are made, it is anticipated that the specific plan will be modified to conform to the new standards. The specific plan indicates that the street sections will be consistent with the policies of the city of Gilroy. The neighborhood streets will generally have two 19-foot-wide lanes, an eleven-foot-wide sidewalk and landscaped strip, and will be bordered by five-foot public service easements on both sides of the roadway. The 19-foot-wide lanes provide for 12-foot-travel lane area and seven-foot-parking strips. Not all neighborhood streets are guaranteed to have on-street parking.

The following edit was made to section 1.5, page 1-43, paragraph 1:

The development agreement is expected to address a variety of project components including, but not limited to, the following: (1) granting a vested right to the owners to develop the project in accordance with the Specific Plan, (2) granting the project 250 senior and affordable units in addition to the 1,443 RDO allocations already granted to the project, (3) the transfer of the park sites described in the Specific Plan to the City, (4) the dedication of the fire station site to the City, (5) the construction and maintenance of trails within the Specific Plan, (6) the maintenance of open space and open space buffers/fuel transition zones, (7) the acceleration of the time frame for the construction
of units within the Specific Plan area, (8) the payment of fees $50,000 to the City by the owners to be used for funding regional habitat enhancement activities for the California Tiger Salamander as requested by the California Department of Fish & Game, and (9) the payment of $100,000 to the City by the Owners (which may be reimbursed or otherwise credited toward other obligations) to be used to fund a portion of the City’s share of the cost to participate in regional habitat conservation planning efforts.

2.3 Air Quality

The following edit was made to section 2.3, page 2-41, mitigation measure 3:

The following mitigation measure shall be incorporated into the specific plan as an implementation measure.

3. Project proponents shall specify in project plans the implementation of the following dust control measures during grading and construction activities for any proposed development. The measures shall be implemented as necessary to adequately control dust, subject to the review and approval by the City of Gilroy Engineering Division prior to approval of each final grading plan:

The following measures shall be implemented at all construction sites:

- Water all active construction areas at least twice daily;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; and
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

The following measures shall be implemented at all construction sites greater than four acres in area:

- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
• Install sandbags or other erosion control measures to prevent silt runoff to public roadways; and

• Replant vegetation in disturbed areas as quickly as possible.

The following measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors or which for any other reason may warrant additional emission reductions:

• Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;

• Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;

• Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour; and

• Limit the area subject to excavation, grading and other construction activity at any one time.

2.4 Biological Resources

*The following edit was made to section 2.4, page 2-59, paragraph 1:*

As set forth in the project description above, the development agreement for the project will provide for a payment of $50,000 to the City by the Glen Loma project site owners to be used for funding regional habitat enhancement activities for the California tiger salamander as requested by the California Department of Fish & Game, as well as the payment of fees $100,000 to the City by the owners (which may be reimbursed or otherwise credited toward other obligations) to be used to fund a portion of the City’s share of the cost to participate in regional habitat conservation planning efforts.

*The following edit was made to section 2.4, page 2-65, mitigation measures 7 and 8:*

The following mitigation measures shall be incorporated into the specific plan as implementation measures.

7. Prior to approval of each tentative map or use permit, project plans for future development on the project site shall be designed to include adequate buffer areas to protect wetlands, waters of the U.S., oak/riparian woodland, and other open space areas to be preserved in the specific plans area (coastal scrub areas, mixed cultivated woodland, and rocky serpentine grassland areas), subject to review and approval of the City of Gilroy Planning Division. Project plans shall indicate that no development is to occur within 100 feet of a defined creek bank or edge of riparian corridor. Project plans shall indicate that no development is to occur within 50 feet of other open space areas; however, this setback may be reduced
due to site constraints or to accomplish specific project goals subject to review and approval of the City of Gilroy Planning Division, but shall in no event be less than 30 feet. Wherever possible, buffer areas shall be planted with locally-obtained native grasses, shrubs and woodland understory species.

8. Prior to approval of each tentative map or use permit, project plans for future development on the project site shall be designed to avoid unnecessary filling or other disturbance of natural drainage courses and associated oak/riparian woodland vegetation to the greatest extent feasible, subject to review and approval of the City of Gilroy Planning Division. In the event that disturbance of site drainages and associated oak/riparian woodland vegetation cannot be avoided (i.e., Reservoir Canyon Creek Bridge construction, culverts, storm drain outfalls, etc.), authorization from the California Department of Fish and Game through Section 1600 et. seq. of the Fish and Game Code and/or the U.S. Army Corps of Engineers through Section 404 of the Clean Water Act and the Regional Water Quality Control Board through Section 401 of the Clean Water Act shall be obtained, if required, prior to issuance of building or grading permits for any activity that might encroach on the site’s drainages. Conditions imposed on these permits and/or authorizations may include but not be limited to the following:

- Construction work shall be initiated and completed during the summer and fall months when the drainages are dry, or at least have a very low flow. Typically, no construction work shall be allowed between October 15th and April 15th.

