Public Review Draft EIR

Gilroy Civic Center Master Plan

SCH # 2025091066

November 14, 2025

Prepared by

EMC Planning Group

PUBLIC REVIEW DRAFT EIR

GILROY CIVIC CENTER MASTER PLAN

SCH# 2025091066

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1.0 Introduction

1.1 Purpose for Preparing the EIR

The City of Gilroy ("City") acting as the lead agency, has determined that the Gilroy Civic Center Master Plan (hereinafter "proposed project") could result in significant adverse environmental impacts and has required than an environmental impact report (EIR) be prepared to evaluate these potentially significant adverse environmental impacts.

This EIR has been prepared in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, to inform public decision makers and their constituents of the environmental impacts of the proposed project. In accordance with CEQA guidelines, this report describes both beneficial and adverse environmental impacts generated by the proposed project and suggests measures for mitigating significant adverse environmental impacts resulting from the proposed project.

1.2 Methodology

General

This EIR has been prepared by EMC Planning Group in accordance with CEQA and its implementing guidelines, using an interdisciplinary approach. The City has the discretionary authority to review and approve the proposed project. This EIR is an informational document that is intended to inform the decision makers and their constituents, as well as responsible and trustee agencies of the environmental impacts of the proposed project and to identify feasible mitigation measures that would avoid or reduce the severity of the impacts. The lead agency is required to consider the information contained in this EIR prior to taking any discretionary action to approve the proposed project.

This EIR has been prepared using available information from private and public sources noted herein.

The purpose of an EIR is to identify a project's significant environmental effects, to indicate the manner in which those significant effects can be mitigated or avoided, and to identify alternatives to the proposed project.

An EIR is an objective public disclosure document that takes no position on the merits of the proposed project. Therefore, the findings of this EIR do not advocate a position "for" or "against" the proposed project. Instead, the EIR provides information on which decisions about the proposed project can be based. This EIR has been prepared according to professional standards and in conformance with legal requirements.

Emphasis

This draft EIR focuses on the significant effects on the environment in accordance with CEQA Guidelines section 15143. The significant effects are discussed with emphasis in proportion to their severity and probability of occurrence.

Forecasting

In accordance with CEQA Guidelines section 15144, preparing this draft EIR necessarily involved some degree of forecasting. While foreseeing the unforeseeable is not possible, the report preparers and technical experts used best available efforts to find out and disclose all that it reasonably can.

Speculation

If, after thorough investigation, the report preparers in consultation with the lead agency determined that a particular impact is too speculative for evaluation, the conclusion is noted and the issue is not discussed further (CEQA Guidelines section 15145).

Degree of Specificity

In accordance with CEQA Guidelines section 15146, the degree of specificity in this draft EIR corresponds to the degree of specificity involved in the proposed project. The project is a master plan and no development is proposed at this time. Therefore, development details are not available. Therefore, the degree of specificity of the analysis in this EIR corresponds to the level of detail provided during preparation of the master plan.

Technical Detail

The information contained in this draft EIR includes summarized technical data, maps, plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public, pursuant to CEQA Guidelines section 15147. Placement of highly technical and specialized analysis and data is included as appendices to the main body of the draft EIR.

Citation

In accordance with CEQA Guidelines section 15148, preparation of this draft EIR was dependent upon information from many sources, including engineering reports and scientific documents relating to environmental features. If the document was prepared specifically for the proposed

project, the document is included in the technical appendices discussed above. Documents that were not prepared specifically for the proposed project, but contain information relevant to the environmental analysis of the proposed project, are cited but not included in this draft EIR. This draft EIR cites all documents used in its preparation including, where appropriate, the page and section number of any technical reports that were used as the basis for any statements in the draft EIR.

Cumulative Impacts Analysis

CEQA Guidelines section 15130 requires a discussion of cumulative impacts when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3), which states, "The project has possible environmental effects that are individually limited but cumulative considerable. Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable. A cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts that do not result in part from the project evaluated in the EIR. When the combined cumulative impacts associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis supporting its conclusion that the cumulative impact is less than significant.

A lead agency may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and therefore, is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impact to which the other identified projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.

CEQA requires a cumulative development scenario to consist of either a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or, a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

Cumulative impacts are evaluated in Section 11.0 of this EIR.

1.3 EIR Process

There are several steps required in an EIR process. The major steps are briefly discussed below.

Notice of Preparation

CEQA Guidelines section 15082 describes the purpose, content and process for preparing, circulating and facilitating early public and public agency input on the scope of an EIR. CEQA Guidelines section 15375 defines a notice of preparation as:

> …a brief notice sent by the Lead Agency to notify the Responsible Agencies, Trustee Agencies, the Office of Planning and Research, and involved federal agencies that the Lead Agency plans to prepare an EIR for the project. The purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR.

A notice of preparation was prepared for the proposed project and circulated for 30 days from June 19, 2025 to July 19, 2025 as required by CEQA. No responses to the notice of preparation were received. The notice of preparation is included in Appendix A.

Draft EIR

Contents

This EIR is an informational document which will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency is required to consider the information in the EIR along with other information which may be presented to the agency. CEQA Guidelines Article 9 requires a draft EIR contain the following information:

- Table of Contents;
- Summary;
- Project Description;
- Environmental Setting;

- Consideration and Discussion of Environmental Impacts;
- Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects;
- Consideration and Discussion of Alternatives to the Proposed Project;
- Effects not found to be Significant;
- Organization and Persons Consulted; and
- Discussion of Cumulative Impacts.

The detailed contents of this draft EIR are outlined in the table of contents.

Public Review

This draft EIR will be circulated for a 45-day public review period. All comments addressing environmental issues received on the draft EIR will be addressed in the final EIR. CEQA Guidelines section 15204(a) states that in reviewing a draft EIR, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

CEQA Guidelines section 15204(c) states that reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Final EIR

Contents

In accordance with CEQA Guidelines section 15132, the final EIR will provide the following:

- List of persons, organizations, and public agencies commenting on the draft EIR;
- Comments received on the draft EIR;
- Responses to significant environmental points raised in comments; and
- Revisions that may be necessary to the draft EIR based upon the comments and responses.

According to CEQA Guidelines section 15204(a), when responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR. The final EIR and the draft EIR will constitute the entire EIR.

Certification

CEQA Guidelines section 15088 requires the lead agency to provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an EIR.

CEQA Guidelines section 15090 requires lead agencies to certify the final EIR prior to approving a project. The lead agency shall certify that the final EIR has been completed in compliance with CEQA, the final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project, and that the final EIR reflects the lead agency's independent judgment and analysis.

1.4 Terminology

Characterization of Impacts

This EIR uses the following terminology to denote the significance of environmental impacts.

No Impact

"No impact" means that no change from existing conditions is expected to occur.

Adverse Impacts

A "less-than-significant impact" is an adverse impact, but would not cause a substantial adverse change in the physical environment, and no mitigation is required.

A "significant impact" or "potentially significant impact" would, or would potentially, cause a substantial adverse change in the physical environment, and mitigation is required.

A "less-than-significant impact with implementation of mitigation measures" means that the impact would cause no substantial adverse change in the physical environment if identified mitigation measures are implemented.

A "significant and unavoidable impact" would cause a substantial change in the physical environment and cannot be avoided if the project is implemented; mitigation may be recommended, but will not reduce the impact to less-than-significant levels.

Beneficial Impact

A "beneficial impact" is an impact that would result in a decrease in existing adverse conditions in the physical environment if the project is implemented.

Abbreviations and Acronyms

AB	Assembly Bill
AFY	Acre-Feet per Year
BAAQMD	Bay Area Air Quality Management District
BTU	British Thermal Unit
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CARB	California Air Resources Control Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
EV	Electric Vehicle
FESA	Federal Endangered Species Act
GHG	Greenhouse Gas(es)
GPD	Gallons per Day

LID	Low Impact Development
MGD	Million Gallons per Day
MT	Metric Tons
NO_X	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
O_3	Ozone
Pb	Lead
PM	Particulate Matter
PM_{10}	Suspended Particulate Matter 10 micrometers or less
$PM_{2.5}$	Fine Particulate Matter 2.5 micrometers or less
ppm	Parts per Million
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SF	Square Feet
SO_X	Sulfur Oxides
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds

2.0 Summary

2.1 CEQA Requirements

CEQA Guidelines Section 15123 specifies that an EIR must contain a summary. This section of the EIR meets the specific EIR summary content requirements by including: 1) a brief summary of the project; 2) a summary of each significant impact of the proposed project and the mitigation measures proposed to lessen or avoid the significant impacts; 3) areas of controversy known to the lead agency, and 4) issues to be resolved, including the choice among alternatives and whether or how to mitigate the significant effects.

2.2 Summary of the Proposed Project

The proposed project includes demolishing the existing City Hall, Wheeler Auditorium, City Hall Annex, senior center, civic center parking lot, and Hanna Street to construct a new City Hall, multi-generational recreation center with outdoor swimming pool, multi-generational community center, and a paseo and civic park, as well as 425 parking spaces. The existing police station, library, and residences would remain. Many on-site trees would also be removed and there would be 206,389 square feet of sidewalks and planting areas.

2.3 Summary of Significant Impacts and Mitigation Measures

The proposed project would have a range of significant impacts. Table 2-1, Summary of Significant Impacts and Mitigation Measures, located at the end of this Summary section, lists each significant impact, the level of significance of each impact, mitigation measures proposed to avoid or substantially lessen each impact, and the level of significance of each impact after implementation of the mitigation measures.

2.4 Summary of Alternatives

This EIR evaluates the environmental impacts of two alternatives to the proposed project. Each is summarized below and further described in Section 13.0, Alternatives.

No Project

Under the No Project alternative, the Civic Center Master Plan would not be adopted and implemented and therefore, redevelopment of the civic center site would not occur. Existing uses at the civic center would continue. No impacts would occur with this alternative.

Retain Wheeler Auditorium in Place and Redesign Proposed Project

This alternative would retain the project site boundaries, but the Wheeler Auditorium would remain in place. As a result, the proposed recreation and aquatics facility would not be constructed and the new public park may be reduced in size to accommodate the existing Wheeler Auditorium building footprint. The buildings proposed for demolition, proposed to be constructed, and proposed to remain in place would otherwise remain the same as with the proposed project. This alternative would eliminate the significant and unavoidable loss of the historic Wheeler Auditorium.

2.5 Areas of Known Controversy

No known areas of public controversy regarding the project have been identified to date. As part of its process to craft the Gilroy Civic Center Master Plan, City staff and ELS solicited public input from the public on the needs and desires for uses within the site. A range of ideas and considerations were raised and addressed. No comment letters were received in response to the Notice of Preparation (included in Appendix A).

2.6 Issues to be Resolved

The City is not aware of any issues to be resolved. However, the City Council will be required to consider the alternatives evaluated in this EIR and make a decision whether to approve the proposed project or one of the alternatives.

Table 2-1 Summary of Significant Impacts and Mitigation Measures

Impact	Significance Level without Mitigation	Mitigation Measure(s)	Significance Level after Mitigation
Air Quality			
Impact 5-3. Operation of Construction Equipment with Potential to Expose Sensitive Receptors to Toxic Air Contaminants	Significant	AQ-1 With each construction project, the City, or developer, shall prepare a Construction Management Plan to include the following measures to reduce TAC emissions during construction: a. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation; b. Idling of construction equipment and heavy-duty diesel trucks will be avoided where feasible, and if idling is necessary, it will not exceed three minutes; c. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications and will be checked by a certified visible emissions evaluator; and d. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity, or biodiesel.	Less than Significant
Biological Resources			
Impact 6-1. Potential Adverse Effect on Special-Status Wildlife Species (Protected Bat Species)	Significant	BIO-1 Special-Status Bat Species. Within 14 days prior to tree removal, vegetation clearing, building demolition, grading, or the initiation of any construction activity in any area of the project site, a qualified wildlife biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed, in buildings and trees within 50 feet of the construction footprint, and surrounding structures situated within 50 feet of disturbance activities by the project. In the event that construction activities are suspended for 14 consecutive days or longer, these surveys shall be repeated. Surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.	Less than Significant

Impact	Significance Level without Mitigation	Mitigation Measure(s)	Significance Level after Mitigation
		Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no roosting sites or bats are found, a letter report confirming absence shall be submitted by the biologist to the City of Gilroy Community Development Department, Planning Division, where it will be kept on file, and no further mitigation is required. If bats or roosting sites are found, a letter report and supplemental documents shall be provided by the biologist to the City of Gilroy Community Development Department, Planning Division, prior to ground disturbance activities and the following monitoring, exclusion, and habitat replacement measures shall be implemented: a. If bats are found roosting outside of the nursery season (May 1 through October 1), they shall be evicted as described under (b) below. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats shall be evicted as described under (b) below. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the California Department of Fish and Wildlife) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season. b. If a non-breeding bat hibernaculum is found in a tree or snag scheduled for removal or on any structures within 50 feet of project disturbance activities, the individuals shall be safely evicted, under the direction of a qualified bat biologist. If pre-construction surveys determine that there are bats present in any trees or structures to be removed, exclusion structures (e.g., one-way doors or similar methods) shall be installed by a qualified biologist. The exclusion structures shall not be placed until the time of year in which young are able to fly, outside of the nursery season. Information on placement of exclusion structures shall be provided to the California Department of Fish and Wildlife prior to construction. If needed, other removal methods could include: carefully opening the roosting area in a tree or snag by hand to expose the cavity and opening doors/windows on structures, or creating openings in walls to allow light into the structures. Removal of any trees or snags and disturbance within 50 feet of any structures shall be conducted no earlier than the following day (i.e., at least one night shall be provided between initial roost eviction disturbance and tree removal/disturbance activities). This action will allow bats to leave during dark hours, which increases their chance of finding new roosts with a minimum of potential predation.	

Impact	Significance Level without Mitigation	Mitigation Measure(s)	Significance Level after Mitigation
Impact 6-2. Potential Adverse Effect on Nesting Migratory Birds and Raptors	Significant	BIO-2 To avoid impacts to nesting birds during the nesting season (February 1 through September 15), construction activities that include any tree removal, vegetation clearance, or ground disturbance (such as grading or grubbing), shall be conducted between September 16 and January 31, which is outside of the bird nesting season. If construction activities must commence during the bird nesting season, then a qualified biologist shall conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction. a. Two surveys for active nests of such birds shall occur within 10 days prior to start of construction, with the second survey conducted within 48 hours prior to start of construction. Appropriate minimum survey radius surrounding the work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Evidence of completion of the preconstruction survey shall be submitted to the Gilroy Community Development Department, Planning Division, where it will be kept on file, prior to initiation of ground disturbing activities. b. If the qualified biologist documents active nests at the project site, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. This measure shall be implemented by the project developer prior to initiation of ground disturbing activities.	Less than Significant
Impact 6-6. Potential Adverse Effect on Protected Trees	Significant	BIO-3 Prior to approval of each construction project, the City of Gilroy shall prepare a Landscape Plan for review and approval by the Community Development Department, Planning Division indicating the location, size and species of existing trees found within the project site boundaries. The plan shall indicate which trees are planned for removal. Based on review of the Landscape Plan, the City shall determine which trees, if any, are "significant." If significant trees are determined to be located on the project site, they shall be retained, to the greatest extent feasible. The dripline of significant trees to be retained shall be fenced prior to grading activities to prevent root damage. If retention of all significant trees on the project site is infeasible, a written report shall be prepared by a certified arborist including the number and location of each significant tree to be	Less than Significant

Impact	Significance Level without Mitigation	Mitigation Measure(s)	Significance Level after Mitigation
		removed, the type and approximate size of each significant tree, the reason for removal, and specifications for replacing significant trees to be removed. The written report shall be prepared prior to the commencement of grading activities, subject to approval by the City of Gilroy Community Development Department, Planning Division, and a tree removal permit shall be obtained if needed. Prior to commencement of construction activities, the protected zone (one to 1.5 times the distance from the trunk to the dripline, depending on the tree species) 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. The City of Gilroy shall submit evidence of the locations and extent tree protection measures to the Community Development Department, Planning Division, where it will be kept on file, prior to initiation of ground disturbing activities.	
Cultural Resources			
Impact 7-1. The Proposed Project Would Cause the Loss of a Historic Resource	Significant	CUL-1.a Prior to issuance of any demolition permit, a qualified architectural historian shall document the Wheeler Auditorium at 7377 Church Street in accordance with the guidelines established for the Historic American Building Survey (HABS). Documentation shall consist of the following components: 1. Drawings – Prepare sketch floor plans. 2. Photographs – Digital photographic documentation of the interior, exterior, and setting of the buildings in compliance with the National Register Photo Policy Fact Sheet. Photos must have a permanency rating of approximately 75 years. 3. Written Data – HABS written documentation in short form. An architectural historian meeting the Secretary of the Interior's Professional Qualification Standards shall oversee the preparation of the sketch plans, photographs and written data. The existing DPR forms shall fulfill the requirements for the written data report. The City of Gilroy's Historian shall review the documentation, and then file the documentation with the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. All documentation shall be submitted on archival paper. CUL-1.b The City shall develop the material prepared in CUL-1 into a public educational display within the new community center.	Significant and Unavoidable
Impact 7-2. Potential Loss of or Damage to Unique Archaeological Resources During Construction	Significant	CUL-2 In the event archaeological resources are encountered during ground disturbing activities; contractor shall temporarily halt or divert excavations within a 50 meter (165 feet) of the find until it can be evaluated. All potentially significant archaeological deposits shall be evaluated to demonstrate whether the resource is eligible for inclusion on the California Register of Historic Resources, even if discovered during construction. If archaeological	Less than Significant

Impact	Significance Level without Mitigation	Mitigation Measure(s)	Significance Level after Mitigation
		deposits are encountered, they shall be evaluated and mitigated simultaneously in the timeliest manner practicable, allowing for recovery of materials and data by standard archaeological procedures. For precontact and indigenous archaeological sites, this data recovery involves the hand-excavated recovery and non-destructive analysis of a small sample of the deposit. Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance by a qualified archaeologist. Unique archaeological cultural resources consist of but are not limited to stone (ground and flaked), bone, organic materials, ceramics, fossils, wood, or shell artifacts. Features include hearths, cairns, middens, and postholes.	
Impact 7-3. Potential Loss of or Damage to Native American Human Remains During Construction	Significant	CUL-3 In the event that human remains (or remains that may be human) are discovered at the project site, Public Resource Code Section 5097.98 shall be followed. All grading or earthmoving activities shall immediately stop within 50 meters (165 feet) of the find. The Santa Clara County Corner will be notified immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the project proponent shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (Public Resource Code [PRC] § 5097). The coroner shall contact the Native American Heritage Commission (NAHC) to determine the most likely descendant(s) (MLD). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The MLD will determine the most appropriate means of treating the human remains and associated grave artifacts, and shall oversee the disposition of the remains. In the event the NAHC is unable to identify an MLD or the MLD fails to make a recommendation within 48 hours after being granted access to the site, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity within the project site in a location not subject to further subsurface disturbance if: a) the Native American Heritage Commission is unable to identify the MLD or the MLD failed to make a recommendation within 48 hours after being allowed access to the site; 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.	Less than Significant

Impact	Significance Level without Mitigation	Mitigation Measure(s)	Significance Level after Mitigation
Greenhouse Gases			
Impact 8-1. Generate Greenhouse Gas Emissions	Significant	GHG-1 The following GHG emissions reduction performance measures shall be incorporated into the final project designs and plans for each development project: a. No permanent natural gas infrastructure shall be permitted; no natural gas shall be made available through permanent natural gas infrastructure. The project shall be all electric; and b. Electric vehicle infrastructure (e.g., elective vehicle parking spaces, charging station infrastructure, chargers, etc.) consistent with the CALGreen Tier 2 standards in effect at the time building permits are issued shall be included in the project. Final plans for the development shall be reviewed by the City of Gilroy Community Development Department, Planning Division Director or his/her designee prior to approval of project entitlements to ensure that all performance standards are incorporated into the project design. Verification of development consistent with the performance standards shall be assured prior to approval of occupancy permits.	Less than Significant
Impact 8-2. Conflict with an Applicable Plan, Policy, or Regulation for Reducing Greenhouse Gases	Significant	GHG-1, above.	Less than Significant

3.0 Environmental Setting

3.1 Project Site Setting

Project Location

The approximately 14-acre project site is located in the City of Gilroy in southern Santa Clara County. The project site consists of 11 parcels bordered by Sixth Street to the north, Seventh Street to the south, Dowdy Street to the west, and Church Street to the east, as well as a City-owned parking lot on the southwest corner of Seventh Street and Rosanna Street. Figure 3-1, Regional Location, illustrates the regional context of the project site.

Existing Site Conditions

The relatively flat project site is comprised of disturbed, developed land utilized for public/civic use, the majority of which is city-owned, as well as four residences. Figure 3-2, Aerial Photograph, provides an aerial of the site illustrating the existing site features and uses and adjacent land uses.

Existing uses on the project site include City Hall, City Hall Annex (formerly the Police Department headquarters, now converted to house the Emergency Operations Center, a computer training lab, and additional office and storage spaces), Wheeler Auditorium, City of Gilroy Library, City of Gilroy Senior Center, and the City of Gilroy Police Department headquarters. Additionally, there are multiple parking lots, four single-family residential homes (three of which are not city-owned), Wheeler Park, a central open space area, and Hanna Street.

According to City records, the Wheeler Auditorium was designated as a historic resource by the City Council in 1983. This historic resource is discussed in detail in Section 7.0, Cultural Resources, of this EIR. These existing site conditions represent the baseline conditions for assessing environmental impacts resulting from the proposed project. More information about existing setting conditions is provided in the individual environmental topic sections of this EIR.

Adjacent and Vicinity Land Use Setting

According to the 2020 U.S. Census, Gilroy is classified as an Urban Area. As a result, development within the project site could be considered infill development. The project site is surrounded by existing urban development located within the Downtown Gilroy Specific Plan. Existing Low Density Residential areas border the project site to the north, south, and west, and Mixed-Use Downtown land uses border the site to the east.

3.2 Regional Setting

The City of Gilroy is located at the southern end of Santa Clara County within the Santa Clara Valley, which is bounded by the Santa Cruz Mountains to the west and the Diablo Range to the east. As the southern gateway to the San Francisco Bay Area, Gilroy is regionally connected by U.S. Highway 101 and State Routes 152 and 25 and is served by intercity rail and regional transit, facilitating access to employment centers in Morgan Hill, San Jose, and the greater Bay Area.

3.3 Master/Specific Plans, General Plan, and Zoning

City of Gilroy Civic Center Master Plan

The *City of Gilroy Civic Center Master Plan* (hereinafter, "master plan") was adopted by the City Council in 2002 to establish a central community focal point and gathering area within a spacious campus-like setting. The Gilroy City Council has since authorized the preparation of an updated master plan to address the need to modernize aging and underutilized facilities, driven by their condition and increasing service demands. The updated master plan will incorporate financial strategies to facilitate the redevelopment of the civic center, including an inventory and analysis of existing facilities, open spaces, and their current uses.