- A Habitat Restoration Plan shall be prepared to identify the exact amount and location of affected and replacement habitat, to specify on-site revegetation with locally-obtained native species within the buffer areas to mitigate habitat loss, and to provide specifications for installation and maintenance of the replacement habitat. Any loss of riparian or wetland vegetation resulting from construction activities shall be mitigated on-site at a minimum 3:1 replacement ratio.

The following edits were made to section 2.4, page 2-66, mitigation measure 11:

11. Prior to recordation of the first final map within the Glen Loma Ranch Specific Plan area, approval of a tentative map for development of the proposed neighborhood areas on the project site, the project proponent shall ensure that a suitable ownership structure (i.e., homeowner’s association or similar mechanism) is established prior to occupancy to take long-term responsibility for maintaining and funding the ongoing management of any open space, woodland, vegetated riparian, or other habitat conservation easements on site. The homeowners’ association, or other suitable mechanism, shall be structured so that it is responsible for enforcing habitat protection and maintenance measures to protect onsite biological resources. The homeowners’ association may assess fines to property owners who are non-compliant with these measures. Fines assessed by the homeowner’s association shall be used for on-site habitat
protection, maintenance, and restoration, as necessary. Any noncompliance shall be reported to the City of Gilroy Planning Division and the California Department of Fish and Game by the homeowners association.

The following edits were made to section 2.4, page 2-66, mitigation measure 12:

12. The preserved serpentine rocky grassland on site shall be actively managed to reduce indirect impacts resulting from public use. This may include ranch-style wood fencing surrounding the knoll to protect the area from off-road vehicle use. Additionally, a short trail system could be installed to direct public access with interpretive signs at trailheads to educate the public on the uniqueness of the serpentine grassland community. The project proponent of any future development on the project site shall include habitat management measures in future project plans, subject to review and approval of the City of Gilroy Planning Division prior to approval of the tentative map for Canyon Creek and/or Rocky Knoll, whichever occurs first.

The following edits were made to section 2.4, page 2-66, mitigation measure 13:

13. Prior to approval of each individual tentative map or use permit the commencement of construction activities, subject to the review of the Gilroy Planning Division, the project applicant shall install siltation fencing, hay bales, or other suitable erosion control measures along portions of natural and manmade drainage channels in which construction will occur and within 20 feet of construction and/or staging areas in order to prevent sediment from filling the creek.

The following edits were made to section 2.4, page 2-69, mitigation measure 18:

18. Prior to tentative map or use permit approval of areas that contain the removal of any significant tree(s), a field survey shall be conducted by a certified arborist to determine the number and location of each significant tree to be removed, the type and approximate size of each significant tree, and the reason for removal. These findings shall be included in a written report that contains specifications for replacing significant trees to be removed.

Section 2.8 Transportation/Traffic

The following edits were made to section 2.8, page 2-104:

Caltrans had requested that the intersections of the Highway 101 Ramps/Leavesley Road and Highway 101 Ramps/Monterey Road should also be included in the traffic analysis. The shortest routes for project traffic approaching the site from the north would be via the Highway 101/Tenth Street interchange or the Highway 101/Masten Avenue interchange. It is not anticipated that project traffic would utilize these intersections when the project trip distribution patterns described and used in this report.
3.0 Changes to the Draft EIR

are considered. The study area with identified study intersection is presented in Figure 3 of the traffic report in Appendix G, of this EIR.

The following edits were made to section 2.8, page 2-118, at the direction of City staff:

30. Add an eastbound and a westbound left-turn lane on the Fitzgerald and Masten approaches to the Monterey Road/Masten Avenue intersection, and change the east-west signal phasing from split phasing to protected phasing.

This intersection is within the City of Gilroy’s Transportation Master Plan and therefore, impact fees are collected for improvements at this intersection. Therefore, implementation of this mitigation measure is the responsibility of the City of Gilroy project proponent, prior to issuance of the first building permit.

The following edits were made to section 2.8, page 2-119, at the direction of City staff:

31. Signalize the Santa Teresa Boulevard/Miller Avenue intersection.

This intersection is within the City of Gilroy’s Transportation Master Plan and therefore, impact fees are collected for improvements at this intersection. Therefore, implementation of this mitigation measure is the responsibility of the City of Gilroy project proponent, prior to issuance of the first building permit.