Downtown Gilroy Specific Plan

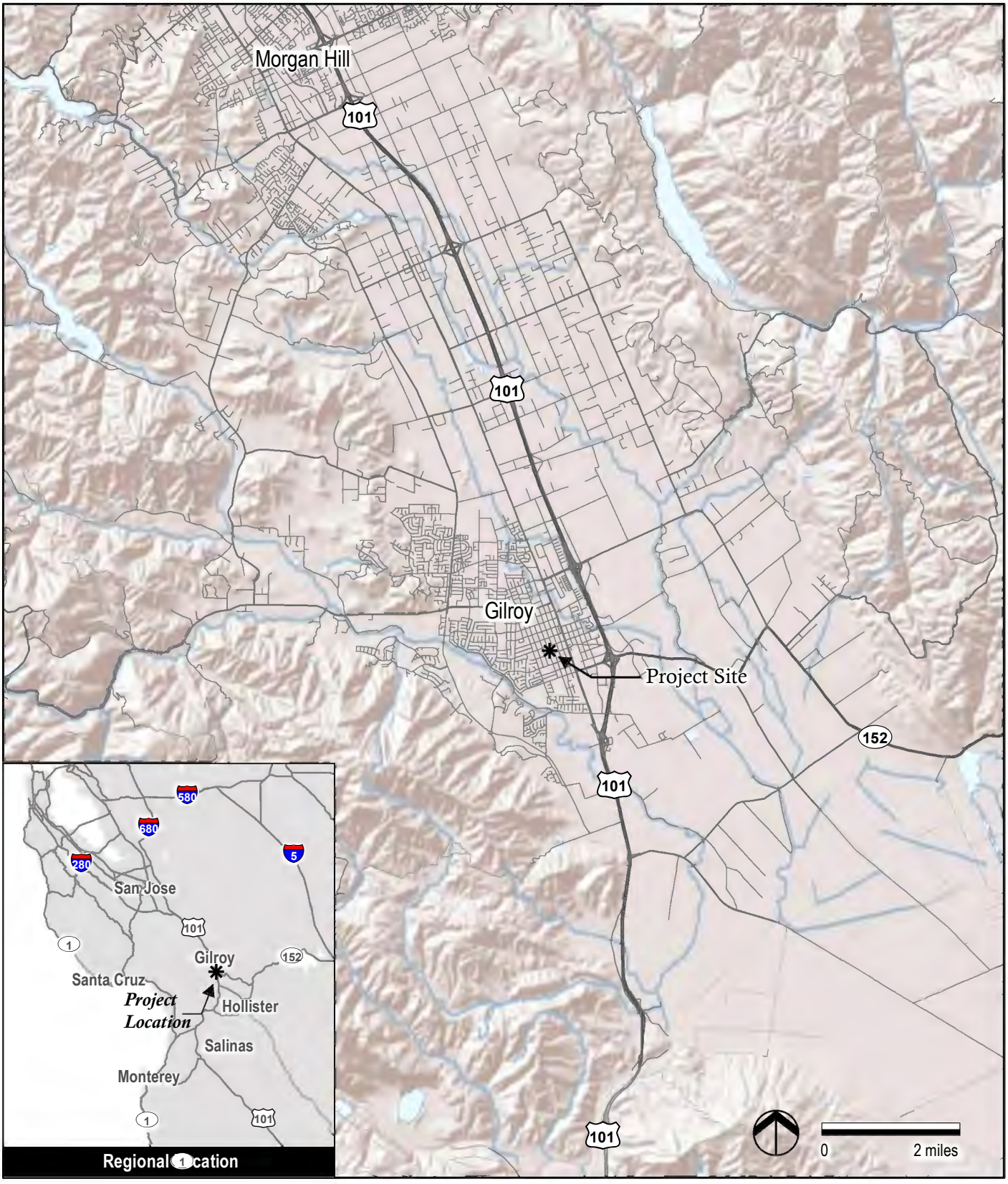
The project site is located in central Gilroy, within the *Downtown Gilroy Specific Plan* (hereinafter, "specific plan") (2005). The specific plan area encompasses over 160 acres in the central portion of Gilroy. It extends from Leavesley Road/Welburn Avenue in the north to Luchessa Avenue in the south. On the east, the boundary is defined by the alley along the east side of Railroad Street, while the alley between Eigleberry Street and Church Street marks the boundary on the west. The specific plan divides the downtown area into six districts: the Downtown Historic District, Downtown Expansion District, Civic/Cultural Arts District, Transition District, Cannery District, and Gateway District. Each district has a unique vision for future development, with corresponding land use and development standards, as well as design guidelines, to guide the growth and evolution of the downtown area. The project site is located within the Civic/Cultural Arts District.

City of Gilroy 2040 General Plan

The project site has a general plan land use designation of Mixed-Use Downtown, which allows commercial, office, and high-density residential uses.

Existing Zoning

The project site is zoned under the Downtown Gilroy Specific Plan with a Civic/Cultural Arts District designation, allowing for the development of multi-use civic, cultural, and civic-serving facilities. The Civic/Cultural Arts District designation encourages residential mixed-use projects, with residential units permitted on the ground floor between Eigleberry and Church Streets.



Source: ESRI 2025

Figure 3-1

Regional Location

Gilroy Civic Center Master Plan EIR

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Source: ESRI 2025, Santa Clara County GIS 2025

Figure 3-2

Aerial Photograph

Gilroy Civic Center Master Plan EIR

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4.0 Project Description

4.1 Project Characteristics

The proposed project includes demolishing the existing City Hall, Wheeler Auditorium, City Hall Annex, senior center, civic center parking lot, and Hanna Street to construct a new City Hall, multi-generational recreation center with outdoor swimming pool, multi-generational community center, and a paseo and civic park, as well as 425 parking spaces. The existing police station, library, and residences would remain. Many on-site trees would also be removed and there would be 206,389 square feet of sidewalks and planting areas. Appendix B, Gilroy Civic Center Master Plan (Draft) (City of Gilroy/ELS 2025), provides additional detail about the proposed components of the site. Table 4-1, Existing and Proposed Uses, provides a comparison of the square footages between existing and proposed uses on the project site.

Table 4-1 Existing and Proposed Uses

Existing		Proposed	
Land Use	Square Footage	Land Use	Square Footage
City Hall	26,959	City Hall	47,507
City Hall Annex	16,919	Recreation Center	42,615
Wheeler Auditorium	18,575	Community/Arts Center	41,604
Senior Center	11,071	n/a	
Police Department	50,000	Police Department (to remain)	50,000
Library	53,000	Library (to remain)	53,000
Total	176,524	234,726	
Net Increase	58,202		

SOURCE: Hexagon Transportation Consultants 2025; Civic Center Master Plan (Draft) 2025
NOTE: Square footages are estimated.

Although there will be a net increase in building square footage compared to existing conditions, the function and intensity of some uses, e.g., City Hall, will not increase. Therefore, these estimated square footages presented in the table above are conservative.

Figure 4-1, Site Plan, illustrates the proposed site plan and Figure 4-2, Simulated Aerial Views, provides a simulated aerial view of the proposed structures on the site.

The Three Blocks of the Civic Center Master Plan

East Block

Multigenerational Recreation & Aquatics Center (New)

- Features: Gymnasium, swimming pools, indoor running track, multipurpose rooms, locker rooms, restrooms, and administration.
- Parking: Located in the main parking area, with additional on-street parking along Church and 6th Streets.

Gilroy Civic Park (New)

- Features: A large lawn area, walking paths (equivalent to a football field), an amphitheater similar in size to Morgan Hill's Amphitheater, and a splash pad/interactive water feature.
- Events: Designed to accommodate art & wine festivals, farmers' markets and other similar events.

Multigenerational Community Center (New)

- Seniors: Dedicated multi-purpose rooms, a dining room seating up to 275 (expandable to 400), and a half-gymnasium for activities like pickleball.
- Youth: Second-floor programming space featuring Science Technology Engineering and Math (STEM) enrichment, homework clubs, and more.
- Arts: A community theatre (seating up to 200, including a balcony) for music, drama, dance, and spoken-word performances.
- Parking: Located immediately east of the center, with diagonal parking spaces along 7th Street.

Central Block

Library (Existing)

- Encourages indoor-outdoor connectivity with new walkways.

City Hall (New)

- Features a Council Chambers, accessible outside City Hall hours for community events.
- Parking: Spaces north of the library and south of City Hall, with additional spaces in the main parking area (just half a block away).

City-owned Parking Lot (Existing)

- Sixteen (16) existing parking spaces are located in the City-owned lot at the southwest corner of Seventh Street and Rosanna Street. These spaces are used by City staff only.

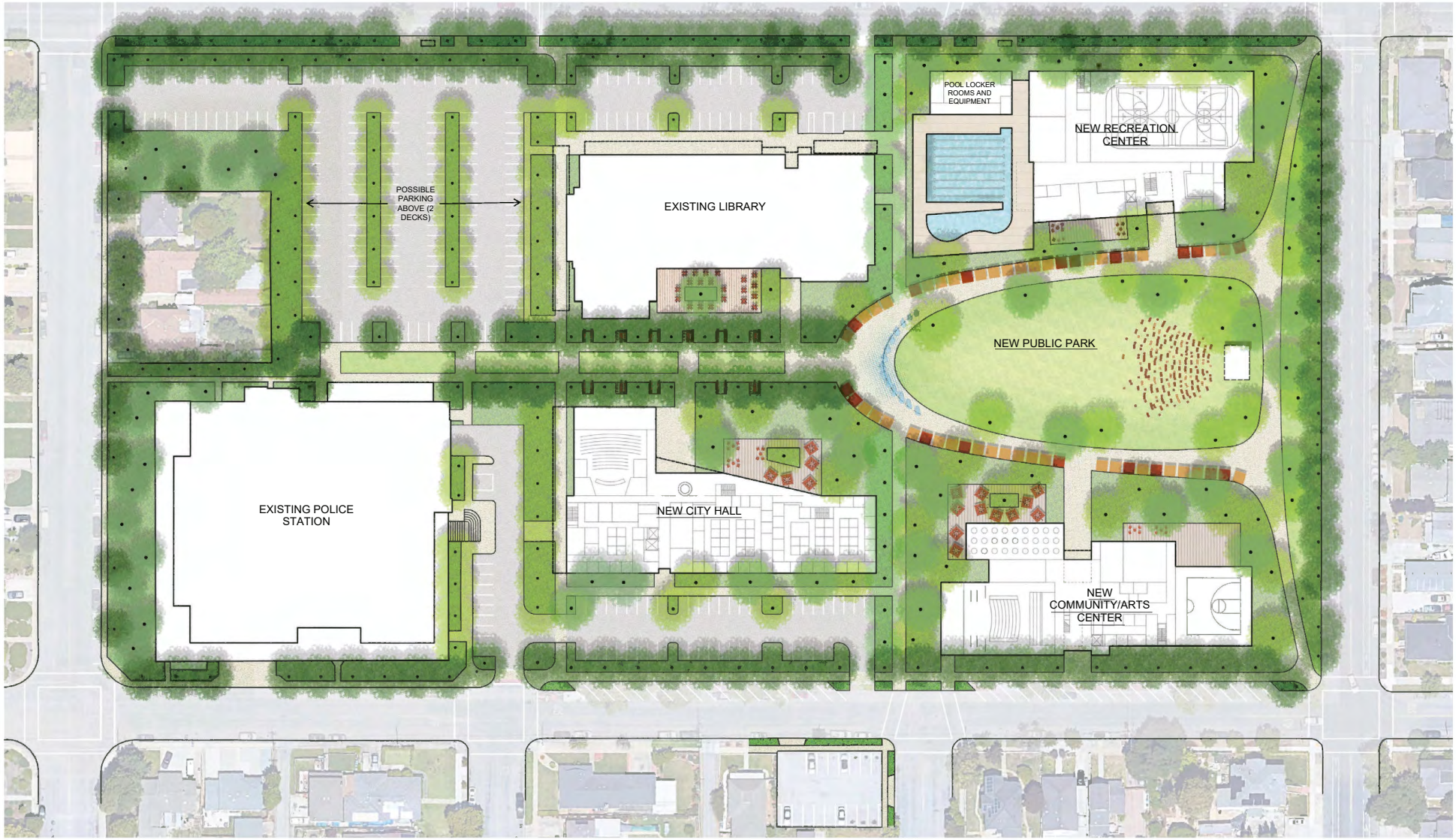
West Block

Police Department (Existing)

- Police Department building and parking.

Potential Parking Structure (New)

- Potential two-level parking structure to add 180 additional spaces if needed.



0 200 feet

Source: ELS 2025

Figure 4-1
Site Plan

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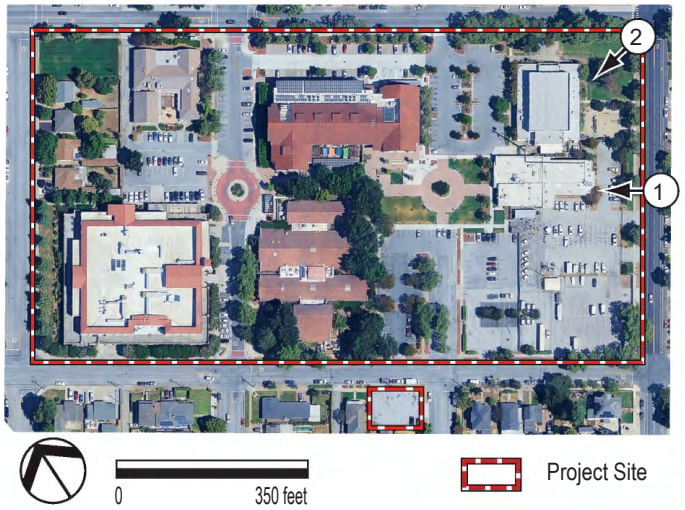
Rendering 1

Rendering 2

Rendering Locations



Source: ELS 2025, Google Earth 2025

Figure 4-2

Simulated Aerial Views

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The Paseo and Gilroy Civic Park

- A spacious paseo would link the three blocks, stretching from the Police Department building in the west to the Gilroy Civic Park (Big Green) in the east.
- The paseo and park would serve as organizing elements, providing seamless connections between existing and new buildings.

4.2 Project Objectives

CEQA Guidelines 15124(b) states that the project description shall contain a statement of the objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits.

The objectives of implementing the master plan are to re-develop and modernize the Civic Center's aging and underutilized facilities due to growing service demands of Gilroy residents. The objectives of updating the master plan are:

- Inventory and analyze existing Civic Center facilities and open spaces and their uses;
- Identify and compile Civic Center needs and desires based on City Council, staff, and community input;
- Maximize site uses through site layouts and designs;
- Meet space needs for applicable City staff and programming at City buildout;
- A campus as a well-defined place where people come to share in a set of common purposes; and
- Provide an implementation timeline for detailed design, funding, phasing, and construction of Civic Center projects.

The benefits of the proposed project include meeting the increasing demands of the community, replacing aging facilities, and improving underutilized spaces.

4.3 Intended Uses of the EIR

An EIR must identify, to the extent that the information can be currently known, a list of the agencies that are expected to use the EIR in their decision making, and a list of permits and other approvals required to implement a project. This information is summarized below.

City of Gilroy

- Approve Master Plan; and
- Approve future permits associated with individual construction projects within the master plan area.

Other Potential Responsible Agencies and Actions

- Bay Area Air Quality Management District - approve demolition permit;
- Santa Clara Valley Habitat Agency –Habitat Conservation Plan permitting; and
- Regional Water Quality Control Board – approve National Pollutant Discharge Elimination System permits.

5.0 Air Quality

This section includes descriptions of the regional climate and topography, common criteria air pollutants, and toxic air contaminants; identifies applicable regulations, plans and policies for managing air quality; and evaluations of potential criteria air pollutant and toxic air contaminant impacts from constructing and operating future development within the project site.

The information within this section is largely sourced from:

- *Spare the Air Cool the Climate A Blueprint for Clean Air and Climate Protection in the Bay Area Final 2017 Clean Air Plan* (Bay Area Air Quality Management District 2017);
- *California Environmental Quality Act Air Quality Guidelines* (Bay Area Air Quality Management District 2022);
- *Gilroy Civic Center Master Plan Draft* (City of Gilroy/ELS 2025); and
- *City of Gilroy 2040 General Plan* (City of Gilroy 2020).

There were no comments on the NOP regarding the scope of analysis for air quality.

5.1 Environmental Setting

San Francisco Bay Air Basin Characteristics and Climate

The project site is located in the City of Gilroy, within the San Francisco Bay Air Basin (air basin). The air basin encompasses all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, as well as the southern portions of Solano and Sonoma counties. Gilroy is situated in the southern portion of Santa Clara County, where the Santa Clara Valley transitions into the neighboring San Benito Valley.

The climate of the air basin is influenced by a semi-permanent high-pressure system in the eastern Pacific Ocean. During the summer months, this high-pressure system dominates, leading to persistent northwest winds along the California coast. These winds, combined with the cool temperatures of the Pacific Ocean, help form a marine layer that brings fog and cool air inland through coastal gaps and valleys. In Gilroy, which lies at the inland edge of the air basin, these effects are less pronounced but can still influence local air movement, especially during late afternoons when thermal lows in the interior valleys enhance onshore breezes.

The generally northwest-southeast orientation of the surrounding mountain ranges, including the Santa Cruz Mountains to the west and the Diablo Range to the east, funnels and restricts airflow. This terrain can lead to localized stagnation of air masses, particularly during the fall when surface winds weaken and the marine layer becomes shallow or dissipates. During these conditions, temperature inversions—where a layer of warmer air traps cooler air near the surface—can develop, inhibiting vertical mixing and allowing pollutants to accumulate. In some cases, light offshore winds can transport pollutants into the area from the San Francisco Bay Area or Central Valley.

During the winter, the Pacific high-pressure system shifts southward and becomes less dominant. Storm systems become more frequent, and winds are more variable, often flowing from the southeast or east during nighttime and early morning hours. However, northwest winds still commonly occur. The lack of persistent inversions and increased atmospheric mixing during the winter months generally results in improved air quality throughout the air basin, including in the Gilroy area.

Criteria Air Pollutants and their Effects on Human Health

The six most common and widespread air pollutants of concern, or "criteria pollutants," are ground-level ozone, nitrogen oxides, particulate matter, carbon monoxide, sulfur dioxide, and lead. In addition, volatile organic compounds are a key contributor to the criteria pollutants because they react with other substances to form ground-level ozone. The common properties, sources, and related health and environmental effects of these pollutants are summarized in Table 5-1, Common Air Pollutants.

Ozone

Ground level ozone is produced by chemical reactions, which are triggered by sunlight, involving nitrogen oxides and volatile organic compounds. Since ozone is not directly emitted to the atmosphere, but is formed because of photochemical reactions, it is considered a secondary pollutant. Ozone is a seasonal problem, occurring roughly from April through October, when higher sun angles provide the warm temperatures and ultraviolet light necessary for ozone formation.

Ozone is a strong irritant that attacks the respiratory system, leading to the damage of lung tissue. Asthma, bronchitis, and other respiratory ailments, as well as cardiovascular diseases, are aggravated by exposure to ozone. A healthy person exposed to high concentrations may become nauseated or dizzy, may develop a headache or cough, or may experience a burning sensation in the chest. Research has shown that exposure to ozone damages the alveoli (the individual air sacs in the lung where the exchange of oxygen and carbon dioxide between the air and blood takes place). Research has shown that ozone also damages vegetation.

Table 5-1 Common Air Pollutants

Pollutant	Properties	Major Sources	Related Health & Environmental Effects
Ozone (O_3)	Ground level ozone is not emitted directly into the air. It results from chemical reactions between nitrogen oxides (NOx) and volatile organic compounds (VOC) in presence of sunlight.	▪ Automobiles; ▪ Industrial facilities; ▪ Gasoline vapors; ▪ Chemical solvents; ▪ Electric utilities.	▪ Chest pain, coughing, throat irritation, and airway inflammation; ▪ Worsens bronchitis, emphysema, and asthma; ▪ Affects sensitive vegetation and ecosystems.
Nitrogen oxides (NO_X)	Group of highly reactive gases including nitrogen dioxide (NO_2).	▪ Combustion of fuel; ▪ Automobiles; ▪ Power plant; ▪ Off-road Equipment.	▪ Irritate respiratory system / increase respiratory infections; ▪ Development of asthma; ▪ Forms acid rain – harms sensitive ecosystems; ▪ Creates hazy air; ▪ Contributes to nutrient pollution in coastal waters.
Suspended and Fine Particulate Matter (PM_{10}) ($PM_{2.5}$)	Mixture of solid particles and liquid droplets found in the air. Some particles, such as dust, soot, dirt, or smoke can be seen with the naked eye. Others are so small that they can only be detected with an electron microscope.	▪ Automobiles; ▪ Power Plants; ▪ Construction sites; ▪ Tilled farm fields; ▪ Unpaved roads; ▪ Smokestacks.	▪ Aggravated asthma; ▪ Irritation of the airways, coughing, and difficulty breathing; ▪ Decreased lung function; ▪ Premature death; ▪ Reduced visibility.
Carbon Monoxide (CO)	Colorless, odorless gas released when something is burned.	▪ Fuel combustion; ▪ Industrial processes; ▪ Highly congested traffic.	▪ Chest pain for those with heart disease; ▪ Vision problems; ▪ Dizziness, unconsciousness, and death (at high levels).
Sulfur Oxides (SO_X)	In the entire group of sulfur oxides (SO_X), sulfur dioxide (SO_2) is the component of the greatest concern.	▪ Fuel combustion; ▪ Industrial processes; ▪ Locomotives, ships, and other heavy equipment; ▪ Volcanoes.	▪ Makes breathing difficult; ▪ Worsens asthma; ▪ Contributes to acid rain; ▪ Reduced visibility; ▪ Damages statues and monuments.
Lead (Pb)	Lead is a naturally occurring element found in small amounts in the earth's crust.	▪ Ore and metal processing; ▪ Leaded aviation fuel; ▪ Waste Incinerators; ▪ Utilities; ▪ Lead-acid battery manufacturers.	▪ High blood pressure and heart disease in adults; ▪ Behavioral problems, learning deficits, and lowered IQ in infants and young children; ▪ Decreased plant and animal growth; ▪ Neurological effects in vertebrates.

SOURCE: United States Environmental Protection Agency 2024

Volatile Organic Compounds (Ozone Precursor)

Volatile Organic Compounds (VOCs), also referred to as Reactive Organic Gases (ROGs), are a group of chemicals that easily evaporate into the air at room temperature. They are commonly found in household products such as paints, varnishes, adhesives, cleaning supplies, air fresheners, and personal care products. VOCs are also emitted from building materials like carpets, composite wood products, and vinyl flooring, as well as from industrial processes, vehicle emissions, and natural sources such as plants and wildfires. These compounds contribute to both indoor and outdoor air pollution, posing potential health risks. Short-term exposure to VOCs can cause eye, nose, and throat irritation, headaches, dizziness, and nausea, while long-term exposure has been linked to more serious effects, including damage to the liver, kidneys, and central nervous system, with some VOCs being classified as carcinogens. In the environment, VOCs play a significant role in the formation of ground-level ozone and smog, negatively impacting air quality and ecosystems.

Nitrogen Oxides (Ozone Precursor)

Most nitrogen oxides are created during combustion of fuels. Nitrogen oxides are a major contributor to ozone formation. Nitrogen dioxide is a reddish-brown gas that can irritate the lungs and can cause breathing difficulties at high concentrations. Like ozone, nitrogen dioxide is not directly emitted, but is formed through a reaction between nitric oxides and atmospheric oxygen. Nitrogen dioxide also contributes to the formation of particulate matter (see discussion below). Nitrogen dioxide concentrations in the air basin have been well below ambient air quality standards; therefore, nitrogen dioxide concentrations from land use projects are not a concern.

Particulate Matter

Particulate matter is comprised of small, suspended particles, primarily composed of dust particles, nitrates, and sulfates. Particulate matter is classified as under 10 microns (suspended particulate matter or PM_{10}) and under 2.5 microns (fine particulate matter or $PM_{2.5}$). Suspended particulate matter is directly emitted to the atmosphere as a byproduct of fuel combustion, wind erosion of soil and unpaved roads, and from construction or agricultural operations. Small particles are also created in the atmosphere through chemical reactions. Approximately 64 percent of fugitive dust is suspended particulate matter. Minimal grading typically generates about 10 pounds per day per acre on average while excavation and earthmoving activities typically generate about 38 pounds per day per acre.

Although particles greater than 10 microns in diameter can cause irritation in the nose, throat, and bronchial tubes, natural mechanisms remove much of these particles. Particles less than 10 microns in diameter are able to pass through the body's natural defenses and the mucous membranes of the upper respiratory tract and enter into the lungs. The particles can damage the alveoli. The particles may also carry carcinogens and other toxic compounds, which can adhere to the particle surfaces and enter the lungs.

Carbon Monoxide

Carbon monoxide is a component of motor vehicle exhaust, which contributes about 56 percent of all carbon monoxide emissions nationwide. Other non-road engines and vehicles (such as construction equipment and boats) contribute about 22 percent of all carbon monoxide emissions nationwide. Carbon monoxide can cause harmful health effects by reducing oxygen delivery to the body's organs (like the heart and brain) and tissues. Carbon monoxide contributes to the formation of ground-level ozone.

Higher levels of carbon monoxide generally occur in areas with heavy traffic congestion. In cities, 85 to 95 percent of all carbon monoxide emissions may come from motor vehicle exhaust. Concentration of carbon monoxide is a direct function of vehicle idling time and, thus, traffic flow conditions. Transport of carbon monoxide is extremely limited; it disperses rapidly from the source under normal meteorological conditions. Under certain meteorological conditions, however, carbon monoxide concentrations close to a congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (residents, school children, hospital patients, the elderly, etc.). Emissions thresholds established for carbon monoxide apply to direct or stationary sources.

Typically, high carbon monoxide concentrations are associated with congested roadways. Congested intersections with high volumes of traffic could cause carbon monoxide "hot spots," where localized high concentrations of carbon monoxide occur.

Sulfur Oxides

Sulfur oxides (SO_x) are a group of highly reactive gases primarily composed of sulfur dioxide (SO_2), a major air pollutant generated from the combustion of fossil fuels such as coal, oil, and diesel. Industrial processes, including power plants, oil refineries, and metal smelting, are significant sources of sulfur oxide emissions. Once released into the atmosphere, SO_2 can react with other compounds to form fine particulate matter ($PM_{2.5}$) and contribute to acid rain, which harms ecosystems, corrodes buildings, and depletes soil nutrients. Sulfur oxides also play a role in atmospheric haze, reducing visibility and degrading air quality. Exposure to SO_2 can have serious health effects, particularly for individuals with respiratory conditions such as asthma. Short-term exposure can cause throat irritation, coughing, and difficulty breathing, while long-term exposure has been linked to chronic respiratory diseases and cardiovascular problems.

Lead

Lead is a hazardous air pollutant that poses significant risks to air quality and public health. Emitted primarily from industrial sources such as metal smelters, battery manufacturing, and waste incineration, airborne lead particles can travel long distances before settling onto soil, water, and surfaces. Historically, leaded gasoline was a major contributor to lead air pollution. Due to regulatory actions, such as the U.S. EPA phase-out of lead in gasoline, levels of lead in the air decreased 94 percent between 1980 and 1999. Despite these improvements, lead pollution remains a concern

in areas near industrial facilities and heavily trafficked roads where past emissions have left contaminated dust and soil. Inhalation of airborne lead particles or ingestion of lead-contaminated dust can cause severe health effects, particularly in children, affecting neurological development, cognitive function, and behavior. In adults, prolonged exposure has been linked to cardiovascular disease and kidney damage.