2.9 Other Issues

The following edits were made to section 2.9, page 2-127, mitigation measure 48:

48. Prior to approval of tentative maps, use permits, or architectural review applications of neighborhoods identified as part of mapping required in Mitigation Measure #47, the developer shall have a Phase I Environmental Site Assessment prepared. Based on the findings of the Phase I Environmental Site Assessment For those areas previously used for non-dryland crop use, the applicant shall develop and implement a sampling plan to evaluate the potential for site contamination from those past agricultural uses. If contamination is present at the project site, clean up and disposal of such contamination, if present, shall be in compliance with federal, state and local regulations governing the clean-up and disposal of hazardous waste.

The following edits were made to section 2.9, page 2-130, mitigation measure 51:

51. Prior to approval of the first tentative map, the project proponent shall have an “urban wildland interface planner”, or other professional acceptable to the City of Gilroy Fire Marshal, prepare a report to address the vegetation in the Preserved Open Space and evaluate fuel management and modification. The report shall be based on fuel modeling and fire behavior for the existing vegetation. As each neighborhood adjacent to the Preserved Open Space is
developed, the recommendations of the report shall be implemented by the developer in the adjacent Preserved Open Space. The required width of the Fuel Transition Zones shall also be at least the width as recommended in the report.

3.1 Cumulative Impacts

The following edit was made to section 3.1, page 3-13, paragraph 6:

The Santa Teresa Boulevard/Miller Avenue-Tenth Street intersection would operate at LOS F during the AM and PM peak hours. The worst approach (eastbound) would also operate at LOS F during both peak hours. Signalization, the addition of a second southbound left-turn lane, the addition of second northbound and southbound through lanes, and changing the westbound right-turn to overlap phasing would improve intersection operations to LOS B during the AM peak hour and LOS C during the PM peak hour.

The following figure, Appendix G, Traffic Impact Report, Figure 4, was corrected to clearly present the turning movement volumes:
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Appendix A

Mitigation Monitoring Program
Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

Monitoring Program

The basis for this monitoring program is the mitigation measures included in the project environmental impact report. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached checklist is proposed for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the Final EIR.
Monitoring Program Procedures

The City of Gilroy shall use the attached monitoring checklist for the proposed project. The monitoring program should be implemented as follows:

1. The Gilroy Community Development Department should be responsible for coordination of the monitoring program, including the monitoring checklist. The Community Development Department should be responsible for completing the monitoring checklist and distributing the checklist to the responsible individuals or agencies for their use in monitoring the mitigation measures;

2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring checklist have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring checklist to the Community Development Department to be placed in the project file. If the mitigation measure has not been complied with, the monitoring checklist should not be returned to the Community Development Department;

3. The Gilroy Community Development Department will review the checklist to ensure that appropriate mitigation measures and additional conditions of project approval included in the monitoring checklist have been complied with at the appropriate time, e.g. prior to issuance of a use permit, etc. Compliance with mitigation measures is required for project approvals; and

4. If a responsible individual or agency determines that a non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Community Development Department, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the City of Gilroy.
Glen Loma Ranch Specific Plan Mitigation Monitoring Checklist

Step 1 Prior to approval of the Specific Plan, the following mitigation measure shall be implemented:

23. The specific plan shall be revised to include a detention pond or ponds to collect storm water in the case of 2-, 10-, 25-, and 100-year peak storm events. Detention ponds shall be designed according to the recommendations presented in the Hydrologic Analysis (Schaaf & Wheeler 2005) and should include, but not be limited to the following:

a. The pond(s) should be located to collect the storm water runoff from the project site and discharge to either McCutchin or Reservoir Creeks.

b. Any discharge from the pond(s) should release a maximum of storm water runoff for pre-project conditions (see tables 18 and 19 in the Draft EIR).

c. The pond(s) should be sized a total of approximately 5.4 acre-feet to provide for appropriate storm water quantities and filter pollutants for the purpose of water quality.

d. The pond(s) shall not replace any proposed preserved open space at the project site, as the preserved open space provides flood control and water quality benefits modeled in the Hydrological Analysis (Schaaf & Wheeler 2003).