Toxic Air Contaminants and their Effects on Human Health

Toxic air contaminants are pollutants that may be expected to result in an increase in mortality or serious illness, or may pose a present or potential health hazard. Health effects include cancer, birth defects, neurological damage, damage to the body's natural defense system, and diseases that lead to death. Toxic air contaminants can be classified as either carcinogens or non-carcinogens. Toxic air contaminants are defined in Health and Safety Code section 39655. Based on the Health and Safety Code definition, the state establishes a list of toxic air contaminants in California Code of Regulations section 93000. The list was most recently revised in 2007 and includes 21 substances. Some criteria pollutants are also treated as toxic air contaminants, including particulate matter, lead, and vinyl chloride.

Diesel Emissions

Diesel exhaust is the predominant toxic air contaminant in urban air and is estimated to represent about two-thirds of the cancer risk from toxic air contaminants. Diesel engines emit a complex mix of pollutants including nitrogen oxides, particulate matter, and toxic air contaminants. The most visible constituents of diesel exhaust are very small carbon particles or soot, known as diesel particulate matter. Diesel exhaust also contains over 40 cancer-causing substances, most of which are readily adsorbed on the soot particles. Among the toxic air contaminants contained in diesel exhaust are dioxin, lead, polycyclic organic matter, and acrolein. Diesel engine emissions are responsible for about 70 percent of California's estimated cancer risk from toxic air contaminants (California Air Resources Board 2019a). As a significant fraction of particulate pollution, diesel particulate matter contributes to numerous health impacts, including increased hospital admissions, particularly for heart disease and respiratory illness, and even premature death.

Diesel exhaust is especially common during the grading stage of construction (when most of the heavy equipment is used), and adjacent to heavily trafficked roadways where diesel trucks are common. The United States Environmental Protection Agency (EPA) regulates diesel engine design and fuel composition at the federal level, and has implemented a series of measures since 1993 to reduce nitrogen oxides and particulate emissions from off-road and highway diesel equipment. Before EPA began regulating sulfur in diesel, diesel fuel contained as much as 5,000 parts per million (ppm) of sulfur. In 2006, EPA introduced stringent regulations to lower the amount of sulfur in diesel fuels to 15 ppm (United States Environmental Protection Agency 2019a). This fuel is known as ultra-low sulfur diesel.

EPA Tier 1 non-road diesel engine standards were introduced in 1996, Tier 2 in 2001, Tier 3 in 2006, Tier 4 in 2014, and the most recent standards for Tier 5 released in 2021 (DieselNet 2023). Table 5-2, Typical Non-Road Engine Emissions Standards, compares emissions standards for NO_X and particulate matter from non-road engine Tier 1 through Tier 4 for typical engine sizes. As illustrated in the table, emissions for these pollutants have decreased significantly for construction equipment manufactured over the past 20 years, and especially for construction equipment manufactured in the past five years.

Table 5-2 Typical Non-Road Engine Emissions Standards

Engine Tier and Year Introduced	NO_X Emissions[1]			Particulate Emissions[1]		
	100-175 HP	175-300 HP	300-600 HP	100-175 HP	175-300 HP	300-600 HP
Tier 1 (1996)	6.90	6.90	6.90	--	0.40	0.40
Tier 2 (2003)	--	--	--	0.22	0.15	0.15
Tier 3 (2006)	--	--	--	-- †[2]	-- †[2]	-- †[2]
Tier 4 (2014)	0.30	0.30	0.30	0.015	0.015	0.015
Tier 5 (2034)	0.04	0.04	0.04	0.005	0.005	0.005

SOURCE: DieselNet 2023
NOTES:
1. Expressed in g/bhp-hr, where g/bhp-hr stands for grams per brake horsepower-hour.
2. † - Not adopted, engines must meet Tier 2 PM standard.

Asbestos handling and disposal are regulated by federal and state law. Asbestos is found in several kinds of building materials. Asbestos is generally not harmful when asbestos-containing materials are left undisturbed, but when disturbed microscopic fibers can be dislodged and remain in the air for long periods. If asbestos fibers are inhaled, they can become lodged in body tissues and pose a serious health threat, especially lung disease. Asbestos is also found naturally-occurring in certain rock formations in the California Coast Ranges and elsewhere.

Pollutant Concentrations Affecting Sensitive Receptors

Although air pollution can affect all segments of the population, certain groups are more susceptible to its adverse effects than others. Children, the elderly, and the chronically or acutely ill are the most sensitive population groups. These sensitive receptors are commonly associated with specific land uses such as residential areas, schools, parks, retirement homes, and hospitals. In addition, certain air pollutants, such as carbon monoxide, only have significant effects if they directly affect a sensitive population.

High Traffic Roadways

The *Air Quality and Land Use Handbook* (California Air Resources Board 2005) encourages local land use agencies to consider the risks from air pollution prior to making decisions that approve the siting of new sensitive receptors (e.g., schools, homes or daycare centers) near sources of concentrated air pollution. Unlike industrial or stationary sources of air pollution, siting of new sensitive receptors does not require air quality permits or approval by air districts, but could increase risks of air pollution-related health problems.

The risks of exposure to diesel exhaust and potential health effects resulting from prolonged exposure are greater near high-volume freeways. On-road diesel-fueled vehicles contribute about 26 percent of statewide diesel particulate matter emissions, and on a typical urban freeway (truck traffic of 10,000-20,000 trips per day), diesel particulate matter represents about 70 percent of the potential cancer risk from the vehicle traffic. Studies cited in the *Air Quality and Land Use Handbook* indicate that pollutant concentrations drop in a logarithmic curve, most steeply nearest the freeway and more gradually farther from the freeway. A separation of 500 feet between high volume freeways and sensitive receptors is recommended. In rural areas a high-volume freeway is defined as having greater than 50,000 average daily trips, and in urban areas as having average daily trips greater than 100,000. The California Air Resources Board acknowledges that land use agencies have to balance other siting considerations such as housing and transportation needs, economic development priorities, and other quality of life issues (California Air Resources Board 2005).

Construction Emissions

Construction emissions are "short-term" in the sense that they would be limited to the actual periods of site development and construction. Construction emissions are typically generated by heavy equipment, materials transport, and construction employee commute trips. Construction emissions consist largely of reactive organic gasses, nitrogen oxides, diesel particulate matter, suspended particulate matter, and carbon monoxide generated primarily by operating gas and diesel-powered motor vehicles, asphalt paving activities, and applying architectural coatings. Suspended particulate matter emissions are generated primarily by erosion of exposed graded surfaces.

5.2 Regulatory Setting

Federal

United States Environmental Protection Agency

The EPA was established on December 2, 1970 to create one large agency that covered several agency concerns: federal research, monitoring, standard-setting and enforcement. The purpose of the EPA is to protect the overall health of humans and the environment. The EPA does this by safeguarding all Americans from the hazardous risks in the environment where they live and work.

Environmental safety is one of the primary concerns of U.S. policies and the following are commonly used to establish environmental policy: natural resources, human health, economic growth, energy, transportation, agriculture, industry, and international trade.

Federal Clean Air Act

Air quality is regulated on the federal level. The Clean Air Act, adopted in 1970 and amended in 1990, set federal standards for air quality.

The federal Clean Air Act required the EPA to set National Ambient Air Quality Standards for several air pollutants on the basis of human health and welfare criteria. The Clean Air Act also set deadlines for the attainment of these standards. The Clean Air Act established two types of national air standards: primary and secondary standards. Primary standards set limits to protect public health, including the health of sensitive persons such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings. Historically, air quality laws and regulations have divided air pollutants into two broad categories of airborne pollutants: "criteria pollutants" and "toxic air contaminants."

In general, the Clean Air Act creates a partnership between state and federal governments for implementation of the Clean Air Act provisions. The federal Clean Air Act requires states to prepare an air quality control plan known as a State Implementation Plan. California's State Implementation Plan contains the strategies and control measures that California will use to attain the National Ambient Air Quality Standards. If, when reviewing the State Implementation Plan for conformity with Clean Air Act Amendments mandates, the EPA determines a State Implementation Plan to be inadequate, EPA may prepare a Federal Implementation Plan for the non-attainment area and may impose additional control measures.

National Ambient Air Quality Standards

Ambient air quality is described in terms of compliance with the state and national standards. State standards are discussed below. In general, criteria pollutants are pervasive constituents, such as those emitted in vast quantities by the combustion of fossil fuels. Both the state and federal governments have developed ambient air quality standards for the most prevalent pollutants, which include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended particulate matter, and fine particulate matter. Table 5-3, Federal and State Ambient Air Quality Standards, lists state and federal ambient air quality standards for common air pollutants.

Table 5-3 Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]			
		Concentration[3]		Primary[3,4]		Secondary[3,5]	
		ppm	µg/m³	ppm	µg/m³	ppm	µg/m³
Ozone[6]	1 Hour	0.09	180	-	-	-	-
	8 Hour	0.07	137	0.070	137	0.070	137
PM_{10}[7]	24 Hour	-	50	-	150	-	150
	Annual	-	20	-	-	-	-
$PM_{2.5}$[7]	24 Hour	-	-	-	35	-	35
	Annual	-	12	-	9	-	15
Carbon Monoxide (CO)	8 Hour	9.0	10	9	10	-	-
	1 Hour	20.0	23	35	40	-	-
Nitrogen Dioxide (NO_2)[8]	Annual	0.03	57	0.053	100	0.053	100
	1 Hour	0.18	339	0.10	188	-	-
Sulfur Dioxide (SO_2)[9]	Annual	-	-	0.030	See note 9	-	-
	24 Hour	0.04	105	0.14	See note 9	-	-
	3 Hour	-	-	-	-	0.5	1,300
	1 Hour	0.25	655	0.075	196	-	-
Lead[10,11]	30 Day Average	-	1.5	-	-	-	-
	Rolling 3-month Average	-	-	-	0.15	-	0.15
	Calendar Quarter	-	-	See note 10	1.5	See note 10	1.5
Visibility Reducing Particles[12]	8 Hour	See note 12		No Federal Standards			
Sulfates	24 Hour	-	25				
Hydrogen Sulfide	1 Hour	0.03	42				
Vinyl Chloride[10]	24 Hour	0.01	26				

SOURCE: California Air Resources Board 2024

NOTES:

1. California standards for ozone, carbon monoxide, sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM_{10}, $PM_{2.5}$, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
5. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
6. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
7. On December 14, 2012, the national annual $PM_{2.5}$ primary standard was lowered from 15 µg/m^3 to 12.0 µg/m^3. The existing national 24-hour $PM_{2.5}$ standards (primary and secondary) were retained at 35 µg/m^3, as was the annual secondary standard of 15 µg/m^3. The existing 24-hour PM_{10} standards (primary and secondary) of 150 µg/m^3 also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
8. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb). Note that the national 1-hour standard is in units of ppb. California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
9. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
10. California Air Resources Board has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
11. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m^3 as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated non-attainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
12. In 1989, the California Air Resources Board converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

National Emissions Standards for Hazardous Air Pollutants are emissions standards set by the EPA for an air pollutant not covered by National Ambient Air Quality Standards that may cause an increase in fatalities or in serious, irreversible, or incapacitating illness. The standards for a particular source category require the maximum degree of emission reduction that the EPA determines to be achievable, which is known as the Maximum Achievable Control Technology.

State

California Air Resources Board

The federal Clean Air Act gives states primary responsibility for directly monitoring, controlling, and preventing air pollution. The California Air Resources Board is responsible for coordination and oversight of federal, state, and local air pollution control programs in California and for implementing the requirements of the federal Clean Air Act and California Clean Air Act. The duties of California Air Resources Board include coordinating air quality attainment efforts, setting standards, conducting research, and creating solutions to air pollution. The California Air Resources Board, which is a state agency located within the California Environmental Protection Agency, oversees regional or local air quality management or air pollution control districts that are charged with developing attainment plans for the areas over which they have jurisdiction. The California Air Resources Board grants these regional or local air districts explicit statutory authority to adopt indirect source regulations and transportation control measures, including measures to encourage the use of ridesharing, flexible work hours, or other measures that reduce the number or length of vehicle trips.

Air Quality Management Plans

The Federal Clean Air Act requires areas with unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide to develop plans, known as State Implementation Plans. State Implementation Plans are comprehensive plans that describe how an area will attain national ambient air quality standards. State Implementation Plans are a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), district rules, state regulations, and federal controls. California grants air districts explicit statutory authority to adopt indirect source regulations and transportation control measures, including measures to encourage the use of ridesharing, flexible work hours, or other measures that reduce the number or length of vehicle trips. Local air districts prepare State Implementation Plan elements and submit them to the California Air Resources Board for review and approval. The California Air Resources Board forwards State Implementation Plan revisions to the EPA for approval and publication in the Federal Register.

California Air Toxics Program

The California Air Resources Board created a statewide air toxic program in the 1980s, and soon thereafter was the creation of the Toxic Air Contaminant Identification and Control Act of 1983 (AB 1807). The Toxic Air Contaminant Identification and Control Act established the California Air Toxic Program that was designed to lower all exposure to air pollutants. The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588) adds on to AB 1807 by demanding an inventory for all air pollutants, a system where notices are provided to those who are unprotected by the air pollutant, and plans to lower these health risks. AB 1807 required the California Air Resources Board to implement standards for the ranking and control of the air pollutants. AB 1807 also requires the California Air Resources Board to use the data within the AB 2588 program (California Air Resources Board 2017).

California Ambient Air Quality Standards

The California Ambient Air Quality Standards were established in 1959 by the California Department of Public Health to set air quality standards and controls for vehicle emissions. These standards were developed based on laborious peer reviewed scientific literature. The Office of Environmental Health Hazard Assessment reviews and updates the standards used today.
A document called the Initial Statement of Reasons is a compilation of Office of Environmental Health Hazard Assessment recommendations and the previous review of literature. Updates are released for public review by the Air Quality Advisory Committee, which provides written comments on the draft Initial Statement of Reasons. Once the comments are addressed, the revised Initial Statement of Reasons is released for a public comment period of 45 days and then sent to a scheduled California Air Resources Board meeting.

The California ambient air quality standards are often stricter than the national ambient air quality standards (refer to Table 6-3, Federal and State Ambient Air Quality Standards). When state thresholds are exceeded at regional monitoring stations, an "attainment plan" must be prepared that outlines how an air quality district will achieve compliance with the state standards.

Regional/Local

Bay Area Air Quality Management District

The Bay Area Air Quality Management District (air district) was established in 1955 as the first regional air pollution control agency in California. The air district has jurisdiction over nine counties in the San Francisco Bay Area, including Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, and portions of Solano and Sonoma counties. The air district has regulatory authority over stationary sources of air emissions, monitoring air quality within the air basin, providing guidelines for analyzing air quality impacts pursuant to CEQA, and preparing air quality management plans to maintain or improve air quality in the air basin.

In accordance with the Clean Air Act, the California Air Resources Board is required to designate regions of the state as attainment, non-attainment, or unclassified with regard to that region's compliance with criteria air pollutants standards. An "attainment" designation for a region signifies that pollutant concentrations do not violate the standard for that pollutant in that region. A "non-attainment" designation indicates that a pollutant concentration violated the standard at least once. An "unclassified" designation signifies that available data does not support either an attainment or non-attainment status. The air basin is in non-attainment with state mandated thresholds for ozone, and suspended particulate matter (PM_{10} and $PM_{2.5}$) as shown in Table 5-4, San Francisco Bay Air Basin Attainment Status Designations. With respect to federal standards, the air basin is in non-attainment with ozone and suspended particulate matter ($PM_{2.5}$).

Table 5-4 San Francisco Bay Air Basin Attainment Status Designations

Pollutant	State Standards	National Standards
Ozone (O_3)	Nonattainment	Nonattainment
Suspended Particulates (PM_{10})	Nonattainment	Unclassified
Fine Particulates ($PM_{2.5}$)	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Lead (Pb)	Attainment	Attainment

SOURCE: Bay Area Air Quality Management District 2025

The air district has the responsibility at the local level to implement both federal and state mandates for improving air quality in the air basin through an air quality plan. When thresholds are exceeded at regional monitoring stations on consecutive accounts, an attainment plan must be prepared that outlines how an air quality district will achieve compliance. Generally, these plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods. The air district periodically prepares and updates plans in order to attain State and national air quality standards, to comply with air quality planning requirements, and to achieve the goal of clean and healthful air. These plans also report on progress in improving air quality and provide a road map to guide the air district's future activities.

Spare the Air Cool the Climate A Blueprint for Clean Air and Climate Protection in the Bay Area Final 2017 Clean Air Plan

The *Spare the Air Cool the Climate A Blueprint for Clean Air and Climate Protection in the Bay Area Final 2017 Clean Air Plan* (air quality management plan) was adopted by the air district in April 2017. This remains the currently adopted plan. The air quality management plan addresses both climate protection and the reduction of criteria air pollutant emissions. In relation to criteria pollutants, the air quality management plan fulfills state air quality planning requirements by identifying all feasible control measures to reduce emissions of ozone precursors, specifically ROG and NO_x, which contribute to ground-level ozone formation. It also supports efforts to reduce the transport of these pollutants to neighboring air basins. In addition, the Plan expands upon previous strategies by enhancing programs to reduce fine particulate matter ($PM_{2.5}$) and toxic air contaminants (TACs), thereby improving regional air quality and protecting public health. The air quality management plan integrated approach supports compliance with state and federal ambient air quality standards.

Regulation 2, Rule 2: Permits - New Source Review

Regulation 2, Rule 2: New Source Review establishes the permitting requirements for new and modified stationary sources of air pollution. Its primary purpose is to ensure that air quality is not significantly degraded by growth or industrial development, in accordance with both the federal and California Clean Air Acts. The rule requires that any new or modified source that emits regulated air pollutants above certain thresholds must implement Best Available Control Technology to minimize emissions. In addition, facilities with the potential to emit pollutants such as precursor organic compounds, No_x, particulate matter (PM_{10} and $PM_{2.5}$), sulfur dioxide (SO_2), or carbon monoxide (CO) above specified annual limits are subject to emission offset requirements. These offsets are intended to ensure a no-net-increase in emissions, with offset ratios varying based on emission levels and pollutant type. For pollutants subject to Prevention of Significant Deterioration provisions—typically those for which the Bay Area is in attainment—facilities must conduct detailed air quality impact analyses, demonstrate compliance with national ambient air quality standards, and assess potential impacts on visibility, vegetation, and Class I areas. The rule also outlines technical procedures for calculating baseline emissions, cumulative increases, and offset equivalency. For significant projects, a public notice and comment process is required to ensure transparency.

Overall, Regulation 2, Rule 2 provides a comprehensive framework to control emissions from stationary sources while supporting sustainable regional development and protecting public health.

Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants

Regulation 2, Rule 5: New Source Review of Toxic Air Contaminants establishes permitting requirements and health risk assessment procedures for new or modified stationary sources that emit TACs. The rule is intended to ensure that projects do not pose unacceptable health risks to surrounding communities, particularly sensitive receptors such as residences, schools, and hospitals. Under this rule, the air district requires a health risk screening analysis for any project that would result in an increase in TAC emissions. If the screening indicates a potential for significant risk, a more detailed health risk assessment is required.

The rule sets specific risk thresholds to determine whether a project can be permitted. Projects that would result in an increased cancer risk greater than 10 in one million, or a chronic or acute hazard index greater than 1.0, are not permitted unless the projects can incorporate Toxics Best Available Control Technology and reduce risks below these thresholds. Projects below the risk thresholds can be permitted without additional mitigation. The rule also provides criteria for evaluating cumulative health risks in areas with multiple sources of TACs.

Regulation 11, Rule 2: Asbestos – Demolition, Renovation, and Manufacturing

Regulation 11, Rule 2 establishes strict requirements for managing asbestos emissions during demolition activities to protect public health and minimize airborne exposure to this hazardous air pollutant. The rule applies to any demolition project, regardless of whether asbestos-containing material is present, and mandates specific procedures for identifying, handling, and disposing of Regulated Asbestos-Containing Material.

While the regulation does not require a formal air district permit, it does require that project proponents submit a Demolition Notification Form to the air district at least 10 working days prior to commencing any demolition activity. This notification is mandatory for all demolitions, including those where no asbestos is known to be present. The notification must include key project details such as the site location, structure size, and information about any asbestos-containing materials and removal methods, if applicable. Failure to comply with the notification requirements may result in enforcement actions and fines.

Prior to demolition, a certified asbestos survey must be conducted to identify the presence and quantity of Regulated Asbestos-Containing Material. If asbestos is found, it must be adequately wetted, safely removed by trained personnel using HEPA-filtered equipment or containment methods, and kept wet until properly sealed in leak-tight containers. All asbestos waste must be clearly labeled and transported to an approved disposal facility, with complete waste shipment records maintained. Disposal sites must meet regulatory standards to prevent visible emissions.

City of Gilroy General Plan

The City of Gilroy General Plan contains several policies that directly pertain to air quality, including the following:

> Policy NCR 3.15 - Reduce Construction Emissions. Require the use of low emissions construction equipment for public and private projects, consistent with the air district 2017 Clean Air Plan. Where construction-related emissions would exceed the applicable Thresholds of Significance, the City will consider, on a case-by-case basis, implementing Additional Construction Mitigation Measures (Table 8-3 in BAAQMD's CEQA Guidelines).
>
> Policy NCR 3.16 - Implement Dust-Control Measures. Require the implementation of the air district's dust control measures during construction of individual projects, consistent with the air district 2017 Clean Air Plan.

5.3 Thresholds or Standards of Significance

CEQA Guidelines Appendix G is a sample initial study checklist that includes a number of factual inquiries related to the subject of air quality, as it does on a whole series of additional environmental topics. Lead agencies are under no obligation to use these inquiries in fashioning thresholds of significance on the subject of air quality, or on any subject addressed in the checklist. Rather, with few exceptions, CEQA grants agencies discretion to develop their own thresholds of significance. Even so, it is a common practice for lead agencies to take the language from the inquiries set forth in Appendix G and to use that language in fashioning thresholds. The City of Gilroy has done so here. Therefore, for purposes of this EIR, a significant impact would occur if implementation of the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions, such as those leading to odors adversely affecting a substantial number of people.

Methodology for Evaluating Criteria Air Pollutant Emission Impacts

The air district's *California Environmental Quality Act Air Quality Guidelines* (2022 CEQA Guidelines) provides guidance for evaluating the potential air quality impacts of individual projects. The project-level air quality analysis methodology, as described in Chapter 5 of the 2022 CEQA Guidelines, includes a step-by-step process for determining whether a proposed project would result in significant air quality impacts. This includes a screening analysis, where project characteristics

(type and size) are compared against the air district's screening criteria to determine if a more detailed analysis is needed. If a project exceeds these thresholds, a quantitative assessment is conducted to estimate criteria air pollutants and precursor volumes from both construction and operational phases.

For construction impacts, emissions generated by construction equipment, worker commutes, and material transport are estimated and compared to the air district's daily significance thresholds. Projects are also required to implement the air district's Basic Construction Mitigation Measures to minimize fugitive dust and diesel exhaust. For operational impacts, emissions from mobile sources, building energy consumption, and area sources are quantified and evaluated against both average daily and maximum annual thresholds to determine impact significance.

The methodology further addresses local community risk and hazard impacts by evaluating the potential for project-related emissions to adversely affect nearby sensitive receptors, such as residences, schools, childcare facilities, hospitals, and senior centers. This involves identifying all sensitive receptors within the air district's recommended screening distances from potential sources of TAC associated with the project. Common sources include diesel-powered construction equipment, standby generators, stationary industrial operations, and increased traffic on nearby roadways. When preliminary screening indicates a potential for elevated exposure, a health risk assessment is conducted in accordance with the air district's guidance. A health risk assessment quantifies potential cancer risk, chronic health hazards, and acute health hazards based on modeled concentrations of TACs and $PM_{2.5}$, meteorological data, and receptor locations. The results are then compared to the air district's risk thresholds to determine whether the impact would be significant and, if so, to identify feasible mitigation measures to reduce community health risks to acceptable levels.

5.4 Analysis, Impacts, and Mitigation Measures

Consistency with Air Quality Plan

IMPACT 5-1	The Project Would Not Conflict with the Air Quality Plan	No Impact

The air district has the primarily responsibility for ensuring that national and state ambient air quality standards are achieved and maintained within the air basin. CEQA mandates that proposed projects be evaluated for potential conflicts with applicable air quality plans established by the air district to meet these standards. An air quality plan describes air pollution control strategies to be implemented by a town, city, county, or region classified as a non-attainment area for any one or more criteria air emission. The main purpose of an air quality plan is to bring the area into compliance with the requirements of federal and state ambient air quality standards. The primary air pollutants of

concern in the air basin are ozone and particulate matter, for which the air basin is in nonattainment. The air basin is in nonattainment for the federal and state standards for ozone and with the state standards for particulate matter $PM_{2.5}$ and PM_{10}.