Step 2 Prior to approval of the first tentative map, the following mitigation measure shall be implemented:

1. Prior to the approval of the first tentative map, the project proponent shall prepare a Santa Teresa Boulevard Landscaped Buffer Plan to include, but not be limited to, the following components:

   • A buffer along the entire length of the boulevard, in varying identified widths depending upon topography and views into the site;

   • Landscaping along Santa Teresa Boulevard to enhance and blend into the natural landscape and screen, to the greatest extent feasible, views of structures including berm/sound wall combinations;

   • Design options for entry features consistent with General Plan policy 1.10;

   • Design options for berm/sound wall combinations and signs; and

   • Class I Santa Teresa Multi-Use Regional Trail.
12. The preserved serpentine rocky grassland on site shall be actively managed to reduce indirect impacts resulting from public use. This may include ranch-style wood fencing surrounding the knoll to protect the area from off-road vehicle use. Additionally, a short trail system could be installed to direct public access with interpretive signs at trailheads to educate the public on the uniqueness of the serpentine grassland community. The project proponent of any future development on the project site shall include habitat management measures in future project plans, subject to review and approval of the City of Gilroy Planning Division prior to approval of the tentative map for Canyon Creek and/or Rocky Knoll, whichever occurs first.

47. Prior to approval of the first tentative map, the applicant shall provide written verification and mapping of the approximate 17 percent of the project site previously used for non-dryland crop use (e.g., wine grapes, tomatoes, cucumbers, strawberries).

48. Prior to approval of tentative maps, use permits, or architectural review applications of neighborhoods identified as part of mapping required in Mitigation Measure #47, the developer shall have a Phase I Environmental Site Assessment prepared. Based on the findings of the Phase I Environmental Site Assessment, clean up and disposal of such contamination, if present, shall be in compliance with federal, state and local regulations governing the clean-up and disposal of hazardous waste.

49. Prior to approval of the first tentative map, the project proponent shall prepare a program for monitoring the need for development of the new fire station. The monitoring program shall be consistent with the requirements of the development agreement between the project proponent and the City of Gilroy and is subject to review by the City Fire Marshal.

51. Prior to approval of the first tentative map, the project proponent shall have an "urban wildland interface planner", or other professional acceptable to the City of Gilroy Fire Marshal, prepare a report to address the vegetation in the Preserved Open Space and evaluate fuel management and modification. The report shall be based on fuel modeling and fire behavior for the existing vegetation. As each neighborhood adjacent to the Preserved Open Space is developed, the recommendations of the report shall be implemented by the developer in the adjacent Preserved Open Space. The required width of the Fuel Transition Zones shall also be at least the width as recommended in the report.

Step 3 Prior to approval of each tentative map or use permit, the following mitigation measure shall be implemented:

7. Prior to approval of each tentative map or use permit, project plans for future development on the project site shall be designed to include adequate buffer areas
to protect wetlands, waters of the U.S., oak/riparian woodland, and other open space areas to be preserved in the specific plans area (coastal scrub areas, mixed cultivated woodland, and rocky serpentine grassland areas), subject to review and approval of the City of Gilroy Planning Division. Project plans shall indicate that no development is to occur within 100 feet of a defined creek bank or edge of riparian corridor. Project plans shall indicate that no development is to occur within 50 feet of other open space areas; however, this setback may be reduced due to site constraints or to accomplish specific project goals subject to review and approval of the City of Gilroy Planning Division, but shall in no event be less than 30 feet. Wherever possible, buffer areas shall be planted with locally-obtained native grasses, shrubs and woodland understory species.

8. Prior to approval of each tentative map or use permit, project plans for future development on the project site shall be designed to avoid unnecessary filling or other disturbance of natural drainage courses and associated oak/riparian woodland vegetation to the greatest extent feasible, subject to review and approval of the City of Gilroy Planning Division. In the event that disturbance of site drainages and associated oak/riparian woodland vegetation cannot be avoided (i.e., Reservoir Canyon Creek Bridge construction, culverts, storm drain outfalls, etc.), authorization from the California Department of Fish and Game through Section 1600 et. seq. of the Fish and Game Code and/or the U.S. Army Corps of Engineers through Section 404 of the Clean Water Act and the Regional Water Quality Control Board through Section 401 of the Clean Water Act shall be obtained, if required, prior to issuance of building or grading permits for any activity that might encroach on the site's drainages. Conditions imposed on these permits and/or authorizations may include but not be limited to the following:

- Construction work shall be initiated and completed during the summer and fall months when the drainages are dry, or at least have a very low flow. Typically, no construction work shall be allowed between October 15th and April 15th.

- A Habitat Restoration Plan shall be prepared to identify the exact amount and location of affected and replacement habitat, to specify on-site revegetation with locally-obtained native species within the buffer areas to mitigate habitat loss, and to provide specifications for installation and maintenance of the replacement habitat. Any loss of riparian or wetland vegetation resulting from construction activities shall be mitigated on-site at a minimum 3:1 replacement ratio.