The 2017 Clean Air Plan fulfills the mandate required through the Clean Air Act for nonattainment areas. The Clean Air Plan includes an emission inventory, identifies pollutant precursors, and includes 81 air quality control measures whose implementation would bring the air basin into attainment. Many of the control measures are applicable only to industrial uses or are designed to be implemented on a regional basis by a range of agencies, including the air district. Many of the measures are not applicable to individual development projects.

Project consistency with control measures that have a reasonable nexus with the proposed project are discussed below, based in part on the implementation expectations stated in the Clean Air Plan.

Clean Air Plan Control measures that are potentially applicable to the proposed project are presented in Table 5-5, Potentially Applicable Clean Air Plan Control Measures along with a brief consistency analysis to determine how the project either does or does not implement the measure.

Table 5-5 Potentially Applicable Clean Air Plan Control Measures.

Control Measure Number and Name	Consistency Analysis
SS21 – New Source Review for Toxics	Consistent. This policy is implemented by the air district as part of its permitting procedures for stationary sources of emissions. The proposed project may create new stationary sources of $PM_{2.5}$ emissions, which would be subject to compliance with air district regulations for permitted stationary sources, including requirements to use of Best Available Control Technology to minimize emissions.
SS36 – Particulate Matter from Trackout	Consistent. This measure addresses mud/dirt and other solid track-out from construction, landfills, quarries and other bulk material sites, that result in particulate emissions. The City's standard conditions of approval require implementing dust control measures during construction. Required conformance with this condition addresses this control measure.
SS38 – Fugitive Dust	Consistent. This measure addresses particulate matter emissions from construction, landfills, quarries and other bulk material sites. The City's standard conditions of approval require the proposed project implement dust control measures during construction. Required conformance with the condition addresses this control measure.
TR2 – Trip Reduction Programs	Consistent. The Trip Reduction measure includes a mandatory and voluntary trip reduction program. The regional Commuter Benefits Program (for companies with 50 or more full-time employees) and similar local programs in jurisdictions with ordinances that require employers to offer pre-tax transit benefits to their employees, are mandatory programs. Voluntary programs include outreach to employers to encourage them to implement strategies that encourage their employees to use alternatives to driving alone. The City of Gilroy offers a Commuter Benefit Program for full-time and eligible part-time employees, allowing participants to set aside up to $130 per month in pre-tax dollars for public transportation and vanpool expenses, including BART, Caltrain, local and county bus lines, and vanpools.

Control Measure Number and Name	Consistency Analysis
	Furthermore, the City of Gilroy Municipal Code Section 255B.1 implements trip reduction and transportation demand management requirements consistent with Government Code Section 65089.3 by complying with the Bay Area Air Quality Management District Regulation 13, Rule 1 ("Trip Reduction Requirements for Large Employers"). Under this provision, the City certifies annually to the Santa Clara County Congestion Management Agency that the ordinance remains in effect.
TR8 – Ridesharing and Last-Mile Connections	Consistent. This measure will reduce motor vehicle emissions of key ozone precursors, ROG and NO_x, particulate matter, air toxins, and greenhouse gases by reducing single occupancy vehicle trips through the promotion of rideshare services and incentives. The project site is located within 0.5 miles of ten bus stops for Routes 85, 68, and 59 operated by the Valley Transit Authority. Furthermore, the City's Commuter Benefit Program provides financial incentives for employees to participate in vanpools and use public transit, further supporting shared transportation. These features align with the control measure objectives by reducing reliance on single-occupancy vehicles, improving multimodal access, and facilitating connections between regional transit services and the Civic Center site.
TR9 – Bicycle and Pedestrian Access and Facilities	Consistent. This measure expands bicycle facilities serving employment sites, residential areas, and shopping districts by including typical improvements include bike lanes, routes, paths, and/or bicycle parking facilities. The City's standard conditions of approval require the inclusion of bicycle racks or storage in the final project design. Required compliance with the conditions addresses this control measure.
TR14 – Cars and Light Trucks	This measure promotes the use of electric vehicles or alternative fuels to reduce emissions. In addition to vehicle buy-back programs and other funding incentives, the air district continues to partner with private, local, state and federal programs to install and expand public charging infrastructure, and promote existing charging infrastructure. A mitigation measure is included in Section 8.0, Greenhouse Gases, of this EIR that requires EV infrastructure be installed consistent with CALGreen requirements. This will ensure that the control measure is addressed.
BL1 – Green Buildings	Consistent. The project would be required to meet standards in the most current version of the California Green Building Code Standards for Nonresidential Buildings (CalGreen, Title 24, Part 11).
BL2 Decarbonize Buildings All Pollutants	Consistent. This measure reduces emissions by limiting the installation of space and water heating systems and appliances powered by fossil fuels, such as natural gas, in support of low to zero carbon emission technology alternatives. A mitigation measure is included in Section 8.0, Greenhouse Gases, that requires development of the proposed project to be constructed as all-electric and that permanent natural gas plumbing/infrastructure be prohibited.

SOURCE: BAAQMD 2017 (See Tables 5-1 through 5-10).

The proposed project is consistent with, and would not conflict with, the 2017 Clean Air Plan.

Criteria Air Pollutants Emissions

IMPACT 5-2	Generation of Criteria Air Pollutants	Less Than Significant

The six most common and widespread air pollutants of concern, known as criteria pollutants, include ground-level ozone, nitrogen dioxide, particulate matter, carbon monoxide, sulfur dioxide, and lead. In addition, ROG, also referred to as volatile organic compounds (VOC), are an important contributor to criteria pollutants because they react with other substances in the atmosphere to form ground-level ozone. Prolonged exposure to criteria pollutants is associated with a range of adverse health effects, including asthma, bronchitis, chest pain, coughing, and heart disease.

The 2022 CEQA Guidelines provide a framework for evaluating the potential air quality impacts of individual projects. For construction activities, the daily thresholds of significance are 54 pounds per day for ROG, 54 pounds per day for NO_x, 54 pounds per day for $PM_{2.5}$ exhaust, and 82 pounds per day for PM_{10} exhaust. All construction projects are also required to comply with the air district's Basic Construction Mitigation Measures to control fugitive dust and diesel exhaust and with the City's associated standard conditions of approval for limiting construction emissions. Exceeding any daily construction threshold would be considered a significant impact unless feasible mitigation measures are implemented to reduce emissions to less-than-significant levels.

For operational activities, the 2022 CEQA Guidelines identify daily thresholds of 54 pounds per day for ROG, 54 pounds per day for NO_x, 54 pounds per day for total $PM_{2.5}$, and 82 pounds per day for total PM_{10}, along with maximum annual thresholds of 10 tons per year for ROG, 10 tons per year for NO_x, 10 tons per year for total $PM_{2.5}$, and 15 tons per year for total PM_{10}. These thresholds account for emissions from mobile sources (vehicle trips), energy use (electricity and natural gas), and area sources (landscaping equipment, consumer products, fireplaces). Operational emissions that exceed any daily or annual threshold are considered significant unless feasible mitigation measures are incorporated to reduce them to less-than-significant levels.

The analysis methodology includes using approved modeling tools, such as California Emissions Estimator Model (CalEEMod), to estimate emissions from all relevant sources. Modeled emissions are compared directly to the air district's significance thresholds. If emissions are below the thresholds for both construction and operation, the project impact is considered less than significant. If emissions exceed the thresholds, mitigation measures must be applied to reduce emissions to the extent feasible.

Air quality modeling was conducted using CalEEMod to quantify criteria air pollutant emissions that would be generated during project construction and operation. An "unmitigated" model run was completed to estimate emissions associated with the proposed project in the absence of any project-specific mitigation measures. The model incorporates uniformly applied existing regulatory measures that reduce emissions.

In addition to modeling project-related emissions, existing (baseline) emissions were also quantified in CalEEMod. These values were used to calculate the net change in emissions resulting from implementation of the proposed project. The CalEEMod results are included in Appendix C. Model inputs include the type and size of proposed land uses, based on CalEEMod default land use assumptions, as shown in Table 5-6, Project Characteristics.

Table 5-6 Project Characteristics

Existing Baseline Conditions		
Land Use	**CalEEMod Land Use Subtype[1]**	**Size Metric[2]**
City Hall	Government Office Building	27,000 square feet
Wheeler Gymnasium	Health Club	17,000 square feet
Senior Center	Day-Care Center	10,700 square feet
City Hall Annex	Government Office Building	17,000 square feet
Parking	Parking Lot	300 spaces
Proposed Project Conditions		
Land Use	**CalEEMod Land Use Subtype[1]**	**Size Metric**
City Hall	Government Office Building	47,507 square feet
Recreation Center	Health Club	42,615 square feet
Community Center	Government (Civic Center)	41,604 square feet
Parking	Parking Lot	423 spaces[3]

SOURCE: CalEEMod version 2022.1, City of Gilroy 2025, Hexagon Transportation Consultants 2025
NOTES:
1. CalEEMod default land use subtype. Descriptions of the model default land use categories and subtypes are found in the User's Guide for CalEEMod Version 2022.1 available online at: https://caleemod.com/user-guide.
2. Existing building square footages taken from Hexagon Transportation Consultants' VMT memo dated August 2025.
3. The number of parking spaces changed from 423 to 425 after modeling was conducted. This minor change does not impact the discussion or conclusion.

Unless otherwise noted, other data inputs to CalEEMod for the proposed project scenario are based on the following primary assumptions:

- Construction could begin as early as January 2027;
- Buildout of the Civic Center Master Plan will be complete by 2040;
- The air district's Basic Best Management Practices for Construction-Related Fugitive Dust Emissions will be implemented; and
- The existing City Hall, City Hall annex building, Wheeler Auditorium, and senior center will be demolished.

Construction Emissions

Emissions from construction activities can have temporary impacts that are typically short in duration, depending on the size, phasing, and type of project, and generally do not contribute to long-term cumulative air quality impacts. Air quality impacts can, nevertheless, be acute during construction periods, resulting in significant localized impacts to air quality.

Table 5-7, Unmitigated Construction Criteria Air Pollutant Emissions, provides a comparison of the air district thresholds of significance to the modeled construction emission values quantified for the project. As shown, construction emissions would be well below the air district standards.

Table 5-7 Unmitigated Construction Criteria Air Pollutant Emissions

Emission	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Particulate Matter (PM_{10} Exhaust)	Fine Particulate Matter ($PM_{2.5}$ Exhaust)
Average Daily Emissions[1,2]	4.0	8.6	0.3	0.3
Air District Thresholds[1]	54.0	54.0	82.0	54.0
Exceeds Threshold?	No	No	No	No

SOURCE: EMC Planning Group 2025, CalEEMod version 2022.1, Bay Area Air Quality Management District 2022
NOTES:
1. Values are expressed in pounds per day.
2. Values may vary slightly due to rounding.

The City's standard conditions of approval include requirements for all construction contractors to implement the basic construction mitigation measures recommended by the air district. The project applicant would be required to comply with all conditions of approval imposed by the City. Construction phase criteria air emissions impacts would be less than significant.

Operational Emissions

Criteria air pollutant emissions were quantified for both existing baseline conditions for uses that would be demolished and for the proposed project scenario. These values were used to calculate the net changes in emissions from project implementation, which were then compared to the air district thresholds of significance, as shown in Table 5-8, Operational Criteria Air Pollutant Emissions.

It is important to note that the results in Table 5-8 overestimate the actual net increase in potential air emissions from the project. The net increase in building square footage is not analogous to a net increase in building use intensity, particularly for the City Hall use. For example, though the City Hall building square footage would increase by nearly 20,000 square feet, the function of the building and the services/functions it performs would largely remain the same and it would serve the same existing community as does the existing City Hall building. Therefore, the number of employees housed at the City Hall and the frequency with which residents access the building are

expected to be largely unchanged from existing conditions. This fact suggests that the net change in mobile source air emissions, the primary source of emissions from land use projects, would be notable lower than shown in Table 5-8.

Table 5-8 Operational Criteria Air Pollutant Emissions

	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Particulate Matter (PM_{10} Total)	Fine Particulate Matter ($PM_{2.5}$ Total)
Average Daily Emissions (Pounds per Day)				
Proposed Project[1]	9.3	4.1	9.0	2.4
Existing Conditions[1]	6.6	3.3	4.4	1.2
Net Emissions	2.7	0.8	4.6	1.2
Air District Thresholds	54.0	54.0	82.0	54.0
Exceeds Threshold?	No	No	No	No
Maximum Annual Emissions (Tons per Year)				
Proposed Project[2]	1.7	0.8	1.6	0.4
Existing Conditions[2]	1.2	0.6	0.8	0.2
Net Emissions	0.5	0.2	0.8	0.2
Air District Thresholds	10.0	10.0	15.0	10.0
Exceeds Threshold?	No	No	No	No

SOURCE: EMC Planning Group 2025, CalEEMod version 2022.1

The CalEEMod results, shown above, indicate that minor increases in emissions of ROG, NO_x, PM_{10}, and $PM_{2.5}$ would occur as a result of implementing the proposed project in comparison to existing conditions. However, all emission volumes would remain well below the air district's established thresholds. As such, the proposed project would not exceed any operational air quality significance thresholds and, therefore, would result in a less than significant impact.

Construction Phase Toxic Air Contaminants

IMPACT 5-3	Operation of Construction Equipment with Potential to Expose Sensitive Receptors to Toxic Air Contaminants	Less Than Significant with Mitigation

Diesel exhaust is the predominant toxic air contaminants (TAC) in urban air and is estimated to represent about two-thirds of the cancer risk associated with TACs. Diesel engines emit a complex mix of pollutants including nitrogen oxides, particulate matter, and toxic air contaminants. The most visible constituents of diesel exhaust are very small carbon particles or soot, known as diesel particulate matter. Diesel exhaust is especially common during the construction phases, such as grading and demolition, when most of the heavy equipment is used.

Existing sensitive receptors located within 1,000 feet of the project site could be exposed to localized health risks associated with TAC emissions from construction equipment exhaust. A sensitive receptor is generally defined as a location where there is reasonable expectation that human populations, especially children, seniors, and sick persons, could be continuously exposed to TAC emissions. Typical sensitive receptors include residences, hospitals, and schools. The project site is surrounded by residences on all sides. Therefore, construction activities have potential to expose nearby sensitive receptors to TAC emissions.

Temporary and limited localized TAC emissions would be generated from construction diesel equipment. Emissions from construction diesel engines are subject to control under regulations adopted by both the U.S. EPA and California Air Resources Board. U.S. EPA promulgated emission standards for off-road engines in 1998, with the California Air Resources Board adopting parallel standards in 2000. In 2004, Tier 4 emission standards were adopted and phased in for new engines between 2011 and 2014. In 2007, CARB adopted an off-road equipment regulation to accelerate reductions of NO_x and diesel PM from existing off-road engines. Beginning in 2012 and through 2023, the off-road regulation requires operators of older equipment to either install abatement devices, upgrade to Tier 3 and eventually Tier 4 engines, or to retire older equipment.

Implementation of the following mitigation measure would ensure that the health risks from potential exposures to construction TAC emissions would be less than significant by requiring that best management practices be implemented to reduce emissions and ensure compliance with diesel engine regulations designed to reduce diesel emissions.

Mitigation Measure

AQ-1 With each construction project, the City, or developer, shall prepare a Construction Management Plan to include the following measures to reduce TAC emissions during construction:

a. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation;

b. Idling of construction equipment and heavy-duty diesel trucks will be avoided where feasible, and if idling is necessary, it will not exceed three minutes;

c. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications and will be checked by a certified visible emissions evaluator; and

d. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity, or biodiesel.

Implementation of Mitigation Measure AQ-1 would reduce potential exposure of sensitive receptors to construction TACs to a less-than-significant level by requiring cleaner engines, limiting idle times, and restricting non-compliant equipment.

Operational Phase Toxic Air Contaminants

IMPACT 5-4	Exposure of Sensitive Receptors to Operational Source Toxic Air Contaminants	Less Than Significant

Stationary Source TACs

Exposure to TAC sources is generally of concern where sensitive receptors are or would be located within 1,000 feet of a stationary TAC source. In the absence of specific direction from the air district on evaluating health risks from TACs, the 1,000-foot reference distance is taken from health risk analysis guidance provided in Chapter 5 of the air district 2022 CEQA Guidelines. As previously stated, existing sensitive receptors (e.g. residents) are located on all sides of the project site.

Depending on the specific use type, operations associated with non-residential development can generate TAC emissions that may pose localized health risks. However, the public-serving uses, including the government offices, civic facilities, and public open space, proposed as part of the project are not typically associated with continuous or substantial stationary source TAC emissions, such as those generated by heavy service commercial or industrial operations. Potential stationary TAC sources could include diesel-powered emergency backup generators. Such generators are regulated under the California Air Resources Board's Stationary Diesel Airborne Toxics Control Measure and require permits from the air district, as they commonly have engines larger than 50 horsepower. Under these permit requirements, engines must comply with Best Available Control Technology for Toxics standards, which limit diesel particulate matter emissions and require passing a toxic risk screening threshold of less than ten in one million.

Projects complying with all applicable air district permitting and regulatory requirements for TAC sources are generally not considered to result in a significant community health risk impact. Any stationary sources of TACs associated with future development would be subject to permitting by the air district and compliance with applicable regulatory requirements would ensure that TAC emissions from such sources are minimized and controlled. As a result, operational TAC emissions associated with these uses would not pose a significant health risk, and the potential for associated health risks is considered less than significant.

Transportation Source TACs

Health risks from exposure of sensitive receptors to TACs generated by transportation sources can also be a concern. One source of risk arises where sensitive receptors are or would be located along roadways onto which a project that generates a large volume of diesel-powered heavy truck trips would distribute such trips. Diesel-powered vehicles produce DPM that is a known carcinogen. The

concern also arises where receptors are located near roadways that carry a higher number of vehicle trips due to the potential for exposure to small particulate matter ($PM_{2.5}$) and DPM. Heavy-duty diesel truck trips to or from the site would be minimal given the proposed uses. Therefore, the project would not increase exposure of the nearby receptors to this TAC source. TACs in the form of $PM_{2.5}$ from other sources is the vehicle fleet can, however, be a concern when sensitive receptors are located near roadways that carry a higher number of vehicle trips.

Per air district guidance, transportation-source TACs may be of concern when receptors are located adjacent to local roadways that carry 10,000 average daily trips or more than 1,000 daily truck trips. Based on information available from the City, all of the streets adjacent to the project site result in substantially less than 10,000 average daily vehicle trips (City of Gilroy 2019). Additionally, very few of those trips, if any, would be anticipated to come from heavy-duty diesel trucks since the project site is located in a largely residential neighborhood. As noted previously, the proposed project would replace existing public-serving uses with similar development and is not expected to notably increase daily trip volumes compared to baseline conditions. Any of the additional trips would also likely not be heavy duty diesel trucks. Consequently, it is unlikely that the project would result in new transportation source TACs that would pose elevated TAC-related health risks to sensitive residential receptors along the local road network. Therefore, the impact is considered to be less than significant.

Odors

IMPACT 5-5	Create Odors that Adversely Affect People	No Impact

The proposed land uses within the project site include government offices, civic facilities, public open space, and associated infrastructure improvements that are not typically associated with operations that generate odors capable of adversely affecting a substantial number of people. Therefore, no further analysis of odor impacts is warranted.

6.0 Biological Resources

This section assesses potential impacts on biological resources from future development of the proposed project. The discussion and analysis are based primarily on a review of relevant scientific literature, aerial photographs, technical background information, data on special-status species and sensitive habitats, and policies applicable to projects located in the City of Gilroy.

Information in this section is derived from multiple sources including the following:

- California Natural Diversity Database (California Department of Fish and Wildlife 2025a);
- Biogeographic Information and Observation System (BIOS) Online Database (California Department of Fish and Wildlife 2025b);
- Inventory of Rare and Endangered Plants (California Native Plant Society 2025);
- *Information for Planning and Conservation* (U.S. Fish and Wildlife Service 2025a); and
- National Wetlands Inventory (U.S. Fish and Wildlife Service 2025b).

There were no comments on the NOP regarding the scope of analysis for biological resources.

6.1 Environmental Setting

Existing Conditions

The 14-acre project site is developed, with no undisturbed or natural habitats present, and located within the urban limits of the City of Gilroy. Vegetation is limited to landscaping, ornamental species, and manicured lawn. Numerous planted ornamental and street trees are present throughout the project site. No wetlands or other aquatic features are present.

Wildlife with the potential to reside within ornamental or landscaped areas include urban-adapted species such as racoon (*Procyon lotor*), pocket gopher (*Thomomys bottae*), mice (*Mus musculus*, *Reithrodontomys megalotis*, and *Peromyscus maniculatus*), California vole (*Microtus californicus*), western fence lizard (*Sceloporus occidentalis*), and various common bird species that may utilize the area for foraging or ornamental trees for nesting.

Special-Status Species with Potential to Occur

Special-status species are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the United States Fish and Wildlife Service (USFWS) or California Department of Fish and Wildlife (CDFW) under the state and/or federal Endangered Species Acts. The special-status designation also includes CDFW Species of Special Concern and Fully Protected species, California Native Plant Society (CNPS) Rare Plant Rank 1B and 2B species, and other locally rare species that meet the criteria for listing as described in Section 15380 of CEQA Guidelines. Special-status species are generally rare, restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring.

A search of the CDFW California Natural Diversity Database was conducted for the proposed project and project vicinity (CDFW 2025a). With the exception of roosting bat species and nesting protected birds, special-status plants or wildlife species do not have the potential to occur within the project area due to the lack of habitat resulting from urban development and dominance of non-native and ornamental landscaping. Roosting bats and protected nesting birds are further discussed in Section 6.4, below.

Wildlife Movement

Wildlife movement corridors provide connectivity between habitat areas, enhancing processes like nutrient flow, gene flow, seasonal migration, pollination, and predator-prey relationships. Increasing connectivity is a critical strategy for addressing habitat loss and fragmentation, a top threat to biodiversity.

The project site is not located within any previously defined essential connectivity areas as mapped by the *California Essential Habitat Connectivity Project* and is also within and adjacent to developed lands (CDFW 2025c). The project site is not likely to facilitate major wildlife movement due to the current disturbance from residential and commercial development.

6.2 Regulatory Setting

Federal Regulations

Endangered Species Act

The federal Endangered Species Act of 1973 protects species that the USFWS has listed as Endangered or Threatened. Permits may be required from USFWS if activities associated with a proposed project would result in the "take" of a federally listed species or its habitat. Under the Act, the definition of "take" is to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." USFWS has also interpreted the definition of "harm" to include significant habitat modification that could result in take. "Take" of a listed species is prohibited unless (1) a Section 10(a) permit has been issued by the USFWS or (2) an Incidental Take Statement has been obtained through formal consultation between a federal agency and the USFWS pursuant to Section 7 of the Act.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 prohibits killing, possessing, or trading in migratory birds, and protects the nesting activities of native birds including common species, except in accordance with certain regulations prescribed by the Secretary of the Interior. Over 1,000 native nesting bird species are currently protected under the federal law. This Act encompasses whole birds, parts of birds, bird nests, and eggs.

The USFWS published a proposed rule to clarify prohibitions governing the "take" of birds under the Migratory Bird Treaty Act on February 3, 2020. This proposed rule clarifies that the scope of the Migratory Bird Treaty Act applies only to intentional injuring or killing of birds. Conduct that results in the unintentional (incidental) injury or death of migratory birds is not prohibited under the Act. On January 7, 2021, the final regulation defining the scope of the Migratory Bird Treaty Act was published in the Federal Register. The rule went into effect on February 8, 2021.

On October 4, 2021, the USFWS published a final rule revoking the January 7, 2021, regulation that limited the scope of the Migratory Bird Treaty Act. With this final and formal revocation of the January 7 rule, the USFWS returns to implementing the Migratory Bird Treaty Act as prohibiting incidental take and applying enforcement discretion, consistent with judicial precedent and long-standing agency practice prior to 2017. This final rule went into effect on December 3, 2021.

State Regulations

California Endangered Species Act

Pursuant to the California Endangered Species Act and Section 2081 of the California Fish and Game Code, an Incidental Take Permit from CDFW is required for projects that could result in the "take" of a state-listed Threatened or Endangered species. "Take" is defined under the Act as an activity that would directly or indirectly kill an individual of a species; "take" is defined in Section 86 of the California Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." If a proposed project would result in the "take" of a state-listed species, then a CDFW Incidental Take Permit, including the preparation of a species conservation plan, would be required.

Nesting Birds and Birds of Prey

Sections 3505, 3503.5, and 3800 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, including their nests or eggs. Birds of prey (the orders Falconiformes and Strigiformes) are specifically protected under provisions of the California Fish and Game Code, Section 3503.5. This section of the Code establishes that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this Code. Disturbance that causes nest abandonment and/or loss of reproductive effort, such as construction during the bird nesting season, is considered "take" by CDFW.