13. Prior to approval of each individual tentative map or use permit, subject to the review of the Gilroy Planning Division, the project applicant shall install siltation fencing, hay bales, or other suitable erosion control measures along portions of natural and manmade drainage channels in which construction will occur and within 20 feet of construction and/or staging areas in order to prevent sediment from filling the creek.
15. Prior to approval of a tentative map for each phase of the proposed project requiring removal or alteration to potential wetlands and/or waters of the U.S., a wetland delineation shall be prepared according to U.S. Army Corps of Engineers guidelines. The actual acreage of impacts to waters of the U.S. and wetlands shall be determined based on project plans for each development project and the wetland delineation for each development phase. The project proponent shall obtain all necessary permits and/or approvals from the U.S. Army Corps of Engineers and shall retain a restoration specialist to prepare a detailed wetland mitigation plan, if necessary, subject to review and approval by the U.S. Army Corps of Engineers and the City of Gilroy Planning Division. The plan shall include, but not be limited to, creation of wetlands on site to mitigate for unavoidable impacts to waters of the U.S. and wetlands resulting from development activities.

17. Prior to approval of a tentative map for each phase of the proposed project containing or adjacent to preserved natural open space areas, a signage plan shall be prepared to outline the language, number and location of signs to dissuade people from straying off trails and to prohibit unleashed dogs in the open space areas, subject to approval by the City of Gilroy Planning Division.

18. Prior to tentative map or use permit approval of areas that contain any significant tree(s), a field survey shall be conducted by a certified arborist to determine the number and location of each significant tree to be removed, the type and approximate size of each significant tree, and the reason for removal. These findings shall be included in a written report that contains specifications for replacing significant trees to be removed.

22. Project developers shall have a fault investigation performed for each tentative map or site plan approval within the fault rupture zone to determine if there is an active fault located within the fault rupture zone. The investigation shall determine, but not be limited to, the location of the fault (if any), and the anticipated severity of seismic activity of the fault. A copy of the report shall be presented to the City of Gilroy and the County of Santa Clara Planning Office. Project developers shall use the findings of the report for structural design or avoidance of the potential hazard. The fault investigations shall be subject to the review and approval by the City Engineering Division, prior to the approval of tentative maps and/or architectural and site plan approval.

27. Future developers adjacent to Santa Teresa Boulevard, and along internal project arterials, shall prepare a noise impact assessment, by a noise consultant acceptable to the City, to determine if the project would be significantly affected by general plan buildout traffic volumes. If the noise impact assessment concludes that the project would not meet the noise standards of the general plan, the project shall be redesigned to be consistent with the general plan noise element policy 26.03 and 26.05, and with the noise standards in the Guidelines for Sound Attenuation and Visual Preservation of the Santa Teresa Boulevard.
Corridor Policy. The noise attenuation feature shall be no higher than seven feet above the existing grade at the property line. The appropriate height of the noise attenuation feature shall be incorporated into applicable tentative maps prior to their approval. Noise attenuation features shall be landscaped and primarily consist of earthen berms, and an appropriate funding mechanism for maintenance shall be identified.

**Step 4** Prior to **recording of the first final map and/or final improvement plans**, the following mitigation measures shall be implemented:

11. Prior to recording of the first final map within the Glen Loma Ranch Specific Plan area, the project proponent shall ensure that a suitable ownership structure (i.e., homeowner's association or similar mechanism) is established prior to occupancy to take long-term responsibility for maintaining and funding the ongoing management of any open space, woodland, vegetated riparian, or other habitat conservation easements on site. The homeowners' association, or other suitable mechanism, shall be structured so that it is responsible for enforcing habitat protection and maintenance measures to protect onsite biological resources. The homeowners' association may assess fines to property owners who are non-compliant with these measures. Fines assessed by the homeowner's association shall be used for on-site habitat protection, maintenance, and restoration, as necessary. Any noncompliance shall be reported to the City of Gilroy Planning Division and the California Department of Fish and Game by the homeowners association.

16. A schematic lighting plan shall be submitted with each development proposal for review and approval by the Planning Division. Exterior lighting for any development proposed adjacent to open space areas shall be of low stature (i.e., 20 feet) and shall be of a full cutoff design or include opaque shields to reduce illumination of the surrounding landscape. Lighting shall be directed away from open space areas.

26. Future applicants in the Glen Loma Ranch specific plan area shall prepare a post-construction storm water management plan, subject to the review and approval of the Gilroy Engineering Division prior to the approval of final improvement plans, that shall include structural and non-structural best management practices (BMPs) for the reduction of pollutants in storm water to the maximum extent practicable.