Local Regulations

General Plan

The City of Gilroy 2040 General Plan has goals in place for conserving natural resources. The Natural and Cultural Resources Element establishes goals, policies, and programs to preserve and enhance Gilroy's natural areas, plant and wildlife habitats, wetlands and streams, scenic views, and historic or culturally significant resources. Policies applicable to this project include the following:

> NCR 1.1 Habitat Plan Compliance. For all covered activities throughout the city, comply fully with permit conditions of the Santa Clara Valley Habitat Plan. This will protect natural resources by minimizing impacts on sensitive natural communities and 18 covered species, facilitating wildlife movement, and establishing stream setbacks and buffers. Associated permit fees will be used for reserve system preservation, habitat enhancement and restoration, and adaptive management and monitoring.
>
> NCR 1.7 Special Status Species. Special-status species are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the U.S. Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), or as Rare Plant Rank 1B or 2B species by the California Native Plant Society (CNPS). This designation also includes CDFW Species of Special Concern and Fully Protected Species. For special-status species that are not among the 18 covered species in the Habitat Plan, minimize future development in areas that support such species. Conduct focused surveys per applicable regulatory agency protocols as appropriate to determine if such species occur on a given project site, as determined necessary by a qualified biologist. If development of occupied habitat must occur, species impacts shall be avoided or minimized, and if required by a regulatory agency or the CEQA process, loss of wildlife habitat or individual plants should be fully compensated on the site. If off-site mitigation is necessary, it should occur within the Gilroy Planning Area whenever possible with a priority given to existing habitat mitigation banks. Habitat mitigation shall be accompanied by a long-term management plan and monitoring program prepared by a qualified biologist and include provisions for protection of mitigation lands in perpetuity through the establishment of easements and adequate funding for maintenance and monitoring.
>
> NCR 1.8 Native Nesting Bird Protection. Protect native nesting birds, which are protected by the Federal Migratory Bird Treaty Act and the California Fish and Game Code.
>
> NCR 1.11 Healthy Urban Forest. Maintain and expand a vibrant, healthy urban forest in public street right-of ways, parks, and other public lands and facilities through arborist-supervised tree selection and planting, pest and disease control, scheduled pruning, tree removal limitations, and systematic removal and replacement of dead or diseased trees.

Gilroy Municipal Code

Chapter 26 of the Gilroy Municipal Code includes the regulations for tree removal. A permit is required for the removal of a tree 38 inches in circumference or larger of following species; all species of oaks, California bay, big leaf maple, madrone, California sycamore, California buckeye and alder. In addition, removal of any type of tree 90 inches in circumference or larger requires a tree removal permit.

The City of Gilroy Consolidated Landscape Policy also requires project proponents to submit a landscape plan prior to approval of a final map. The final map would identify all existing trees and any trees designated for removal. The City reviews each landscape plan on a case-by-case basis to determine if any trees are significant.

6.3 Thresholds or Standards of Significance

CEQA Guidelines Appendix G is a sample initial study checklist that includes a number of factual inquiries related to the subject of biological resources, as it does on a whole series of additional environmental topics. Lead agencies are under no obligation to use these inquiries in fashioning thresholds of significance on the subject of biological resources, or on any subject addressed in the checklist. Rather, with few exceptions, CEQA grants agencies discretion to develop their own thresholds of significance. Even so, it is a common practice for lead agencies to take the language from the inquiries set forth in Appendix G and to use that language in fashioning thresholds. The City of Gilroy has done so here. Therefore, for purposes of this EIR, a significant impact would occur if implementation of the proposed project would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

6.4 Analysis, Impacts, and Mitigation Measures

This evaluation is based on a review of existing scientific literature, aerial photographs, technical background information, relevant documents addressing biological resources at the project site and vicinity; and General Plan policies applicable to project.

Effects on Special-Status Wildlife Species

IMPACT 6-1	Potential Adverse Effect on Special-Status Wildlife Species (Protected Bat Species)	Less than Significant with Mitigation

Due to the lack of habitat and dominance of urban development and landscaping, special-status plant species are not expected to occur within the project area and no further analysis is recommended. Impacts to special-status wildlife species are discussed below.

Trees and/or buildings or structures on or adjacent to the project site could potentially provide roosting habitat for bats listed as California Species of Special Concern, including hoary bat (*Lasiurus cinereus*), pallid bat (*Antrozous pallidus*), and Townsend's big-eared bat (*Corynorhinus townsendii*).

Hoary bat is the most widely distributed of all North American bat species and occurs from sea-level to high elevation. In California, it occurs with greatest frequency in forested regions, both along the coast and in the mountains. The pallid bat is a locally common species of low elevations in California. It occurs throughout California except for the high Sierra Nevada from Shasta to Kern counties, and the northwestern corner of the state from Del Norte and western Siskiyou counties to northern Mendocino County. A wide variety of habitats are utilized, including grasslands, shrublands, woodlands, and forests from sea level up through mixed conifer forests. The pallid bat species is most common in open, dry habitats with rocky areas for roosting. Townsend's big eared bat is found throughout California in a wide variety of habitats, most often in mesic areas. This species roots in the open, hanging from walls and ceilings, however it is extremely sensitive to human disturbance and is unlikely to be present in urban developed areas.

The distribution of special-status bats is not well documented in the Santa Clara Valley, including Gilroy. Records from 1938 on the California Natural Diversity Database indicate that the pallid bat (occurrence number 252) and hoary bat (occurrence number 93) were documented as being collected within the Gilroy city limits, but the exact location of the collection is unknown. Additional records for pallid bats are known from within 10-15 miles to the north, south, east and west of the city. Records for the hoary bat are from 1-12 miles south of Gilroy (CDFW 2025a).

Hoary bat and pallid bat are known to occur in the project vicinity and could be present on the project site. Project development could result in impacts to these species from injury or mortality during construction, if present on the project site. Loss or harm to special-status bat species is considered a significant adverse environmental impact. Implementation of the following mitigation measure would reduce potentially significant impacts to special-status bat species to a less than-significant-level.

Mitigation Measure

BIO-1 Special-Status Bat Species. Within 14 days prior to tree removal, vegetation clearing, building demolition, grading, or the initiation of any construction activity in any area of the project site, a qualified wildlife biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed, in buildings and trees within 50 feet of the construction footprint, and surrounding structures situated within 50 feet of disturbance activities by the project. In the event that construction activities are suspended for 14 consecutive days or longer, these surveys shall be repeated.

Surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked. Locations off the site to which access is not available may be surveyed from within the site or from public areas.

If no roosting sites or bats are found, a letter report confirming absence shall be submitted by the biologist to the City of Gilroy Community Development Department, Planning Division, where it will be kept on file, and no further mitigation is required.

If bats or roosting sites are found, a letter report and supplemental documents shall be provided by the biologist to the City of Gilroy Community Development Department, Planning Division, prior to ground disturbance activities and the following monitoring, exclusion, and habitat replacement measures shall be implemented:

a. If bats are found roosting outside of the nursery season (May 1 through October 1), they shall be evicted as described under (b) below. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. If the roost is determined to not be a maternal roost, then the bats shall be evicted as described under (b) below. Because bat pups cannot leave the

roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if determined in consultation with the California Department of Fish and Wildlife) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season.

b. If a non-breeding bat hibernaculum is found in a tree or snag scheduled for removal or on any structures within 50 feet of project disturbance activities, the individuals shall be safely evicted, under the direction of a qualified bat biologist. If pre-construction surveys determine that there are bats present in any trees or structures to be removed, exclusion structures (e.g., one-way doors or similar methods) shall be installed by a qualified biologist. The exclusion structures shall not be placed until the time of year in which young are able to fly, outside of the nursery season. Information on placement of exclusion structures shall be provided to the California Department of Fish and Wildlife prior to construction. If needed, other removal methods could include: carefully opening the roosting area in a tree or snag by hand to expose the cavity and opening doors/windows on structures, or creating openings in walls to allow light into the structures. Removal of any trees or snags and disturbance within 50 feet of any structures shall be conducted no earlier than the following day (i.e., at least one night shall be provided between initial roost eviction disturbance and tree removal/disturbance activities). This action will allow bats to leave during dark hours, which increases their chance of finding new roosts with a minimum of potential predation.

IMPACT 6-2	Potential Adverse Effect on Nesting Migratory Birds and Raptors	Less than Significant with Mitigation

Various common native bird species, including white-crowned sparrow (*Zonotrichia leucophrys*), American crow (*Corvus brachyrhynchos*), chestnut-backed chickadee (*Poecile rufescens*), and song sparrow (*Melospiza melodia*), may nest throughout the project site, including on open ground or within shrubs and trees. Many bird species are migratory and fall under jurisdiction of the Migratory Bird Treaty Act, protections for birds of prey, and/or are considered Fully Protected Species.

Project development, including vegetation removal, building demolition, grading, and site preparation, may directly result in loss of active nests, or indirectly result in nest abandonment and thereby cause loss of fertile eggs or nestlings. Loss or harm to nesting birds protected by state and federal regulations is considered a significant adverse environmental impact. Implementation of the following mitigation measure would reduce potentially significant impacts to nesting birds to a less than-significant-level.

Mitigation Measure

BIO-2 To avoid impacts to nesting birds during the nesting season (February 1 through September 15), construction activities that include any tree removal, vegetation clearance, or ground disturbance (such as grading or grubbing), shall be conducted between September 16 and January 31, which is outside of the bird nesting season. If construction activities must commence during the bird nesting season, then a qualified biologist shall conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

a. Two surveys for active nests of such birds shall occur within 10 days prior to start of construction, with the second survey conducted within 48 hours prior to start of construction. Appropriate minimum survey radius surrounding the work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Evidence of completion of the preconstruction survey shall be submitted to the Gilroy Community Development Department, Planning Division, where it will be kept on file, prior to initiation of ground disturbing activities.

b. If the qualified biologist documents active nests at the project site, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. This measure shall be implemented by the project developer prior to initiation of ground disturbing activities.

Effects on Riparian Habitats/Sensitive Natural Communities

IMPACT 6-3	No Effect on Riparian Habitats or Sensitive Natural Communities	No Impact

No riparian habitats or other sensitive natural communities have been documented at the project site (USFWS 2025b). The project would not conflict with local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Effects on Wetlands

IMPACT 6-4	No Effects on Wetlands	No Impact

No federally protected wetlands have been documented at the project site (USFWS 2025b). The project would not cause an adverse effect on federally protected wetlands via direct removal, filling, hydrological interruption, or other means.

Effects on Migration

IMPACT 6-5	No Effects on Native Fish or Wildlife Migration or Native Wildlife	No Impact

The proposed project does not provide suitable conditions to support native fish or wildlife migration or native wildlife. Refer also to the discussion under Wildlife Movement within Section 6.1, Environmental Setting.

Tree Preservation

IMPACT 6-6	Potential Adverse Effect on Protected Trees	Less than Significant with Mitigation

Chapter 26 of the Gilroy Municipal Code includes the regulations for tree removal. A permit is required for the removal of a tree 38 inches in circumference or larger for following species: all species of oaks, California bay, big leaf maple, madrone, California sycamore, California buckeye, and alder. In addition, removal of any type of tree 90 inches in circumference or larger requires a tree removal permit.

In addition, the City of Gilroy Consolidated Landscape Policy also requires project proponents to submit a landscape plan prior to approval of a final map. The final map would identify all existing trees and any trees designated for removal. The City reviews each landscape plan on a case-by-case basis to determine if any trees are significant.

Many of the trees currently at the site will require removal. The removal of any oaks, California bay, big leaf maple, madrone, California sycamore, California buckeye or alder trees, or any type of tree 90 inches in circumference or larger would require a tree permit per Chapter 26 of the Gilroy Municipal Code. The landscape plan required per the City of Gilroy Consolidated Landscape Policy would identify all existing trees and any trees designated for removal.

Loss of protected trees is considered a potentially significant impact. Implementation of the following mitigation measure would reduce potentially significant impacts to protected trees to a less than-significant-level.

Mitigation Measure

BIO-3 Prior to approval of each construction project, the City of Gilroy shall prepare a Landscape Plan for review and approval by the Community Development Department, Planning Division indicating the location, size and species of existing trees found within the project site boundaries. The plan shall indicate which trees are planned for removal. Based on review of the Landscape Plan, the City shall determine which trees, if any, are "significant."

If significant trees are determined to be located on the project site, they shall be retained, to the greatest extent feasible. The dripline of significant trees to be retained shall be fenced prior to grading activities to prevent root damage. If retention of all significant trees on the project site is infeasible, a written report shall be prepared by a certified arborist including the number and location of each significant tree to be removed, the type and approximate size of each significant tree, the reason for removal, and specifications for replacing significant trees to be removed. The written report shall be prepared prior to the commencement of grading activities, subject to approval by the City of Gilroy Community Development Department, Planning Division, and a tree removal permit shall be obtained if needed.

Prior to commencement of construction activities, the protected zone (one to 1.5 times the distance from the trunk to the dripline, depending on the tree species) 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. The City of Gilroy shall submit evidence of the locations and extent tree protection measures to the Community Development Department, Planning Division, where it will be kept on file, prior to initiation of ground disturbing activities.

Conflict with Habitat Conservation Plan

IMPACT 6-7	Would Not Conflict with Habitat Conservation Plan	No Impact

The City of Gilroy is a co-permittee authorized to permit their own projects under the Santa Clara Valley Habitat Plan (Habitat Plan). The Habitat Plan is a 50-year regional plan to protect endangered species and natural resources while allowing for future development in southern Santa Clara Valley. It is both a habitat conservation plan and natural community conservation plan, or HCP/NCCP. The Habitat Plan is a regional partnership between six local partners (the County of Santa Clara,

Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, and the cities of San Jose, Gilroy, and Morgan Hill) and two wildlife agencies (the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service).

According to the *Geobrowser* (Santa Clara Valley Habitat Agency 2025), the project site is located within the Habitat Plan permit area, Urban Areas (no land cover fee). The proposed project will not conflict with the Habitat Plan.

7.0 Cultural Resources

This section of the EIR includes an evaluation of the proposed project's effects on cultural resources. Unless otherwise noted, the following sources were utilized:

- *City of Gilroy 2040 General Plan* (City of Gilroy 2020); and
- Historic Resources Inventory DPR Form 523.

There were no comments on the NOP regarding the scope of analysis for cultural resources.

7.1 Environmental Setting

Archaeological Resources

According to *Gilroy 2040 General Plan Draft Environmental Impact Report.* ("General Plan EIR") Figure 3.5-1, Archaeological Sensitivity, the project site is in a low archaeological sensitivity zone. This is consistent with a recent review of Northwest Information Center files from previous searches of Gilroy. The file review was conducted by EMC Planning Group archaeologist, Vanessa Potter, RPA.

Historic Resources

The Wheeler Auditorium at 7377 Church Street and located on-site was designated as historic by the Gilroy City Council on August 15, 1983. The structure is not, however, listed in the Santa Clara County Heritage Resource Inventory or the National Register of Historic Places.

According to the City's Historic Sites form, the Wheeler Auditorium was built in the 1940s in the Moderne style. There is a possibility of a late Art Deco homage at the entrance façade (Dan Donovan, personal communication, July 30, 2025). The lack of architectural embellishments may have been due to budgetary constraints or a restraint that evolved after recovery from the Great Depression. The architects credited for designing the auditorium are William E. Binder and Ernest N. Curtis (PCAD 2025). Binder and Curtis operated as a partnership in San Jose, California beginning in the 1890s and closing in the late 1950s

Historic Period

The earliest Spanish land grant in the Gilroy area was the Las Animas land grant of 1803. The San Ysidro grant covered land east of Gilroy. The Las Animas grant was originally 26,519 acres and given to Jose Mariano Castro, a soldier in the Monterey garrison. After his death, the grant was broken up by family member, including his widow and their eight children. From its start in 1850 as

a stage and postal station along Monterey Street, the village of Gilroy was eventually incorporated in 1868 as the Town of Gilroy. In March 1870, an act of the state legislature incorporated Gilroy as an official city. During this time, displaced pioneers and gold seekers came to settle in Gilroy.

The Old Saint Mary Cemetery was established in 1865 and contains the burials of some of Gilroy's earliest settlers, including John Gilroy whom the city is named after. Chinese cemeteries are also known in the Gilroy area, typically outside city limits. One historical marker was placed on the Gilroy Golf Course in 2004 to mark one such cemetery. Wooden markers and bricks were the main items used to indicate a temporary burial slated for return to the deceased's home village.

Indigenous peoples were forcibly removed from the surroundings during the Mission period and may have attempted to return to their previous village life, only able to participate on the fringe of a new society as ranch laborers or within other Euro-American trades. Some went into military service.

Based on a review of NWIC database search results, typical historic resources around the Gilroy area include sections of old roads, railroad segments, homesteads and their various outbuildings, greenhouses, and farm complexes (NWIC File Numbers 24-0837 and 24-1754).

Historic Landmarks

California Historical Landmarks (CHLs) are buildings, structures, sites, or places that have been determined to have statewide historical significance by meeting at least one of the criteria listed below:

- The first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).
- Associated with an individual or group having a profound influence on the history of California.
- A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best-surviving work in a region of a pioneer architect, designer, or master builder.

None of the buildings at the project site fall under the categories needed to be deemed a historical landmark at the state level (California Office of Historic Preservation 2025).

7.2 Regulatory Setting

Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act was passed into law in 1966 to establish systems and standards for coordinating historic preservation efforts between the federal government and state, local, and tribal governments. Title I, Historic Preservation Programs, Section 101, states the

Secretary may expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture. Additional information about this Act can be found under Title 54 U.S.C. Chapter 3021-National Register of Historic Places, 54 U.S.C. 302101 (National Park Service 2025a).

Native American Graves and Repatriation Act

The Native American Graves and Repatriation Act, passed into law on November 16, 1990, describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation. Additional information about this Act can be found under Public Law 101-601; 54 U.S.C. (National Park Service 2025b).

National Register of Historical Places

The National Register of Historic Places is a list of properties deemed worthy of federal preservation and is supported by the United States Department of the Interior. The program identifies potential public and private properties, evaluates properties that are recommended to the register, and protects those that have been accepted into the program. The Wheeler Auditorium is not on this list.

Historic American Buildings Survey

The Historic American Buildings Survey (HABS) has recorded America's built-environment in multiple media, including photographs, drawings, and written histories. As of 2025, there have been more than 43,000 structures and sites that range from pre-contact times to the 20th century (Library of Congress 2025) included in the survey.

State Regulations

State Historical Resources Commission

Under California Code 5020.5, the State Historical Resources Commission is required to develop criteria and methods for determining the significance of archaeological sites, for selecting the most important archaeological sites, and for determining whether the most significant archaeological sites should be preserved intact or excavated and interpreted. The commission is also required to develop guidelines for the reasonable and feasible collection, storage, and display of archaeological specimens. The commission oversees the California Register (California Office of Historic Preservation 2025).

State Historic Preservation Office

In consultation with the State Historical Resource Commission, under California Code 5020.6, the State Historic Preservation Office acts as the executive secretary of the commission and is the chief administrative officer of the Office of Historic Preservation (California Office of Historic Preservation 2025).

California Register of Historic Resources

The California Register is an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change (California Office of Historic Preservation 2025).

Native American Heritage Commission

Under California Code 5097.9, the Natie American Heritage Commission ("NAHC") is required to identify and catalog places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands. The NAHC must notify landowners on whose property such graves and cemeteries are determined to exist, and identify the Native American group most likely descended from those Native Americans who may be interred on the property. The NAHC is to make recommendations relative to Native American sacred places that are located on private lands, are inaccessible to Native Americans, and have cultural significance to Native Americans for acquisition by the state or other public agencies for the purpose of facilitating or assuring access thereto by Native Americans (California Office of Historic Preservation 2025).

Human Remains

Per California Health and Safety Code 7050.5, every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstance, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his/her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner shall make his/her determination within two workings days from the time the person responsible for the excavation, or his/her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his/her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he/she shall contact, by telephone within 24 hours, the Native American Heritage Commission (California Office of Historic Preservation 2025).

California Environmental Quality Act (CEQA) - Cultural Resources

California Code 21083.2 describes that the lead agency shall determine whether a project may have a significant effect on cultural resources, which include historic and archaeological resources. If a

project may have a significant effect on these resources, the environmental document must address the issue of those resources and the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state (California Office of Historic Preservation 2025).

Local Regulations

General Plan

The City of Gilroy 2040 General Plan has goals in place for conserving natural resources. The Natural and Cultural Resources Element establishes goals, policies, and programs to preserve and enhance Gilroy's natural areas, plant and wildlife habitats, wetlands and streams, scenic views, and historic or culturally significant resources. Policies applicable to this project include the following:

> Policy NCR 5.1 Historic Structures and CEQA. Discretionary projects subject to the California Environmental Quality Act (CEQA), which include changes to, or demolition of, structures that are 45 years or older, will require an historic property report or other substantial evidence in the record of the project to determine whether the structure is historically significant.
>
> Policy NCR 5.2 Historic and Pre-historic Archaeological Resources and CEQA. Discretionary projects subject to the California Environmental Quality Act (CEQA) which include disturbance of the existing ground surface of the project site will require an archaeological survey and records search if the project site is located in a moderate to high archaeological sensitivity zone as identified on Figure 3.5-1 of the General Plan EIR, or if other evidence suggests the project site to be archaeologically sensitive.
>
> Policy NCR 5.3, Archaeological Resources Protection. Ensure that all projects involving ground-disturbing activities include procedures to protect archaeological resources if discovered during excavation. Projects shall follow CEQA and other applicable State laws.
>
> Policy NCR 5.10 Historic Building Demolition. Consistent with Goal NCR 5, prior to approving the demolition of historically significant buildings, evaluate alternatives including structural preservation, relocation or other mitigation in an Environmental Impact Report (EIR), and demonstrate that financing has been secured for replacement use.

Gilroy Municipal Code

The Gilroy Municipal Code Article XXVII, Historic Site and Neighborhood Combining Districts, Section 30.27.50 states that all demolition applications for historically or culturally important structures located in either a historic site or neighborhood combining district shall be reviewed by the historic heritage committee which shall forward its recommendations to the planning commission. The Wheeler Auditorium is on the City of Gilroy Historic Site list, but is not located within the Historic Site and Neighborhood Combining District.

Gilroy Historic Inventory

Gilroy has many significant prehistoric, historic, and cultural resources. The City manages its own historic inventory list that is organized by street. The Wheeler Auditorium is listed on the Gilroy Historic Inventory.

7.3 Thresholds or Standards of Significance

CEQA Guidelines Appendix G is a sample initial study checklist that includes a number of factual inquiries related to the subject of cultural resources, as it does on a whole series of additional environmental topics. Lead agencies are under no obligation to use these inquiries in fashioning thresholds of significance on the subject of biological resources, or on any subject addressed in the checklist. Rather, with few exceptions, CEQA grants agencies discretion to develop their own thresholds of significance. Even so, it is a common practice for lead agencies to take the language from the inquiries set forth in Appendix G and to use that language in fashioning thresholds. The City of Gilroy has done so here. Therefore, for purposes of this EIR, a significant impact would occur if implementation of the proposed project would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5;
- Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to section 15064.5; or
- Disturb any human remains, including those interred outside of dedicated cemeteries.

These are the issues evaluated in the impact analysis below.

7.4 Analysis, Impacts, and Mitigation Measures

Historic Resources

IMPACT 7-1	The Proposed Project Would Cause the Loss of a Historic Resource	Significant and Unavoidable

According to other recent archival database searches in Gilroy, there are no known underground historic resources in the area.

The proposed project includes the demolition of several of the existing on-site structures, including the Wheeler Auditorium. The Wheeler Auditorium is the only structure on-site that is designated as historic. Therefore, demolition of the building would result in the loss of a historical resource under CEQA and be considered a significant environmental impact. Figure 7-1, Historic Wheeler Auditorium, provides a picture of the historic Wheeler Auditorium.

Exterior of Historic Wheeler Auditorium

Source: Mr. Donovan, Gilroy Historic Society Volunteer 2025

Figure 7-1

Historic Wheeler Auditorium

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Implementation of the following mitigation measure will provide some mitigation relief; however, there are no mitigation measures that would reduce the impact to a less-than-significant level. Therefore, even with the following mitigation measure, the impact would be significant and unavoidable.

Mitigation Measure

CUL-1.a Prior to issuance of any demolition permit, a qualified architectural historian shall document the Wheeler Auditorium at 7377 Church Street in accordance with the guidelines established for the Historic American Building Survey (HABS). Documentation shall consist of the following components:

1. Drawings – Prepare sketch floor plans.
2. Photographs – Digital photographic documentation of the interior, exterior, and setting of the buildings in compliance with the National Register Photo Policy Fact Sheet. Photos must have a permanency rating of approximately 75 years.
3. Written Data – HABS written documentation in short form.

An architectural historian meeting the Secretary of the Interior's Professional Qualification Standards shall oversee the preparation of the sketch plans, photographs and written data. The existing DPR forms shall fulfill the requirements for the written data report.

The City of Gilroy's Historian shall review the documentation, and then file the documentation with the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. All documentation shall be submitted on archival paper.

CUL-1.b The City shall develop the material prepared in CUL-1 into a public educational display within the new community center.

Unique Archaeological Resources

IMPACT 7-2	Potential Loss of or Damage to Unique Archaeological Resources During Construction	Less than Significant with Mitigation

According to General Plan EIR Figure 3.5-1, Archaeological Sensitivity, the project site is in a low archaeological sensitivity zone, which is consistent with a recent review of Northwest Information Center files from previous searches of Gilroy. However, it is possible that unknown, buried remains (artifacts and/or features), if present within the site, could be uncovered during ground disturbance activities associated with the proposed development. This potentially significant impact would be reduced to less than significant with implementation of the following mitigation measure.