**Step 5** Prior to approval of each **final grading plan**, the following mitigation measure shall be implemented:

3. Project proponents shall specify in project plans the implementation of the following dust control measures during grading and construction activities for any proposed development. The measures shall be implemented as necessary to
adequately control dust, subject to the review and approval by the City of Gilroy Engineering Division:

The following measures shall be implemented at all construction sites:

- Water all active construction areas at least twice daily;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; and
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

The following measures shall be implemented at all construction sites greater than four acres in area:

- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways; and
- Replant vegetation in disturbed areas as quickly as possible.

The following measures are strongly encouraged at construction sites that are large in area, located near sensitive receptors or which for any other reason may warrant additional emission reductions:

- Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;
- Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour; and
• Limit the area subject to excavation, grading and other construction activity at any one time.

**Step 6 30 days prior to commencement of grading or construction activities**, the following mitigation measure shall be implemented:

4. Subject to the review of the City of Gilroy Planning Division, no more than 30 days prior to commencement of grading or construction activities for development proposed in or adjacent to potential habitat (i.e., grasslands), field surveys shall be conducted by a qualified biologist to determine if burrowing owls are present in the construction zone or within 200 feet of the construction zone. Areas within 200 feet of the construction zone that are not within the control of the applicant shall be visually assessed from the project site. These surveys shall be required only if any construction would occur during the nesting and/or breeding season of burrowing owls (February 1 through August 31) and/or during the winter residency period (December 1 through January 31). If active nests are found within the survey area, a burrowing owl habitat mitigation plan shall be submitted to the California Department of Fish and Game for review and approval. The burrowing owl habitat mitigation plan shall contain mitigation measures contained in the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game 1995). The habitat mitigation plan may include, but not be limited to, the following:

• Avoidance of occupied burrows during the nesting season (February 1 through August 31);
• Acquisition, protection and funding for long-term management and monitoring of foraging habitat adjacent to occupied habitat;
• Enhancement of existing burrows and/or creation of new burrows; and/or
• Passive relocation of burrowing owls.

5. Subject to the review of the City of Gilroy Planning Division, no more than 30 days prior to commencement of grading or construction activities for development proposed in or adjacent to potential nesting habitat (i.e., riparian woodland and oak woodland), a tree survey shall be conducted by a qualified biologist to determine if active nest(s) of protected birds are present in the trees. Areas within 200 feet of the construction zone that are not within the control of the applicant shall be visually assessed from the project site. This survey shall be required only if any construction would occur during the nesting and/or breeding season of protected bird species potentially nesting in the tree (generally March 1 through August 1). If active nest(s) are found, clearing and construction within 200 feet of the tree, or as recommended by the qualified biologist, shall be halted until the nest(s) are vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, as determined by the qualified biologist. If
construction activities are not scheduled between March 1 and August 1, no further shrike or tree surveys shall be required.

6. Subject to the review of the City of Gilroy Planning Division, no more than 30 days prior to commencement of grading or construction activities for development proposed in or adjacent to potential roost habitat (i.e., riparian woodland and oak woodland), pre-construction surveys for bat roosts shall be performed by a qualified biologist. If bat roost sites are found, the biologist shall implement a program to remove/displace the bats prior to the removal of known roost sites. In addition, an alternate roost site shall be constructed in the vicinity of the known roost site. Specifications of the alternate roost shall be determined by a bat specialist.

19. Prior to commencement of construction activities, the protected zone of any trees or groups of trees to be retained shall be fenced to prevent injury to the trees during construction. Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials shall not be allowed within the protected zone. The fencing shall remain in place until all construction activities are complete.

**Step 7** Prior to approval and issuance of the **first building permit in Phase I,** the following mitigation measures shall be implemented:

30. Add an eastbound and a westbound left-turn lane on the Fitzgerald and Masten approaches to the Monterey Road/Masten Avenue intersection, and change the east-west signal phasing from split phasing to protected phasing.

This intersection is within the City of Gilroy’s Transportation Master Plan and therefore, impact fees are collected for improvements at this intersection. Therefore, implementation of this mitigation measure is the responsibility of the project proponent, prior to issuance of the first building permit.

31. Signalize the Santa Teresa Boulevard/Miller Avenue intersection.

This intersection is within the City of Gilroy’s Transportation Master Plan and therefore, impact fees are collected for improvements at this intersection. Therefore, implementation of this mitigation measure is the responsibility of the project proponent, prior to issuance of the first building permit.

32. Change the signal phasing at the Monterey Road/Tenth Street intersection for the east-west travel direction from permitted phasing to protected phasing.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase I.
33. Convert the Thomas Road/Luchessa Avenue intersection to a one-lane modern roundabout.

OR

Signalize the Thomas Road/Luchessa Avenue intersection, add a northbound right turn lane, and add a northbound right turn overlap phasing to the signal phasing.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit for Phase I.