Mitigation Measure

CUL-2 In the event archaeological resources are encountered during ground disturbing activities; contractor shall temporarily halt or divert excavations within a 50 meter (165 feet) of the find until it can be evaluated. All potentially significant archaeological deposits shall be evaluated to demonstrate whether the resource is eligible for inclusion on the California Register of Historic Resources, even if discovered during construction. If archaeological deposits are encountered, they shall be evaluated and mitigated simultaneously in the timeliest manner practicable, allowing for recovery of materials and data by standard archaeological procedures. For precontact and indigenous archaeological sites, this data recovery involves the hand-excavated recovery and non-destructive analysis of a small sample of the deposit. Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance by a qualified archaeologist. Unique archaeological cultural resources consist of but are not limited to stone (ground and flaked), bone, organic materials, ceramics, fossils, wood, or shell artifacts. Features include hearths, cairns, middens, and postholes.

Human Remains

IMPACT 7-3	Potential Loss of or Damage to Native American Human Remains During Construction	Less Than Significant with Mitigation

Redevelopment of the project site would not add additional potential to discover human remains as the site is already in an urban, developed environment. The project site and surrounding area are also considered to be of low archaeological potential. However, there is always the possibility of inadvertently discovering Native American human remains during ground disturbance activities. Therefore, the following mitigation measure would ensure less than significant impacts.

Mitigation Measure

CUL-3 In the event that human remains (or remains that may be human) are discovered at the project site, Public Resource Code Section 5097.98 shall be followed. All grading or earthmoving activities shall immediately stop within 50 meters (165 feet) of the find. The Santa Clara County Corner will be notified immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the project proponent shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC

(Public Resource Code [PRC] § 5097). The coroner shall contact the Native American Heritage Commission (NAHC) to determine the most likely descendant(s) (MLD). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The MLD will determine the most appropriate means of treating the human remains and associated grave artifacts, and shall oversee the disposition of the remains. In the event the NAHC is unable to identify an MLD or the MLD fails to make a recommendation within 48 hours after being granted access to the site, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity within the project site in a location not subject to further subsurface disturbance if: a) the Native American Heritage Commission is unable to identify the MLD or the MLD failed to make a recommendation within 48 hours after being allowed access to the site; 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.

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8.0 Greenhouse Gases

This section includes summary discussions of climate change science, existing setting conditions, applicable climate change policy and regulatory direction, projected project greenhouse gas (GHG) emissions, GHG impacts, and mitigation measures to reduce impacts.

The information within this section is largely sourced from:

- *California Environmental Quality Act Air Quality Guidelines* (Bay Area Air Quality Management District 2022);
- *Gilroy Civic Center Master Plan Draft* (City of Gilroy/ELS 2025); and
- *City of Gilroy 2040 General Plan* (City of Gilroy 2020).

There were no comments on the NOP regarding the scope of analysis for greenhouse gases.

8.1 Environmental Setting

Climate Change Science

The international scientific community has concluded with a high degree of confidence that human activities are causing an accelerated warming of the atmosphere. The resulting change in climate has serious global implications and, consequently, human activities that contribute to climate change may have a potentially significant effect on the environment. In recent years, concern about climate change and its potential impacts has risen dramatically. That concern has translated into a range of international treaties and national and regional agreements aimed at diminishing the rate at which global warming is occurring. The federal government has undertaken a number of actions to address concerns about climate change through a range of initiatives and regulatory actions. Many states and local agencies, private sector interests, and other public and private interests have also taken initiative to combat climate change. California has taken a leadership role in tackling climate change, as evidenced by the programs outlined in the Regulatory Setting section below.

Effects of Climate Change

Rising Temperatures

The Intergovernmental Panel on Climate Change, which includes more than 1,300 scientists from the United States and other countries, estimated that over the last century, global temperatures have

increased by about 3.6 degrees Fahrenheit (°F) (NASA 2021). The Intergovernmental Panel on Climate Change forecasts indicate that global temperatures can be expected to continue to rise between 2.5 and 10°F over the next century.

According to Cal-Adapt, a climate projection tool developed by the California Energy Commission, the average historical temperature in Santa Clara County between 1961 and 2020 was approximately 76°F (Cal-Adapt 2025). Under a high GHG emissions scenario, average annual temperatures in the region are projected to increase to about 86°F by 2099. Historically, Santa Clara County experienced an average of five extreme heat days per year, defined as days with maximum temperatures exceeding the 98th percentile for the baseline period. Projections indicate that, under the high GHG emissions scenario, Gilroy and the surrounding Santa Clara County could experience an average of 17 extreme heat days per year by 2099 (Cal-Adapt 2025). While annual variations will occur, the long-term trend points to a substantial rise in both average temperatures and the frequency of extreme heat events, posing significant public health and environmental challenges.

Reduced Snowpack

Mountain snowpack acts as a large natural reservoir that stores water during the winter and releases it into rivers and reservoirs in the spring and summer. It is expected that there will be less snowfall and that the elevations at which snow falls will rise. Similarly, there will be less snowpack water storage to supply runoff water in the warmer months. It has already been documented that California's snow line is rising. More precipitation is expected to fall as rain instead of snow, and the snow that does fall will melt earlier, reducing mountain spring snowpack.

Water Supply

Climate change is expected to increase pressure on and competition for water resources, further exacerbating already stretched water supplies. Decreasing snowpack and spring stream flows and increasing demand for water from a growing population and hotter climate could lead to increasing water shortages in some locations in California. Water supplies are also at risk from rising sea levels. Competition for water between cities, farmers, and the environment is expected to increase.

Anticipated changes to source water conditions including more intense storm events, longer drought periods, reduced snowpack at lower elevations, and earlier spring runoff will likely impact the quality of the source waters in many locations in California.

Precipitation Levels

Precipitation levels are difficult to predict compared to other indicators of climate change. Annual rain and snowfall patterns vary widely from year to year, especially in California. Generally, higher temperatures increase evaporation and decrease snowfall, resulting in a drier climate. On average, Cal-Adapt projections show little change in total annual precipitation in California. Furthermore, among several models, precipitation projections do not show a consistent trend during the next

century. The Mediterranean seasonal precipitation pattern is expected to continue, with most precipitation falling during winter from North Pacific storms. One of the four climate models projects slightly wetter winters, while a second projects slightly drier winters with a 10 to 20 percent decrease in total annual precipitation. However, even modest changes would have a significant impact because California ecosystems are conditioned to historical precipitation levels and water resources are nearly fully utilized.

The City of Gilroy has historically averaged about 18.9 inches of rainfall per year (City of Gilroy 2025). Under a high GHG emissions scenario, that number is forecast to increase to about 29 inches by the end of the century (Cal-Adapt 2025).

More Frequent and Extreme Storm Events

Extreme weather is expected to become more common throughout California as a result of climate change. More extreme storm events are expected to increase water runoff to streams and rivers during the winter months, heightening flood risks. For example, warmer ocean surface temperatures have caused warmer and wetter conditions in the Sierra Nevada, increasing flood risk. Strong winter storms may produce atmospheric rivers that transport large amounts of water vapor from the Pacific Ocean to the California coast. As storm strength increases, the risk of flooding increases.

Sea Level Rise

Sea level rise is one of the most significant effects of climate change. Sea level has been rising over the past century, and the rate has increased in recent decades. Global average sea level has risen 8–9 inches (21–24 centimeters) since 1880. In 2022, global average sea level set a new record high - 101.2 mm (4 inches) above 1993 levels (National Oceanic and Atmospheric Administration 2022). Globally, sea levels are rising due to two main reasons: thermal expansion of warming ocean water and melting of ice from glaciers and ice sheets. Rising sea levels amplify the threat and magnitude of storm surges in coastal areas. Water infrastructure, often located along the coast or tidally-influenced water bodies, can be vulnerable to greater changes in storm surge intensity. The threat of flooding and damage to water infrastructure will continue to increase over time as sea levels rise and the magnitude of storms increase. Rising sea levels will create stress on coastal ecosystems that provide recreation, protection from storms, and habitat for fish and wildlife, including commercially valuable fisheries. Rising sea levels can also introduce new, or exacerbate existing, saltwater intrusion into freshwater resources.

Diminished Air Quality

Climate change is expected to exacerbate air quality problems by increasing the frequency, duration, and intensity of conditions conducive to air pollution formation. Higher temperatures and increased ultraviolet radiation from climate change are expected to facilitate the chemical formation of more secondary air pollutants from ground-level sources. Conversely, decreased precipitation is expected to reduce the number of particulates cleansed from the air. Incidents of wildfires are expected to increase due to climate change, further contributing to air quality problems.

According to the American Lung Association's 2023 State of the Air report, nearly 36 percent of Americans, 119.6 million people still live in places with failing grades for unhealthy levels of ozone or particle pollution. The report found that California cities dominate the rankings of the nation's most widespread air pollutants, ozone and particle pollution (American Lung Association 2023).

Ecosystem Changes

Climate change effects will have broad impacts on local and regional ecosystems, habitats, and wildlife as average temperatures increase, precipitation patterns change, and more extreme weather events occur. Species that cannot rapidly adapt are at risk of extinction. As temperatures increase, California vegetation is expected to change. Desert and grassland vegetation is projected to increase while forest vegetation is projected to generally decline. The natural cycle of plant flowering and pollination, as well as the temperature conditions necessary for a thriving locally adapted agriculture, may also be affected. Perennial crops, such as grapes, may take years to recover. Increased temperatures also provide a foothold for invasive species of weeds, insects, and animals.

Social Vulnerability to Climate Change

The impacts of climate change will not affect people equally. People exposed to the most severe climate-related hazards are often those least able to cope with the associated impacts, due to their limited resources and adaptive capacity. Climate change is expected to have a greater impact on larger populations living in poorer and developing countries with lower incomes that rely on natural resources and agricultural systems that will likely be affected by changing climates.

Certain groups in developed countries like the United States will also experience more impacts from climate change than others. People in rural areas are more likely to be affected by climate change related droughts or severe storms compared to their urban counterparts. However, certain groups living in cities will also be at higher risk than others. Place of residence is another vulnerability indicator, as renters, households without air conditioning, households lacking access to grocery stores, households in treeless areas, and households on impervious land cover are also more vulnerable to climate change impacts.

Those at greatest risk include children, the elderly, those with existing health problems, the socially and/or economically disadvantaged, those who are less mobile, and those who work outdoors. Place of residence is another vulnerability indicator, as renters, households without air conditioning, households lacking access to grocery stores, households in treeless areas, and households on impervious land cover are also more vulnerable to climate change impacts.

Health Effects/Illness

As temperatures rise from global warming, the frequency and severity of heat waves will grow and increase the potential for bad air days, which can lead to increases in illness and death due to dehydration, heart attack, stroke, and respiratory disease. Additionally, dry conditions can lead to a greater number of wildfires producing smoke that puts people with asthma and respiratory conditions at risk of illness or death.

Higher temperatures and the increased frequency of heat waves are expected to significantly increase heat-related illnesses, such as heat exhaustion and heat stroke, while also exacerbating conditions associated with cardiovascular and respiratory diseases, diabetes, nervous system disorders, emphysema, and epilepsy. An increase of 10°F in average daily temperature is associated with a 2.3 percent increase in mortality. During heat waves, mortality rates can increase to about nine percent. As temperatures increase, vulnerable populations such as children, the elderly, people with existing illnesses, and people who work outdoors will face the greatest risk of heat-related illness.

As climate change affects the temperature, humidity, and rainfall levels across California, some areas could become more suitable habitats for insects (especially mosquitoes), ticks, and mites that may carry diseases. Wetter regions are typically more susceptible to vector-borne diseases, especially human hantavirus cardiopulmonary syndrome, Lyme disease, and West Nile virus.

Greenhouse Gas Types

GHGs are emitted by natural processes and human activities. The human-produced GHGs most responsible for global warming and their relative contribution to it are carbon dioxide, methane, nitrous oxide, and chlorofluorocarbons. The contribution of these GHGs to global warming based on the U.S. inventory of GHGs in 2019 (United States Environmental Protection Agency 2021) is summarized in Table 8-1, GHG Types and Their Contribution to Global Warming.

Table 8-1 GHG Types and Their Contribution to Global Warming

Greenhouse Gas	Percent of GHGs	Typical Sources
Carbon dioxide	81.6 percent	Combustion of fuels, solid waste, wood
Methane (CH_4)	10.2 percent	Fuel production/combustion, livestock, organic material decay
Nitrous Oxide (N_2O)	5.6 percent	Fuel combustion, solid waste, agricultural/industrial processes
Chlorofluorocarbons (CFCs)	2.6 percent	Industrial processes

SOURCE: United States Environmental Protection Agency 2021
NOTE: Percentages reflect weighting for global warming potential

Greenhouse Gas Global Warming Potentials

Each type of GHG has a different capacity to trap heat in the atmosphere and each type remains in the atmosphere for a particular length of time. The ability of a GHG to trap heat is measured by an index called the global warming potential expressed as carbon dioxide equivalent. Carbon dioxide is considered the baseline GHG in this index and has a global warming potential of one, as presented in Table 8-2, GHG Global Warming Potentials, which shows the global warming potential of various GHGs.

Table 8-2 GHG Global Warming Potentials

GHG	Atmospheric Lifetime (Years)	Global Warming Potential (100-Year Time Horizon)
Carbon Dioxide CO_2	50-200	1
Methane CH_4	12 (+/- 3)	21
Nitrous Oxide N_2O	120	310
HFC-23	264	11,700
HFC-134a	14.6	1,300
HFC-152a	1.5	140
PFC Tetrafluoromethane CF_4	50,000	6,500
PFC Hexafluoroethane C_2F_6	10,000	9,200
Sulfur Hexafluoride SF_6	3,200	23,900

SOURCE: United Nations Framework Convention on Climate Change 2020

The GHG volume produced by a particular source is often expressed in terms of carbon dioxide equivalent (CO_2e). Carbon dioxide equivalent describes how much global warming a given type of GHG will cause, with the global warming potential of CO_2 as the base reference. Carbon dioxide equivalent is useful because it allows comparisons of the impact from many different GHGs, such as methane, perfluorocarbons, or nitrous oxide. If a project is a source of several types of GHGs, their individual global warming potential can be standardized and expressed in terms of CO_2e.

Methane has a global warming potential of 21 times that of CO_2, and nitrous oxide has a global warming potential of 310 times that of CO_2. The families of chlorofluorocarbons, hydrofluorocarbons, and perfluorocarbons have a substantially greater global warming potential than other GHGs, ranging from approximately 1,300 to over 10,000 times that of CO_2. While CO_2 represents the vast majority of the total volume of GHGs in the atmosphere, release of even small quantities of other types of GHGs can be significant for their contribution to climate change.

Inventories of Greenhouse Gases

California GHG Emissions Inventory

California is a substantial contributor of global greenhouse gases. Based on the California Air Resources Board's most recent state GHG inventory, a net of 371.1 million metric tons of CO_2e were generated in 2022 (California Air Resources Board 2024). In 2022, 39.0 percent of all GHG gases emitted in the state came from the transportation sector. Industrial uses and electric power generation (in state generation and out of state generation for imported electricity) were the second and third largest categories at 23.0 percent and 16.0 percent, respectively. The commercial and residential use sectors combined to generate about 14.0 percent of the emissions, while the agricultural sector contributed 8.0 percent.

County of Santa Clara GHG Emissions Inventory

Santa Clara County is currently in the process of updating its Community Climate Roadmap, which includes revised values for the countywide GHG emissions inventory. Based on the most recent available data, 2020 emissions in Santa Clara County were estimated at approximately 86,748 metric tons (MT) of CO_2e (County of Santa Clara 2022). Similar to most counties in California, the largest share of GHG emissions is generated by on-road and off-road transportation, which accounts for roughly 55 percent of total emissions. Additional sources include nonresidential building energy use (approximately 18 percent), residential building energy use (approximately 15 percent), solid waste and wastewater (approximately 6 percent), and other sources such as industrial processes and off-road equipment (approximately 6 percent).

8.2 Regulatory Setting

State, regional, and local policies and regulations pertaining to climate change are summarized below. Because California has been at the forefront of addressing climate change, its suite of associated policies and regulations is generally more comprehensive and stringent than is the Federal government's. Therefore, this regulatory setting section focuses on California's climate change regulatory framework. This framework provides context for how climate change is being addressed and identifies policy and regulatory actions whose implementation would lessen the contribution of the proposed project to climate change.

State

Overall Statutory Framework

The California Legislature has enacted a series of statutes addressing the need to reduce GHG emissions across the state. These statutes can be categorized into four broad categories: (i) statutes setting numerical statewide targets for GHG reductions, and authorizing California Air Resources Board (CARB) to enact regulations to achieve such targets; (ii) statutes setting separate targets for increasing the use of renewable energy for the generation of electricity throughout the state; (iii) statutes addressing the carbon intensity of vehicle fuels, which prompted the adoption of regulations by CARB; and (iv) statutes intended to facilitate land use planning consistent with statewide climate objectives. The discussion below will address each of these key sets of statutes, as well as CARB "Scoping Plans" intended to achieve GHG reductions under the first set of statutes and recent building code requirements intended to reduce energy consumption.

Statutes Setting Statewide GHG Reduction Targets

Assembly Bill 32 (Global Warming Solutions Act)

In September 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32. AB 32 established regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap

on statewide GHG emissions. AB 32 required that statewide GHG emissions be reduced to 1990 levels by 2020 through an enforceable statewide cap on emissions that phased in starting in 2012.

Senate Bill 32

Effective January 1, 2017, Senate Bill (SB) 32 added a new section to the Health and Safety Code. It provided that statewide GHG be reduced to at least 40 percent below the statewide greenhouse gas emissions limit no later than December 31, 2030.

Between AB 32 (2006) and SB 32 (2016), the Legislature codified some of the GHG reduction targets included within certain high-profile Executive Orders issued by the last two governors. The 2020 statewide GHG reduction target in AB 32 was consistent with the second of three statewide emissions reduction targets set forth in former Governor Arnold Schwarzenegger's 2005 Executive Order known as S-3-05. That Executive Branch document included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed several state agencies to cooperate in the development of a climate action plan. In 2015, former Governor Brown issued another Executive Order, B-30-15, which created a "new interim statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050." SB 32 codified this target.

Senate Bill 350

The Legislature has not yet set a 2050 target in the manner done for 2020 and 2030. In the 2015 legislative session, the Legislature passed Senate Bill 350 (SB 350), which is discussed in more detail under sub-heading "Actions for Increasing Electric Vehicle Use." This legislation added to the Public Utilities Code language that essentially puts into statute the 2050 GHG reduction target already identified in Executive Order S-3-05, albeit in the limited context of new state policies.

Executive Order B-55-18 and AB 1279

In 2018, Governor Brown issued Executive Order B-55-18. This order establishes a statewide goal to achieved carbon neutrality as soon as possible, no later than 2045, and to achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHGs, including meeting the 80 percent below 1990 levels by 2050 target. The carbon neutrality goal assumes that later than 2045, remaining emissions be offset by equivalent net removals of carbon dioxide from the atmosphere, including through sequestration in forests, soils and other natural landscapes.

In 2022, the Legislature passed Assembly Bill 1279. It establishes a policy to achieve carbon neutrality as soon as possible, but no later than 2045 and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic GHGs are reduced at least 85 percent below 1990 levels. The bill requires CARB to ensure that the Scoping Plan identifies and

recommends measures to achieve carbon neutrality and to identify and implement policies and strategies that enable carbon dioxide removal and carbon capture, utilization, and storage technologies to complement these emission reductions.

Targets for the Use of Renewable Energy for the Generation of Electricity

In September 2002, the Legislature enacted Senate Bill 1078, which established the Renewables Portfolio Standard program, requiring retail sellers of electricity, including electrical corporations, community choice aggregators, and electric service providers, to purchase a specified minimum percentage of electricity generated by eligible renewable energy resources such as wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. The legislation set a target by which 20 percent of the State's electricity would be generated by renewable sources.

In September 2006, the Legislature enacted Senate Bill 107, which modified the Renewables Portfolio Standard to require that at least 20 percent of electricity retail sales be served by renewable energy resources by year 2010. In April 2011, the Legislature enacted Senate Bill X1-2, which set even a more aggressive statutory targets for renewable electricity of 33 percent by 2020.

In 2015, the Legislature enacted Senate Bill 350 that increased Renewable Portfolio Standard to require 50 percent of electricity generated to be from renewables by 2030. On September 10, 2018, former Governor Brown signed into law SB 100. SB 100 raises California's Renewable Portfolio Standard requirement to 50 percent renewable resources target by December 31, 2026, and 60 percent target by December 31, 2030. In 2022, the Legislature enacted Senate Bill 1020. SB 1020 adds interim targets to the policy framework originally established in SB 100 to require renewable energy and zero-carbon resources to supply 90 percent of all retail electricity sales by 2035 and 95 percent of all retail electricity sales by 2040. The purpose was to ensure that the state makes steady and accountable progress towards the full decarbonization of California's electricity grid.

Actions to Reducing Carbon Intensity of Vehicle Fuels

Assembly Bill 1493, Pavley Clean Cars Standards

In July 2002, the Legislature enacted Assembly Bill 1493 ("Pavley Bill"), which directed CARB to develop and adopt regulations that achieve the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty trucks beginning with model year 2009. In September 2004, CARB approved regulations to reduce GHG emissions from new motor vehicles beginning with the 2009 model year. These regulations created what are commonly known as the "Pavley standards." In September 2009, CARB adopted amendments to the Pavley standards to reduce GHG emissions from new motor vehicles through the 2016 model year. These regulations created what are commonly known as the "Pavley II standards."

In January 2012, CARB adopted an Advanced Clean Cars program aimed at reducing both smog-causing pollutants and GHG emissions for vehicles model years 2017-2025. This historic program combined the control of smog-causing (criteria) pollutants and GHG emissions into a single

coordinated set of requirements. The regulations focus on substantially increasing the number of plug-in hybrid cars and zero-emission vehicles in the vehicle fleet and on making fuels such as electricity and hydrogen readily available for these vehicle technologies. The components of the Advanced Clean Cars program are the low-emission vehicle regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the zero-emission vehicle regulation, which requires manufacturers to produce an increasing number of pure zero-emission vehicles (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric vehicles in the 2018 through 2025 model years.

It is expected that the Advanced Clean Car regulations will reduce GHG emissions from California passenger vehicles by about 34 percent below 2016 levels by 2025, all while improving fuel efficiency and reducing motorists' costs.

Advanced Clean Cars

In January 2012, CARB adopted an Advanced Clean Cars program, which is aimed at increasing the number of plug-in hybrid cars and zero-emission vehicles in the vehicle fleet and on making fuels such as electricity and hydrogen readily available for these vehicle technologies.

On August 25, 2022, the California Air Resources Board adopted the Advanced Clean Cars II Regulations, with a plan that by 2035 all new passenger cars, trucks and SUVs sold in California will be zero emissions.

Executive Order S-01-07

This order establishes a statewide goal to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In 2018, CARB passed amendments to the Low Carbon Fuel Standard that set a target to reduce fuel carbon intensity by 20 percent by 2030, compared to a 2010 baseline.

Actions for Increasing Electric Vehicle Use

Executive Order B-16-12

In March 2012, former Governor Brown issued Executive Order B-16-12, which embodied a vision of a future in which zero-emission vehicles will play a big part in helping the state meet its GHG reduction targets. Executive Order B-16-12 directed state government to accelerate the market for electric vehicles in California through fleet replacement and electric vehicle infrastructure and set interim and a final 2050 target that virtually all personal transportation in the state would be zero-emission vehicles.

Senate Bill 350

In addition to setting increased renewable energy portfolio targets, this bill indirectly promotes electrification of the transportation fleet by promoting actions to enhance availability of renewable energy as a vehicle transportation energy source.

Executive Order B-48-18

In January 2018, former Governor Brown issued Executive Order B-48-18. This executive order requires that all state entities work with the private sector and all appropriate levels of government to put at least five million zero-emission vehicles on California roads by 2030. It also requires all State entities to work with the private sector and all appropriate levels of government to spur the construction and installation of 200 hydrogen fueling stations and 250,000 zero-emission vehicle chargers, including 10,000 direct current fast chargers, by 2025.

Executive Order N-79-20

In 2020, California Governor Gavin Newsom issued Executive Order N-79-20, which sets statewide goals for phasing out gasoline-powered cars and trucks in California. Under the Order, 100 percent of in-state sales of new passenger cars and trucks are to be zero-emission by 2035; 100 percent of in-state sales of medium- and heavy-duty trucks and busses are to be zero-emission by 2045, but only where feasible; and 100 percent of off-road vehicles and equipment sales are to be zero-emission by 2035 where feasible.

Statutes Intended to Facilitate Land Use Planning Consistent with Statewide Climate Objectives

California Senate Bill 375 (Sustainable Communities Strategy)

This 2008 legislation built on AB 32 by setting forth a mechanism for coordinating land use and transportation on a regional level for the purpose of reducing GHGs. The focus is to reduce miles traveled by passenger vehicles and light trucks. CARB is required to set GHG reduction targets for each metropolitan region. Each of California's metropolitan planning organizations then prepares a sustainable communities strategy that demonstrates how the region will meet its GHG reduction target through integrated land use, housing, and transportation planning. Once adopted by the metropolitan planning organizations, the sustainable communities strategy is to be incorporated into that region's federally enforceable regional transportation plan. If a metropolitan planning organization is unable to meet the targets through the sustainable communities strategy, then an alternative planning strategy must be developed that demonstrates how targets could be achieved, even if meeting the targets is deemed to be infeasible.

Local agencies that adopt land use, housing, and transportation policies that are consistent with and facilitate implementation of the related GHG reduction strategies in a sustainable communities strategy benefit through potential CEQA streamlining for qualifying projects proposed within their boundaries.

Cap and Trade Program

On October 20, 2011, in a related action, CARB adopted the final cap-and-trade program for California. The California cap-and-trade program creates a market-based system with an overall emissions limit for affected sectors. The program is intended to regulate more than 85 percent of

California's emissions and staggers compliance requirements according to the following schedule: (1) electricity generation and large industrial sources (2012) and (2) fuel combustion and transportation (2015). The statewide cap for GHG emissions from major sources commenced in 2013. This cap declines over time, achieving GHG emission reductions throughout the program's duration. The program expanded in 2015 to include fuel distributors (natural gas and propane fuel providers and transportation fuel providers) to address emissions from transportation fuels, and from combustion of other fossil fuels not directly covered at large sources in the program's initial phase.

In early 2017, former Governor Brown signed AB 398, which extended the life of the existing Cap and Trade Program through December 2030.

Climate Change Scoping Plans

Under AB 32 as described above, CARB must release an updated Climate Change Scoping Plan at least every five years. Each scoping plan must identify the strategies the state is implementing to meet its GHG reduction targets and report on the progress made in meeting the targets.

The first 2008 Scoping Plan laid out the goal of reducing greenhouse gas (GHG) emissions back down to 1990 levels by 2020. The 2013 update measured progress and fine-tuned programs toward the 2020 goal and highlighted the need to focus on short-lived climate pollutants. The 2017 update shifted focus to the SB 32 goal of a 40 percent reduction below 1990 levels by 2030 by laying out a detailed cost-effective and technologically feasible path to this target and assessed progress towards achieving the AB 32 goal of returning to 1990 GHG levels by 2020. The 2020 goal was ultimately reached in 2016 - four years ahead of the schedule called for under AB 32.

The *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) update assesses progress toward achieving the statutory 2030 target identified in SB 32, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities. This is the first Scoping Plan that adds carbon neutrality as a science-based guide beyond statutorily established emission reduction targets. Previous plans focused on specific GHG reduction targets for the industrial, energy, and transportation sectors—to meet 1990 levels by 2020, and then the more aggressive 40 percent below that for the 2030 target. Carbon neutrality takes it one step further by expanding actions to capture and store carbon including through natural and working lands and mechanical technologies, while drastically reducing anthropogenic sources of carbon pollution.

Appendix D of the 2022 Scoping Plan provides guidance for local governments on how to support the State's GHG reduction and carbon neutrality goals through community-scale planning. It

emphasizes the critical role of local jurisdictions in shaping development patterns and building practices that influence emissions. The appendix outlines three key strategy areas for local implementation: transportation electrification, vehicle miles traveled reduction, and building decarbonization. It also identifies priority actions such as expanding access to zero-emission mobility options, promoting compact and infill development, and supporting the transition to all-electric buildings. These strategies are intended to help local agencies align general plans, climate action plans, and other land use decisions with California's broader climate goals, including achieving carbon neutrality by 2045.

Building Code Requirements Intended to Reduce GHG Emissions

California Energy Code

The California Energy Code (California Code of Regulations, Title 24, Part 6), which is incorporated into the California Building Standards Code, was first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The California Energy Code is updated every three years by the California Energy Commission as the Building Energy Efficiency Standards (BEES) to allow consideration and possible incorporation of new energy efficiency technologies and construction methods. Although the BEES were not originally intended to reduce GHG emissions, increased energy efficiency results in decreased GHG emissions because energy efficient buildings require less electricity. The California Building Standards Code is enforceable at the project-level. Energy standards have supported California's long-term strategy to meet energy demand, and conserve resources. The Energy Code governs window and door materials, lighting, electrical panels, insulation, faucets and additional building features.

The requirements vary between home and business buildings, as well as among climate zones in which they are implemented. The 2022 Energy Code updates the prior 2019 code by requiring actions/features that continue to support California's gradual transition away from use of fossil fuels, and improve environmental quality.

The new 2025 California Building Energy Efficiency Standards update to the 2022 code goes into effect on January 1, 2026. The 2025 standards focus on enhancing energy efficiency and reducing greenhouse gas emissions in new and renovated buildings. These standards emphasize heat pumps, electric-ready requirements, solar and storage upgrades, and improved ventilation. Efficient electric heat pumps are required for space and water heating in new residential and some non-residential buildings. Requirements for commercial kitchens and some multifamily buildings to facilitate future electrification are specified. The new standards also update requirements for solar and storage in high-rise multifamily and some nonresidential buildings to promote on-site renewable energy and grid resilience, strengthen ventilation standards to improve indoor air quality in multifamily buildings, and require replacing less efficient heating, ventilation, and air conditioning systems with high-efficiency options, including heat pumps, in certain existing nonresidential buildings like retail, schools, and libraries.

California Green Building Standards Code

The purpose of the California Green Building Standards Code (California Code of Regulations Title 24, Part 11) ("CALGreen") is to improve public health and safety and to promote the general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories: 1) planning and design; 2) energy efficiency; 3) water efficiency and conservation; 4) material conservation and resource efficiency; and 5) environmental quality. The code requires all new buildings in the state to be more energy efficient and environmentally responsible.

These comprehensive regulations are intended to achieve major reductions in interior and exterior building energy consumption. CALGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of commercial, residential, and state-owned buildings, as well as schools and hospitals. CALGreen includes mandatory standards that address:

- Planning and Design (e.g., stormwater, bicycle facilities, clean air vehicles, EV support infrastructure, light pollution and grading and paving);
- Water Efficiency (metering, conserving fixtures, landscaping, outdoor recycle water supply);
- Materials Conservation and Efficiency (moisture control, construction waste management, soil and debris management, recycling, systems commissioning, etc.); and
- Environmental Quality (fireplaces and woodstoves, ducting, paints, carpets, flooring, interior air quality, noise, ozone and refrigerants, etc.).

The current 2022 CALGreen code is in effect until December 31, 2025. Updates were adopted in July 2022, took effect on January 1, 2023. The primary changes in the 2022 code are to planning and design standards. The 2022 update encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and promote electrification of the vehicle fleet by expanding standards for electric vehicle infrastructure (e.g., electric vehicle charging stations) for residential and non-residential development. These electric vehicle changes promote electrification of the vehicle fleet by expanding standards for electric vehicle infrastructure (e.g., electric vehicle charging stations) for residential and non-residential development. Changes in the water efficiency, materials conservations, and environmental quality standards were limited.

Updates to the 2022 code are complete, with the 2025 CalGreen code to take effect on December 31, 2025. The 2025 update introduces several significant updates compared to the 2022 code, particularly in energy efficiency, embodied carbon, and EV charging infrastructure. Key

changes include enhanced energy efficiency standards, mandatory embodied carbon reduction measures, and expanded requirements for EV charging in various building types. All of the updates would result in reduced energy demand overall and reduced greenhouse gas emissions.

Regional/Local

City of Gilroy General Plan

The Gilroy General Plan contains several policies that directly pertain to GHG emissions, including the following:

> Policy NCR 3.8 Community-Wide Alternative Fuel Vehicles. Encourage community-wide use of alternative fuel vehicles through expansion of alternative vehicle refueling infrastructure.
>
> Policy NCR 3.12 Existing Municipal Building Energy Retrofit. Reduce energy consumption in existing municipal buildings through energy efficiency improvements.
>
> Policy NCR 3.14 Prepare a Qualified GHG Reduction Plan. Pursue funding through grants and any other appropriate funding mechanisms, including California Air Resources Board's list of programs and projects, California State Coastal Conservancy's Climate Ready Grant Program, Climate Corps, and CivicSpark. The plan may be prepared by amending the Gilroy 2040 General Plan or by preparing a separate GHG reduction plan. In either case, requirements for a qualified GHG reduction plan as identified in CEQA Guidelines, § 15183.5 (b)(1) must met. Accordingly, definition and implementation of GHG reduction measures in addition to those identified in Gilroy 2040 General Plan policies and programs may be required to show progress towards meeting the reduction targets established in the GHG reduction plan.
>
> Policy M 1.7 Reduce Vehicle Miles Traveled. Reduce vehicle miles traveled (VMT) and greenhouse gas emissions by developing a transportation network that makes it convenient to use transit, ride a bicycle, walk, or use other non-automobile modes of transportation.

8.3 Thresholds or Standards of Significance

CEQA Guidelines Appendix G is a sample initial study checklist that includes a number of factual inquiries related to the subject of greenhouse gas emissions, as it does on a whole series of additional environmental topics. Lead agencies are under no obligation to use these inquiries in fashioning thresholds of significance on the subject of biological resources, or on any subject addressed in the checklist. Rather, with few exceptions, CEQA grants agencies discretion to develop their own thresholds of significance. Even so, it is a common practice for lead agencies to take the language from the inquiries set forth in Appendix G and to use that language in fashioning thresholds. The City of Gilroy has done so here. Therefore, for purposes of this EIR, a significant impact would occur if implementation of the proposed project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

8.4 Analysis, Impacts, and Mitigation Measures

This section includes information regarding GHG related issues that are relevant to the proposed project based on the standards of significance described above.

Generation of Greenhouse Gas Emissions

IMPACT 8-1	Generate Greenhouse Gas Emissions	Less than Significant with Mitigation

The City of Gilroy has not yet adopted a GHG reduction plan that allows for streamlined analysis of GHG impacts for individual projects under CEQA Guidelines Section 15183. As a result, the City of Gilroy is relying on guidance from the Bay Area Air Quality Management District regarding GHG emissions analysis methodology, modeling, thresholds of significance and GHG reduction measures. The air district released its *Justification Report for CEQA Threshold for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans in 2022* (Bay Area Air Quality Management District 2022b). That guidance functions as a plan for reducing GHG emissions. The guidance is commonly utilized by local lead agencies within the air district boundaries (including Gilroy) that have not adopted qualified greenhouse gas reduction plans as the basis for analysis in CEQA documents.

Construction Emissions

The air district's guidance suggests that construction GHG emissions represent a very small component of the overall GHG emissions inventory generated by land use projects. Consequently, emissions generated through the construction of the proposed project would not be considered a source of significant GHG emissions impacts.

Operational Emissions

Operations of future development would generate GHG emissions primarily from transportation, energy, water and wastewater, and solid waste disposal sources. These emissions will contribute to the cumulative accumulation of GHG emissions in the atmosphere.

The air district's guidance for assessing impacts is a performance-based analysis approach. The guidance identifies design features and standards that should be incorporated into the design and operations of individual land use projects for such projects to contribute their fair share towards meeting the state's 2045 carbon neutrality goal as reflected in AB 1279. AB 1279 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045, and to

maintain net negative GHG emissions thereafter, as well as ensure that by 2045 statewide anthropogenic GHGs are reduced at least 85 percent below 1990 levels. AB 1279 represents the state's most recent GHG reduction goals.

BAAQMD's guidance defines that a land use project which meets the following performance standards would have a less than significant GHG impact because it would contribute its fair share towards meeting the state's 2045 carbon neutrality goal:

1. Buildings
    a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
    b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
2. Transportation
    a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA.
    b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

If a project meets these performance standards, it would be considered consistent with achieving California's long-term climate goals of carbon neutrality and an agency reviewing the project under CEQA could conclude that the project will not make a cumulatively considerable contribution to global climate change. Projects that do not meet these standards would have a significant GHG impact climate impact, as they would hinder the state's efforts to meet its carbon neutrality goal.

Each of the performance standards is summarized below for reference, along with a description of whether the proposed project meets the individual standards.

Performance Standard 1 - No Natural Gas

Nonresidential energy use in California comes primarily from natural gas and electricity, the generation and consumption of which can result in GHG emissions. Natural gas usage emits GHGs directly when it is burned for space heating, cooking, boiling water and similar uses, whereas

electricity usage emits GHGs indirectly to the extent that it is generated by burning carbon-based fuels. For the building sector to achieve carbon neutrality, natural gas usage will need to be phased out and replaced with electricity usage, and electrical generation will need to shift to 100-percent carbon-free sources. To support these shifts, future projects should be required to be built without natural gas infrastructure, and instead, be constructed as all electric. Using electricity instead of natural gas-powered appliances end uses replaces a more emissions-intensive fossil fuel source of energy with a less emissions-intensive source of energy, electricity from the grid that is increasingly transitioning to renewable technology.

At this time, there is insufficient information to confirm whether future development of the site would be constructed as all-electric. Integrating all-electric development as a design feature is necessary to ensure all future is consistent with Performance Standard 1.

Performance Standard 2 - Less than Significant Energy Impacts

CEQA requires lead agencies to evaluate a project's potential for wasteful, inefficient, or unnecessary energy usage under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines, along with State CEQA Guidelines Appendix F and Appendix G, Section VI. BAAQMD recommends using the results of this analysis to determine whether the project will implement its "fair share" with respect to supporting the implementation of SB 100, the 100 Percent Clean Energy Act of 2018. SB 100 strengthened the State's Renewables Portfolio Standard (RPS) by requiring that 60 percent of all electricity provided to retail users in California come from renewable sources by 2030 and that 100 percent come from carbon-free sources by 2045. Eliminating GHG emissions associated with building electricity usage will be achieved by decarbonizing California's electrical generation infrastructure. California has committed to achieving this goal by 2045 through SB 100.

If the energy analysis required under CEQA Section 21100(b)(3) shows that a project will not result in wasteful, inefficient, or unnecessary energy use, then it will be consistent with implementing SB 100 and will not make a cumulatively considerable climate impact with respect to building electrical usage. If the project is found to involve wasteful, inefficient, or unnecessary energy usage, then the lead agency should conclude that it will make a cumulatively considerable impact and treat it as significant in this regard.

As described in Section 9.0, Effects Found to be Less than Significant, the proposed project energy impacts were found to be less than significant.

Performance Standard 3 - Less Than Significant VMT Impact

New land use projects can influence transportation-related GHG emissions by reducing the number of VMT the project would generate. Motor vehicle transportation does not need to be eliminated entirely in order for the land use sector to achieve carbon neutrality, as carbon-free vehicle technology can be used (e.g., EVs powered by carbon-free electricity sources). But for that goal to

be realistically implemented by 2045, California will need to reduce its per-capita VMT. How land use development is designed and sited can have a significant influence on how much VMT the project will generate. New land use projects need to provide alternatives to motor vehicle–based transportation such that VMT per capita can be reduced to levels consistent with achieving carbon neutrality by 2045.

A VMT assessment prepared for the proposed project utilized screening criteria from the California Office of Planning and Research for local-serving facilities, which are generally expected to result in less than significant transportation impacts. The VMT assessment concluded that local-serving public and community facilities of the type proposed for the project typically have a less than significant effect on VMT because they are located within established communities and provide essential services to local residents, thereby reducing the need for long-distance travel (Hexagon Transportation Consultants, Inc. 2025). As such, the proposed project would have a less than significant VMT impact. Refer to Section 9.0, Effects Found to be Less than Significant, for more information.

Performance Standard 4 - Electric Vehicle Ready

The requirements for EV charging infrastructure in new land use development projects are specified in CALGreen standards. These standards are set forth in Title 24 of the California Code of Regulations and they are regularly updated on a three-year cycle. The CALGreen standards consist of a set of mandatory standards for new development, as well as two sets of voluntary standards known as Tier 1 and Tier 2. Although the Tier 1 and Tier 2 standards are voluntary, they often form the basis of future mandatory standards adopted in subsequent updates. The voluntary standards outline more aggressive actions than do the mandatory standards.

Providing EV charging infrastructure per Tier 2 standards increases fuel redundancy for electric vehicles even if an extreme weather event disrupts other fuel sources, in addition to reducing GHG emissions. This will enable drivers of electric and hybrid (electric and gasoline) vehicles to drive a larger share of miles, thereby displacing GHG emissions from gasoline consumption with a lower volume indirect emission from renewable electricity.

At this time, there is insufficient information to confirm whether the proposed project would incorporate EV infrastructure consistent with CALGreen Tier 2 standards. Incorporating EV charging infrastructure that meets or exceeds these requirements as a design feature will be necessary to ensure all future development would be consistent with Performance Standard 4.

Summary of Project Consistency with GHG Performance Standards

As summarized above, the energy and VMT performance standards are met. However, the standards for eliminating natural gas infrastructure and implementing EV infrastructure are not explicitly stated as part of the proposed project or in other City regulations that applies to future development within the project site. Consequently, GHG impacts are significant in the absence of mitigation.

Mitigation Measure 8-1 requires that all future projects constructed on the project site be all electric incorporate EV infrastructure consistent with CALGreen Tier 2 standards. With implementation of this mitigation, all four performance measures would be met and GHG impacts would be less than significant.

Mitigation Measure

GHG-1 The following GHG emissions reduction performance measures shall be incorporated into the final project designs and plans for each development project:

a. No permanent natural gas infrastructure shall be permitted; no natural gas shall be made available through permanent natural gas infrastructure. The project shall be all electric; and

b. Electric vehicle infrastructure (e.g., elective vehicle parking spaces, charging station infrastructure, chargers, etc.) consistent with the CALGreen Tier 2 standards in effect at the time building permits are issued shall be included in the project.

Final plans for the development shall be reviewed by the City of Gilroy Community Development Department, Planning Division Director or his/her designee prior to approval of project entitlements to ensure that all performance standards are incorporated into the project design. Verification of development consistent with the performance standards shall be assured prior to approval of occupancy permits.

Conflict with a GHG Reduction Plan

IMPACT 8-2	Conflict with an Applicable Plan, Policy, or Regulation for Reducing Greenhouse Gases	Less than Significant with Mitigation

The air district's *2022 CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans*, is considered the applicable plan for reducing GHG emissions.

With implementation of Mitigation Measure GHG-1, the proposed project would meet the four performance standards identified by the air district in the 2022 CEQA Thresholds guidance as necessary to find GHG impacts to be less than significant. Therefore, with mitigation implemented, the project would not conflict with the applicable plan for reducing GHG emissions.

9.0 Effects Found to be Less than Significant

CEQA allows a lead agency to limit the detail of discussion of environmental effects that are not potentially significant (PRC Section 21100, CCR Section 15128). Environmental issue areas scoped out of a full analysis in this EIR are presented below with a brief explanation of why there would not be an impact to these resource areas or why there would be a less than significant impact.

9.1 Aesthetics

Thresholds of Significance

A significant environmental impact associated with aesthetics would occur if implementation of the project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway;
- In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or
- Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Analysis, Impacts, and Mitigation Measures

Effects on a Scenic Vista

While the project site is located within a fully developed residential and commercial area in downtown Gilroy, surrounded by development on all sides, hillsides and the Santa Cruz Mountains are visible from Church Street, facing southwest across the existing parking lot located at the corner of Church and 7th Streets. These views may be obstructed by the future development associated with implementation of the master plan update.

However, the project site is designated as Mixed-Use Downtown in the *City of Gilroy 2040 General Plan* ("General Plan"), which allows for commercial, office, and high density residential. The proposed project is consistent with the General Plan Policy PFS 1.12, Civic Center Expansion, which states "Expand the Civic Center Complex as necessary to meet the City's long-term workspace needs." Additionally, the proposed building heights (25 feet for the two-level parking garage at the corner of Dowdy and 6th Streets, 43 feet 6 inches for the proposed community center, 43 feet 8 inches for the proposed recreation center, and 44 feet for proposed City Hall) would comply with the height limits of the Civic/Cultural Arts Zoning District, which is 50 feet or four stories.

Consistency with the General Plan and compliance with the Gilroy Municipal Code would ensure that impacts to scenic vistas are less than significant.

Damage Scenic Resources

There are no state designated scenic highways in the City of Gilroy. A portion of State Route 152 is the nearest eligible state scenic highway (California Department of Transportation 2025), located more than three miles southwest of the site. Therefore, implementation of the project would not damage scenic resources within a state scenic highway.

Conflict with Regulations Governing Scenic Quality

The project site would be subject to the development regulations of the Downtown Specific Plan Civic/Cultural Arts District, as outlined in Gilroy Municipal Code section 30.19.20(2) (City of Gilroy 2025. The *Downtown Gilroy Specific Plan* ("specific plan") includes Architectural Design Guidelines, which provide a framework of design principles to supplement zoning development standards (City of Gilroy 2005). These guidelines offer direction on the more qualitative aspects of a development project, including site design, parking and screening areas, landscaping, lighting, building form, and signage. Gilroy Municipal Code section 30.19.20(2) identifies specific provisions for the Civic/Cultural Arts District related to aesthetics, addressing off-street parking, fencing, signage, landscaping, and building form, all of which consider the visual effects of development. The height of a building is also considered during the development review process. As identified previously, the height of the two-level parking garage and three proposed structures all meet the height restrictions of the Civic/Cultural Arts District.

Prior to building permit approval, each aspect of the project will be reviewed for consistency with these regulations designed to maintain the visual quality of development. Compliance with the Gilroy Municipal Code would ensure that the proposed project would not conflict with regulations governing scenic quality.

New Light or Glare

Existing light sources in the project area include lighting from on-site public/civic uses, adjacent residential properties, and vehicle headlights from motorists traveling along local roadways. The proposed project may introduce new sources of light and glare; however, the proposed uses are consistent with the existing public/civic uses in the area. New development lighting must adhere to the standards outlined in the specific plan, which are designed to ensure compatibility with the existing environment and shield lighting to minimize spillover onto adjacent properties. A lighting plan is required to ensure compliance with these standards and project consistency with the light and glare regulations of the specific plan will be reviewed prior to the issuance of building permits. Therefore, compliance with these regulations would ensure that the project's potential to result in new light or glare impacts would be less than significant.

9.2 Agricultural and Forestry Resources

Thresholds of Significance

A significant environmental impact associated with agricultural or forestry resources would occur if implementation of the project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g));
- Result in the loss of forest land or conversion of forest land to non-forest use; or
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use.

Analysis, Impacts, and Mitigation Measures

The proposed project involves redevelopment on a site that does not include any agricultural land. According to the California Important Farmland Finder tool, the project site and surrounding areas are designated as "Urban and Built-Up Land" (California Department of Conservation 2025.) Therefore, the project would not result in the conversion of any important farmlands to nonagricultural use. The project site is zoned under the specific plan with a Civic/Cultural Arts

designation and, therefore, would not conflict with existing zoning for agricultural use, forest land, timberland, or timberland zoned Timberland Production. Additionally, the project site would not conflict with a Williamson Act contract nor result in the loss of forest land or conversion of forest land to non-forest use. Due to the site's central location in the City, implementation of the project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use.

9.3 Energy

Thresholds of Significance

A significant environmental impact associated with energy would occur if implementation of the project would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Analysis, Impacts, and Mitigation Measures

Projected Energy Demand

The primary sources of energy consumption for the proposed project would include building energy use (electricity and natural gas) and transportation fuel associated with vehicle travel to and from the site. Each of these energy sources, along with projected demand, is described in more detail below. The project includes redevelopment and expansion of public-serving facilities such as administrative offices, library space, community service buildings, and City Hall. These improvements are intended to modernize infrastructure, enhance operational efficiency, and support the City's long-term sustainability goals. As such, the project energy demand is not considered unnecessary or wasteful, but rather essential to maintaining and improving delivery of public services.

A wide range of state regulations and legislative actions are in place to improve vehicle fuel efficiency, promote renewable energy, and enhance energy conservation; measures that will influence both the construction and operation of proposed development. In the transportation sector, the Pavley I standards and subsequent vehicle emission regulations aim to improve fuel efficiency, while the gradual transition to electric vehicles powered by cleaner electricity will reduce fossil fuel consumption. The continued implementation of Senate Bill 743, which shifts transportation impact analysis under CEQA to a vehicle miles traveled (VMT) metric, is expected to encourage more compact, transit-oriented development patterns, resulting in less vehicle travel and reduced fuel use.

In the renewable energy sector, statewide mandates such as Senate Bill 350 and Executive Order B-16-12 set ambitious targets for increasing renewable energy generation and transitioning to zero-

emission vehicles. In the building energy sector, policies and standards aimed at reducing electricity and natural gas consumption include Assembly Bill 2021, CALGreen, and the California Building Standards Code. The California Building Standards Code, enforceable at the project level, incorporates the California Energy Code (Title 24, Part 6), which was first adopted in 1978 to reduce statewide energy consumption. Updated every three years by the California Energy Commission, the Building Energy Efficiency Standards integrate new technologies and construction methods to further reduce energy waste.

CALGreen requires all new buildings in California to be more energy efficient and environmentally responsible. The most recent update, effective July 2022, includes measures to significantly reduce interior and exterior energy use. All development under the master plan will be subject to these standards, ensuring that new facilities are constructed to achieve substantial energy savings and environmental benefits.