Note: The mitigated negative declaration for the planned elementary school within the specific plan, located on Luchessa Avenue within the Cabernet neighborhood, required implementation of this mitigation measure prior to opening the school. It was required due to unacceptable levels of services during the mid-afternoon peak hour. The mitigation measure requires the school district to pay their fair share of this improvement determined by agreement between the school district and the City of Gilroy.

Step 8 Prior to approval and issuance of the first building permit in Phase II, the following mitigation measures shall be implemented:

34. Signalize the Santa Teresa Boulevard/Fitzgerald Avenue intersection and add eastbound and westbound left turn lanes.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase II.

35. Add a northbound left turn lane to the Uvas Park Drive/Miller Avenue intersection.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase II.

36. Prepare a traffic management plan of the Miller Avenue street section southwest of the intersection with Uvas Park Drive.

The project proponent shall be responsible for preparation of the plan. The plan shall be subject to review and approval by the City staff and constructed by the project, prior to issuance of the first building permit in Phase II.

Step 9 Prior to approval and issuance of the first building permit in Phase III, the following mitigation measures shall be implemented:
37. Add second eastbound and westbound left turn lanes to the Santa Teresa Boulevard/First Street intersection.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.

38. Add a southbound left turn lane to the Santa Teresa Boulevard/Ballybunion Drive intersection and convert the north-south signal phasing from permitted phasing to protected phasing.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.

39. Signalize the Uvas Park Drive/Miller Avenue intersection and add northbound and southbound left-turn lanes.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.

Note: This intersection would operate at LOS C during the AM and PM peak hours with implementation of this improvement. However, under General Plan Buildout Conditions, the Tenth Street Bridge would be required to be constructed. With the Tenth Street Bridge, this intersection would operate at LOS A during the AM peak hour and LOS C during the PM peak hour with NO improvements, e.g. signalization and lane additions. Therefore, the mitigation measure identified above would not be required under General Plan Buildout Conditions, assuming the Tenth Street Bridge were constructed.

One option would be to only add the northbound left-turn lane as recommended in the previous scenario (Background Plus Project Phases I and II) and consider LOS E as an acceptable short term level of service for this intersection. Another option is to implement the mitigation measure above (signalize the intersection and add the left-turn lanes, which would improve operations to LOS C during the AM and PM peak hours), with the knowledge that the signal could be removed once the Tenth Street Bridge is constructed at General Plan Buildout Conditions.

40. Convert the signal phasing at the Princevalle Street/Tenth Street intersection from permitted phasing to protected phasing.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.
41. If the Thomas Road/Luchessa Avenue intersection was converted to a one lane modern roundabout, add a second lane to the roundabout and widen the Luchessa Avenue Bridge to four lanes. This would result in LOS A during both the AM and PM peak hours.

OR

If the Thomas Road/Luchessa Avenue intersection was signalized and a northbound right turn lane was added, add a second westbound left turn lane and westbound through lane and widen the Luchessa Avenue Bridge to four lanes.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.

42. Signalize the Princevalle Street/Luchessa Avenue intersection and add an eastbound left turn lane.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.

43. Add second northbound and westbound left turn lanes at the Monterey Street/Luchessa Avenue intersection.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.

44. Add an eastbound and westbound through lane on First Street at its intersection with Santa Teresa Boulevard.

The project proponent shall be responsible for paying for the design and implementation of this mitigation measure, prior to the issuance of the first building permit in Phase III.

**Step 10** Prior to approval and issuance of **building or grading permits**, the following mitigation measures shall be implemented:

9. Any loss of oak and/or riparian woodland habitat resulting from development shall require the project proponent to retain a qualified biologist to prepare a Habitat Restoration Plan to identify the exact amount and location of affected and replacement habitat, specify an appropriate plant palette, and provide specifications for installation and maintenance of the replacement habitat. Replacement vegetation shall consist of locally-obtained native plant species. Any loss of riparian woodland vegetation shall be mitigated on-site at a minimum
of 3:1 replacement ratio, unless otherwise determined by the Department of Fish and Game and the City of Gilroy. Any loss of oak woodland vegetation shall require preservation of on-site oak woodland at a ratio of 3:1 and replanting on-site at a ratio of 1:1, unless otherwise determined by the Department of Fish and Game and the City of Gilroy. The Habitat Restoration Plan shall be prepared prior to issuance of building or grading permits for any activity requiring removal of oak and/or riparian woodland habitat, subject to review and approval of the City of Gilroy Planning Division and California Department of Fish and Game.

14. Prior to issuance of grading and/or building permits, the project proponent of any future development on the project site shall submit a Landscape Plan, for review and approval by the City of Gilroy Planning Division. Landscaping plans for areas adjacent to riparian habitat shall include appropriate guidelines to prevent contamination of drainages and their associated riparian habitat by pesticides, herbicides, fungicides, and fertilizers. Landscaping shall include appropriate native plants species and should not include plantings of non-native, invasive plant species.

20. Project proponents shall submit a soils investigation prepared by a qualified soils engineer for future development on the project site. The recommendation of the soils investigation shall be incorporated into final building plans, subject to the review and approval by the Gilroy Engineering Division prior to approval of any building permits.

21. The project applicant shall design all structures in accordance with the Uniform Building Code for seismic design. In addition, all recommendations in the geotechnical reports prepared for the project shall be implemented. Structural design is subject to the review and approval by the Gilroy BLES Division prior to the issuance of building permits.

24. The project applicant for any proposed development on the project site, shall, for each phase of the development, submit a Notice of Intent (NOI) and detailed engineering designs to the Central Coast RWQCB. The associated permit shall require development and implementation of a SWPPP that uses storm water “Best Management Practices” to control runoff, erosion and sedimentation from the site. The SWPPP must include Best Management Practices that address source reduction and, if necessary, shall include practices that require treatment. The SWPPP shall be submitted to the City of Gilroy Engineering Division for review and approval prior to approval of a building permit for each phase of the project.

25. The project applicant shall submit plans for review by, and obtain an approved permit from the Santa Clara Valley Water District (SCVWD) prior to any work within 50 feet of on-site drainages, wetlands or riparian habitat.
28. Prior to issuance of a grading permit for all areas within the Specific Plan area, the following measures shall be incorporated into the project plans to mitigate construction noise, subject to the review and approval of the City of Gilroy Engineering Division:

a. Construction shall be limited to weekdays between 7 AM and 7 PM and Saturdays and holidays between 9 AM and 7 PM, with no construction on Sundays;

b. All internal combustion engine-driven equipment shall be equipped with mufflers that are in good condition and appropriate for the equipment; and

c. Stationary noise-generating equipment shall be located as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area.

45. Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included on any permits issued for the project site, including, but not limited to building permits for future development, subject to the review and approval of the Gilroy Planning Division:

If archaeological resources are discovered during construction, work shall be halted within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

46. In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall ensure that this language is included in all permits in accordance with CEQA Guidelines section 15064.5(e), subject to the review and approval of the City of Gilroy Planning Division:

If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Santa Clara County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or
his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

**Step 11** Prior to approval of commencement of construction activities associated with the Reservoir Canyon Creek Bridge, the following mitigation measure shall be implemented:

10. Prior to commencement of construction activities associated with Reservoir Canyon Creek Bridge, the project proponent responsible for construction of the bridge shall arrange for a qualified biologist to monitor bridge construction activities to ensure there are no impacts to wetlands and associated oak/riparian woodland habitat.

**Step 12** Prior to approval of the first occupancy permit, the following mitigation measure shall be implemented:

50. Residential fire sprinklers shall be installed in all residences within the specific plan area over 3,000 square feet, including single-family and multi-family town homes or apartments, and residential clusters with more than 25 units that lack secondary access. Residential fire sprinklers shall be installed prior to occupancy. Prior to approval of future development projects within the specific plan area, the City Fire Marshal may require that all residences have residential fire sprinkler systems, regardless of conditions stated above, especially if streets are narrow, buildings are closely spaced, emergency response time is not met, there is inadequate fire flow, building are adjacent to natural areas, or other conditions exist that could hinder the ability of the City of Gilroy Fire Department to perform fire suppression acts in such case they would be needed. The sprinklers shall be designed and installed in accordance with City of Gilroy Fire Department policies.

52. The Glen Loma Ranch Homeowner's Association shall take full responsibility for management and maintenance of the preserved open space areas within the project site. Seasonal vegetation management should be scheduled to occur at the end of the rainy season and consistent with the annual weed abatement resolution. The HOA should implement any vegetation management in the Preserved Open Spaces and Fuel Transition Zones at the beginning of the weed
abatement season. This language shall be included in the HOA conditions, covenants, and restrictions.

**Note:** *Mitigation measure 29 is not the responsibility of the project proponent.*

29. Lengthen the existing southbound acceleration lane at Castro Valley Road as an auxiliary lane between Castro Valley Road and the off-ramp to Highway 25. The combined acceleration/auxiliary lane would extend the nearly 2,000 feet between Castro Valley Road and the off-ramp to Highway 25.

This intersection is outside of the City of Gilroy’s Transportation Master Plan and therefore, impact fees are not collected for improvements at this intersection. Therefore, implementation of this mitigation measure is the responsibility of the County of Santa Clara.