Furthermore, the implementation of Mitigation Measure GHG-1 (refer to Section 8.0, Greenhouse Gas Emissions, of this draft EIR) would require all future development under the project to be constructed as all-electric, thereby eliminating demand for natural gas and to incorporate electric vehicle infrastructure that exceeds mandatory requirements. These measures help to ensure that new development is reducing energy demand.

Given the considerations summarized above, implementation of the proposed project would have a less than significant impact associated with the consumption of energy resources.

Conflict with State/Local Plan

At this time, there are no local regulations that specifically require that the proposed project incorporate on-site renewable energy generation. However, all new and renovated facilities proposed on the site will be required to comply with current state regulatory standards that minimize energy demand. Development will be subject to the California Building Standards Code, including the Building Energy Efficiency Standards (Title 24, Part 6) and the CALGreen Code (Title 24, Part 11). These standards mandate the use of energy-efficient building systems, such as high-performance heating, ventilation, and air conditioning (HVAC) systems, light-emitting diode (LED) lighting with occupancy sensors, advanced building envelope designs, and commissioning of energy systems to ensure optimal performance. CALGreen also requires additional sustainability measures, including water-efficient plumbing fixtures, low-volatile organic compound (VOC) materials, and construction waste diversion, further reducing resource consumption and overall energy use.

By incorporating state-mandated energy efficiency measures, potential renewable energy provisions, and green building features required by Title 24 and CALGreen, the project would meet or exceed existing state energy standards. Therefore, the project would not conflict with or obstruct any state or local plan for energy efficiency or renewable energy integration. No further discussion of this issue is required.

9.4 Geology and Soils

Thresholds of Significance

A significant environmental impact associated with geology and soils would occur if implementation of the project would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42;
    ii. Strong seismic ground shaking;
    iii. Seismic-related ground failure, including liquefaction; or
    iv. Landslides.
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;
- Be located on expansive soil, creating substantial direct or indirect risks to life or property;
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water; or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Analysis, Impacts, and Mitigation Measures

Earthquake Fault Zones

The San Francisco Bay Area is one of the most seismically active regions in the United States, with three major active faults crossing Santa Clara County: the San Andreas, Calaveras, and Hayward faults. These faults have generated significant earthquakes in recorded history. Additionally, other secondary active and potentially active faults, including the eastern branch of the Carnadero Fault, are located within the county (County of Santa Clara 2025).

The closest active faults to Gilroy are the Calaveras (located four miles east/northeast), Sargent Faults (located four miles west/southwest), and San Andreas Fault Santa Cruz Mountains segment (located approximately 5.5 miles southwest. Fault zones are designated under the Alquist-Priolo Earthquake Fault Zoning Act to prevent the construction of habitable structures on the surface

traces of active faults. While the Gilroy quadrangle has not been mapped, the County of Santa Clara has identified Fault Rupture Hazard Zones within the General Plan Planning Area/Sphere of Influence, particularly near the Sargent Fault and the secondary Carnadero Fault. The Carnadero Fault, located approximately two miles southwest of the site, crosses into the Urban Growth Boundary (City of Gilroy 2020a).

The most active fault near Gilroy is the San Andreas Fault, with the Santa Cruz Mountains segment located approximately 5.5 miles southwest of the General Plan Planning Area/Sphere of Influence (City of Gilroy 2020a). Of the faults within the Gilroy Planning Area, the secondary Carnadero Fault is the closest to the project site followed by the Sargent Fault, which is approximately three miles southwest of the site. Due to the site's proximity to these Alquist-Priolo Fault Zones, there is a potential risk of adverse effects, including the possibility of ground rupture and associated hazards such as loss, injury, or death, in the event of future seismic activity.

General Plan policies ensure that development occurs only in areas where risks to public health, safety, and welfare, such as flood, fire, and geological hazards, can be adequately mitigated. For example, Policy PH 1.3 requires hazard studies as part of the development review process to address significant risks. The City's approach to seismic and geological hazards is also guided by policies that require comprehensive assessments and mitigation measures such as Policy PH 2.5, which requires geologic hazard reports for new developments to identify and mitigate potential geological risks.

Compliance with the abovementioned General Plan policies would ensure that development on the project site does not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death due to fault rupture.

Seismic Ground Shaking and Liquefaction

As noted above, the project site is located two and three miles northeast of the Carnadero and Sargent faults, respectively. Therefore, seismic ground shaking could occur at the site, potentially resulting in substantial adverse effects, including the risk of loss, injury, or death. According to the General Plan EIR, the project site is not within an identified liquefaction zone; however, its susceptibility to seismic shaking could increase the potential for liquefaction.

In addition to compliance with General Plan Policy PH 2.5 identified above, the City of Gilroy adopted the 2022 California Building Standards Code, including the California Building Code, through Ordinance No. 2022-10, effective January 1, 2023 (City of Gilroy 2025). The California Building Code includes specific seismic design requirements to ensure structures are constructed to withstand ground shaking and related seismic hazards. All new development in Gilroy must obtain a building permit, which includes a review of project plans for compliance with these seismic safety standards. The project would also be required to comply with all applicable regulations outlined in the Gilroy Municipal Code Chapter 6, Article VI, Seismic Safety.

Compliance with the abovementioned General Plan policy, Gilroy Municipal Code, and California Building Code would ensure that seismic design requirements are met, reducing the potential for substantial adverse effects from ground shaking and liquefaction to a less-than-significant level.

Landslides

The project site has a slope of less than five percent (Google Earth 2025). Additionally, the U.S. Geological Survey's Landslide Inventory mapping tool does not identify Gilroy as an area prone to landslides (U.S. Geological Survey 2025). Therefore, landslide risks are not considered a concern and are not discussed further.

Soil Erosion

Site preparation and construction activities for development proposed within the project site would expose soil surfaces to erosion. According to the General Plan EIR, most areas within the Urban Growth Boundary have soil erosion potential ranging from none to slight. Therefore, soil erosion impacts at the project site would be minimal.

As previously mentioned, development at the site will be subject to the provisions of the General Plan, which requires project-specific soils and geotechnical reports, as well as erosion control plans. Additional relevant policies from the General Plan include Policy PH 2.6, which requires that all new development include a site plan detailing methods for erosion and deposition control during both site development and subsequent use. This requirement is enforced through the implementation of Chapter 6.7, Amendments, Section J110.3, Erosion Control, of the Gilroy Municipal Code, which requires the preparation and implementation of an approved erosion and sediment control plan before grading permits are issued. This plan, reviewed and approved by the City's Engineering Division, would incorporate erosion control measures such as hydraulic mulch or hydroseeding, geotextiles, mats, silt fences, sediment basins, and other approved methods.

For developments disturbing one acre or more of soil, such as the proposed project, a stormwater pollution prevention plan is also required. While the primary goal of a stormwater pollution prevention plan is to protect water quality, it serves as an additional mechanism to minimize the risk of erosion by incorporating best management practices to control erosion during construction. This is further discussed under Water Quality in Section 10.6, Hydrology and Water Quality.

Compliance with the abovementioned General Plan policies and Gilroy Municipal Code would ensure that potential impacts related to soil erosion would be less than significant.

Unstable and Expansive Soils

According to the *City of Gilroy Civic Center Master Plan* ("master plan") adopted in 2002, soils and geotechnical reports prepared by Kleinfelder, Inc. in February and March 2002, respectively, indicated the site contained some moderately expansive soils, but that the project site was suitable for the development proposed at that time (p. 11). The current project proposes uses similar to

those evaluated in the master plan. However, the proposed project involves significant grading associated with the new structures and pool. Therefore, in compliance with General Plan Policy PH 2.2, the project would be required to conduct a geological investigation of the site to ensure that the site is suitable for the development proposed and to reduce any potential impacts associated with unstable or expansive soils. Applicable regulations in the California Building Code are also required to be implemented in order to ensure potential impacts associated development on unstable soils are minimized.

Compliance with General Plan policies and the California Building Code would ensure that potential impacts related to unstable soils and expansive soils are less than significant.

Soils Supporting Septic Systems

All future development proposed within the site will connect to existing sanitary sewer lines. Septic tanks and alternative wastewater disposal systems will not be used. Therefore, this topic is not discussed further.

Paleontological Resources

No known paleontological resources have been discovered in Gilroy (City of Gilroy 2040 General Plan EIR, June 2020, pg. 3-150). While there are no known paleontological resources within the project site, it is possible that undiscovered paleontological resources exist within the project site. Disturbance of paleontological resources would be considered a significant impact. Implementation of the following standard condition of approval would ensure potential impacts to paleontological resources are not significant.

City of Gilroy Standard Condition of Approval

> **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with the Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards. (PLANNING)

9.5 Hazards and Hazardous Materials

Notice of Preparation Comments

The Department of Toxic Substances Control (DTSC) responded to the Notice of Preparation on September 26, 2025 recommending that pre-demolition surveys be conducted to identify the presence of lead-based paint, asbestos-containing materials, mercury, and polychlorinated biphenyls

and that any removal or disposal of such materials comply with applicable environmental regulations (Department of Toxic Substance Control 2025a). Additionally, DTSC recommends sampling be conducted near current and/or former building in accordance with DTSC Preliminary Endangerment Assessment Guidance Manual.

DTSC further advises that any imported soil or fill material be tested for contaminants in accordance with DTSC's Preliminary Endangerment Assessment Guidance Manual and Clean Imported Fill Material Fact Sheet to ensure suitability for intended land use.

The Notice of Preparation and DTSC comment letter are included in Appendix A.

Thresholds of Significance

A significant environmental impact associated with hazards and hazardous materials would occur if implementation of the project would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Analysis, Impacts, and Mitigation Measures

Routine Transport, Use, or Disposal of Hazardous Materials

The project proposes to demolish the existing City Hall, Wheeler Auditorium, City Hall Annex, senior center, civic center parking lot, and Hannah Street to construct a new City Hall, multi-generational recreation center with outdoor swimming pool, community center, paseo and civic park, and parking. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Accidental Release of Hazardous Materials

Accidental release of hazardous materials during construction can occur as a result of demolition activities involving structures that contain hazardous building materials such as asbestos-containing materials or lead-based paint, or if contaminated soils are present due to historical uses such as agriculture, industrial activities, or underground storage of hazardous substances.

As described in Section 4.0, Project Description, the proposed project includes demolition of several existing facilities within the project site; one of which is a known historic resource. Buildings constructed or renovated prior to 1980 could contain asbestos-containing materials or lead-based paint. Therefore, implementation of the proposed project could result in the accidental release of hazardous materials if any of the existing buildings proposed to be demolished contain asbestos-containing materials or lead-based paint.

To address this potential impact, the City Development Service Center has a Demolition Guidelines and Procedures document that requires that all buildings constructed or renovated prior to 1980 be surveyed for asbestos-containing materials prior to issuance of a demolition permit (City of Gilroy 2020). This survey must be conducted by personnel certified by the California Division of Occupational Safety and Health and the U.S. Environmental Protection Agency and must include sampling and laboratory analysis of any suspected asbestos-containing materials.

Compliance with the standard procedures outlined in the Demolition Guidelines and Procedures document would ensure that the project does not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Emit Hazardous Emissions within One-Quarter Mile of a School

The project site is located more than one-quarter mile from any schools. The nearest school is Gateway School located approximately 0.3 miles southwest of the project site (Google Earth 2025). As such, implementation of the project would not result in the emission of hazardous materials or the handling of hazardous or acutely hazardous substances or waste within one-quarter mile of an existing school.

Located on a Site Associated with Government Code Section 65962.5

New development on sites with known hazardous materials contamination from past uses can pose risks to public health and safety if site preparation and ground-disturbing activities result in the release of those materials into the environment. To assess potential hazards associated with the proposed project site, the following databases of hazardous materials sites were reviewed to determine whether any listed sites are located within the project boundaries:

- Hazardous Materials Waste and Substances Sites from the Department of Toxic Substances Control EnviroStor Database (Department of Toxic Substances Control 2025b);

- Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker Database (California State Water Resources Control Board 2025);
- Solid Waste Disposal Sites Identified by Water Board with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit (California Environmental Protection Agency 2025a);
- "Active" Cease and Desist Order and Cleanup and Abatement Orders from Water Board (California Environmental Protection Agency 2025b); and
- Hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by the Department of Toxic Substances Control (California Environmental Protection Agency 2025c).

No portion of the project site is included on any hazardous materials lists maintained pursuant to Government Code Section 65962.5, with the exception of the Leaking Underground Storage Tank site identified in the California State Water Resources Control Board's GeoTracker database. The Gilroy Police Department, located at 7350 Hanna Rosanna Street, is listed as a Leaking Underground Storage tank site; however, remediation activities were completed, and the case was officially closed, in September 1996 (State Water Resources Control Board 2025b). There are no known hazardous materials currently present within the project site. Therefore, the project would not result in a significant hazard to the public or the environment.

Within an Airport Land Use Plan

The proposed project site is not located within an airport land use plan area, nor is it situated within two miles of a public or private airport. The nearest airport is the San Martin Airport, located approximately seven miles north of the project site (Google Earth 2025). Therefore, implementation of the project would not result in a safety hazard or excessive noise for people residing or working in the project area.

Emergency Response Plan

The *County of Santa Clara Emergency Operations Plan (hereinafter "emergency operations plan")* provides a framework for emergency response and recovery operations countywide, including within the City of Gilroy. The plan is periodically updated to reflect lessons learned from emergency incidents and to incorporate changes in responsibilities, procedures, and applicable laws and regulations (Santa Clara County 2022). The most recent update occurred in 2022.

While the emergency operations plan does not include an evacuation map specific to the City of Gilroy, the Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan (California Emergency Management Agency 2011) includes regional evacuation maps covering 12 counties, including Santa Clara County. These maps identify key emergency response infrastructure such as base camps for emergency personnel, California Department of Transportation (Caltrans) lifeline

routes, priority transportation corridors, and designated movement routes for mass transportation and evacuation via air, rail, and roadway systems (California Emergency Management Agency 2011).

State Route 152 and U.S. Highway 101 are designated as priority transportation routes, with U.S. Highway 101 also identified as a Caltrans Lifeline Route in the Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan (California Emergency Management Agency, 2011). U.S. Highway 101 provides regional north–south access, while State Route 152 provides east–west access through the City of Gilroy. The project site is not located near either of these two highways. Additionally, implementation of the project would not result in any physical modifications that would interfere with the use of these designated emergency evacuation routes, nor would it impair the implementation of the Regional Catastrophic Earthquake Mass Transportation/Evacuation Plan.

Expose People or Structures to Wildland Fires

The project site is not located within a wildfire hazard area (California Department of Forestry and Fire Protection 2024). Refer to Section, 10.15, Wildfire.

9.6 Hydrology and Water Quality

Thresholds of Significance

A significant environmental impact associated with hydrology and water quality would occur if implementation of the project would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - result in a substantial erosion or siltation on- or off-site;
    - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
    - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
    - impede or redirect flood flows.
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Analysis, Impacts, and Mitigation Measures

Water Quality

Construction

The State Water Resources Control Board has implemented a National Pollutant Discharge Elimination System (NPDES) Program to control and enforce storm water pollutant discharge reduction per the Clean Water Act. The Central Coast (Region 3) Regional Water Quality Control Board issues and enforces the NPDES permits for discharges to water bodies in Santa Clara County.

Projects disturbing more than one acre of land during construction are required to file a notice of intent to be covered under the State NPDES Construction General permit for discharges of storm water associated with construction and land disturbance activities. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that details how water quality would be protected during construction activities. The SWPPP must contain a site map(s) that shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography (both before and after construction), and drainage patterns across the project. Best management practices, which are detailed within each permit, are also required to be implemented to protect water quality.

The proposed project would involve the disturbance of more than one acre of land and, therefore, would be required to comply with the regulations of the State NPDES Construction General permit, which includes preparation of a SWPPP and implementation of best management practices.

Compliance with the State NPDES Construction General Permit would ensure the project has less than significant impacts associated with water quality.

Post-Construction

During the operational phase of the proposed project, urban pollutants can mix with the stormwater runoff from the project site potentially affecting downstream receiving waters. Pursuant to Gilroy Municipal Code Chapter 27D, new development projects that create or replace 2,500 square feet or more of impervious surface, such as the proposed project, are required to prepare a Stormwater Control Plan (City of Gilroy 2025). Stormwater Control Plans outline how a development project will manage stormwater runoff post-construction. The Central Coast Post-Construction Requirements mandate implementing Low Impact Development (LID) measures as part of the Stormwater Control Plan, which help protect water quality, reduce pollution, and minimize downstream impacts. Examples include permeable pavement, retention/detention basins, and directing stormwater to landscaped areas.

Compliance with Gilroy municipal code would ensure that impacts associated with post-construction water quality are less than significant.

Groundwater Supply and Recharge

The City of Gilroy is located within the Llagas Subbasin of the Gilroy-Hollister Groundwater Basin. Although the proposed development includes similar civic-oriented uses as those present on the site, it also includes an outdoor swimming pool, which is expected to result in an increase in groundwater demand relative to existing conditions.

To estimate water demand for the proposed project, projections based on operational characteristics of comparable swimming pools were used. Key assumptions include daily operation from 7:00 a.m. to 9:00 p.m., partial shading approximately 30 percent of the time, and exposure to typical wind speeds ranging from five to seven miles per hour. These wind conditions are expected to contribute approximately ±15 percent to evaporation, which is consistent with standard evaporation rates. Based on these assumptions, it is estimated that the proposed swimming pool would require approximately 2.5 acre-feet of water per year (Steve Howard, email message, July 28, 2025). This incremental increase would be associated with pool filling, maintenance, and evaporation losses and would represent the primary change in water demand attributable to the proposed project. Because the Santa Clara Valley Water District will be able to meet countywide demands through 2045 (Santa Clara Valley Water District 2021), it is expected that the project's increase in water demand can be accommodated by the groundwater basin and the project would not substantially decrease groundwater supplies.

Implementation of the source control measures required as part of the Stormwater Control Plan would help maintain natural infiltration processes because pervious pavement and directing runoff to landscaped areas, for example, promote groundwater recharge. The project's impacts on groundwater recharge would be similar to the existing conditions at the site and, therefore, would not interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Erosion

Development of the proposed project could result in on- or off-site erosion due to the proposed grading activities. Refer back to the Soil Erosion discussion in Section 9.4, Geology and Soils.

Surface Runoff Induced Flooding and Impacts to Stormwater Drainage and Pollution

Given that the site is fully developed under current conditions, the proposed redevelopment of the site is not anticipated to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.

Additionally, the project would be required to comply with General Plan Policy PFS 5.3, which requires new development to incorporate on-site stormwater management systems and low impact development techniques to minimize stormwater runoff and associated flooding impacts on- and off-site. This policy is also implemented through Gilroy Municipal Code Chapter 27D, Post

Construction Storm Water Pollution Prevention (City of Gilroy 2025). This chapter includes measures that, among other things, minimize increases in stormwater runoff to reduce flooding; limit the total annual volume of post-development surface water runoff to levels that do not exceed the pre-development hydrologic regime; and reduce stormwater runoff rates and volumes.

Therefore, compliance with the General Plan and Gilroy Municipal Code would ensure less than significant impacts associated with the project's potential to cause flooding on- or off-site and to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Flood Risk and Flood Flows

The project site is not located within a Federal Emergency Management Agency (FEMA) Special Flood Hazard Area. According to the FEMA Flood Map (FEMA 2024), the site is within Zone X, which is defined as an area of minimal flood risk outside the one percent and 0.2 percent annual chance floodplains. The site is also not located near any bodies of water that could pose a risk of inundation from tsunami or seiche. Therefore, implementation of the project would not impede or redirect flood flows nor is it located within a flood hazard, tsunami, or seiche zone risking the release of pollutants due to project inundation.

Santa Clara Valley Water District Groundwater Management Plan

The Sustainable Groundwater Management Act lists Valley Water (Santa Clara Valley Water District) as the exclusive groundwater management agency for Santa Clara County. The Sustainable Groundwater Management Act requires that groundwater management agencies prepare a groundwater sustainability plan or an alternative to achieve sustainability. Pursuant to the Sustainable Groundwater Management Act, Valley Water adopted its *2021 Groundwater Management Plan for the Santa Clara and Llagas Subbasins* ("groundwater management plan"). The projected demands in the Santa Clara and Llagas subbasins discussed in the groundwater management plan are based on data used to develop the Valley Water's *2020 Urban Water Management Plan*. Valley Water maintains diverse water supply sources to meet countywide demands, including local surface water and groundwater, imported water, and recycled water. Valley Water developed a Water Shortage Contingency Plan as part of its *2020 Urban Water Management Plan* to establish actions and procedures for managing water supplies and demands during water shortages due to droughts and other emergencies. As stated within the groundwater management plan, Valley Water will be able to meet countywide demands through 2045 under normal, a single dry, and five consecutive dry year conditions. If a five-year drought were to occur in the next five years, Valley Water would employ a range of response actions, including water conservation and calling for short-term water use reduction (Santa Clara Valley Water District 2021, p. 4-21).

As discussed under the Groundwater Supply and Recharge discussion presented previously, the project could result in the demand of approximately 2.5 acre-feet of water per year more than

existing conditions. However, this increase in demand can be accommodated by the Santa Clara Subbasin and would not substantially deplete groundwater resources. Additionally, the project would implement the source control measures required as part of the Stormwater Control Plan, which would help maintain natural infiltration processes promoting groundwater recharge. Therefore, the project would not conflict with or obstruct implementation of a sustainable groundwater management plan.

9.7 Mineral Resources

Thresholds of Significance

A significant environmental impact associated with mineral resources would occur if implementation of the project would:

- Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan.

Analysis, Impacts, and Mitigation Measures

Potential impacts to mineral resources are typically evaluated based on the presence, type, and significance of such resources within the project boundary. No known mineral resources or recovery sites are located within the project site (U.S. Geological Survey 2025). Further, the project site is not designated to allow mineral extraction. Therefore, the proposed project would not result in the loss of availability of a known mineral resource of regional or statewide value, nor would it affect any locally important mineral resource recovery sites identified in a general plan, specific plan, or other land use plan.

9.8 Noise

Thresholds of Significance

A significant environmental impact associated with noise would occur if implementation of the project would:

- Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Generate excessive groundborne vibration or groundborne noise levels; or

- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

Analysis, Impacts, and Mitigation Measures

Temporary Construction Noise

Construction noise would occur at various locations within the project site. Construction activities would involve the use of a variety of equipment that generate a range of noise levels. Planned construction activities include building demolition, excavation and grading, foundation work, building construction, and paving. Each phase of construction involves a different combination of equipment, resulting in varying noise characteristics. The loudest activities are expected during demolition, excavation and grading, and building construction. Construction noise is generally not considered a significant impact when activities are restricted to daytime hours and equipment is properly maintained and fitted with appropriate mufflers. Extraordinary noise-generating activities, such as pile driving, are not anticipated.

Noise-sensitive single-family residential receptors are located within the project site in the northwest corner along Dowdy Street. Additional residential uses surround the project site to the north, east, south, and west. Pursuant to the City's General Plan Policy PH6.11 and Gilroy Municipal Code Section 16.38, construction is limited to 7:00 a.m.–7:00 p.m., Monday through Friday, and 9:00 a.m.–7:00 p.m. on Saturdays. Compliance with these restrictions would ensure construction noise levels do not exceed standards established in the General Plan or Gilroy Municipal Code.

Permanent Operational Noise

The proposed project involves the redevelopment of the civic center with similar civic-oriented uses and, therefore, permanent increases in ambient noise levels are expected to be minimal and consistent with existing conditions.

Chapter 30.41.31(Specific Provisions – Noise) of the Gilroy Municipal Code establishes maximum allowable outdoor noise levels for residential and non-residential uses that the project would be required to comply with. For properties zoned non-residential, noise levels are limited to a maximum of 70 dBA (L_{10}) at the residential property line and are only permitted between the hours of 7:00 a.m. and 10:00 p.m. Noise from non-residential uses is prohibited between 10:00 p.m. and 7:00 a.m. Compliance with these restrictions would ensure noise levels do not exceed standards established in the Gilroy Municipal Code.

Groundborne Vibration

There are no federal or state regulations that establish specific standards for construction-related vibration. However, guidance is provided in the *Caltrans Transportation and Construction Vibration Guidance Manual* (California Department of Transportation 2020), which outlines criteria for

assessing both annoyance potential and damage thresholds. These criteria are presented in Table 9-1, Vibration Annoyance Potential Criteria, and Table 9-2, Vibration Damage Potential Criteria, and are expressed in terms of peak particle velocity (PPV), measured in inches per second (in/sec).

Table 9-1 Vibration Annoyance Potential Criteria

Human Response	Maximum PPV (in/sec)	
	Transient Sources	Continuous/ Frequent Intermittent Sources
Barely Perceptible	0.04	0.01
Distinctly Perceptible	0.24	0.04
Strongly Perceptible	0.9	0.10
Severe	2.0	0.70

SOURCE: Caltrans 2020

Table 9-2 Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/ Frequent Intermittent Sources
Extremely fragile, historic buildings, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	1.0	0.5

SOURCE: Caltrans 2020

Common sources of man-made vibration include sonic booms, blasting, pile driving, pavement breaking, demolition of large structures or infrastructure, and operations involving diesel locomotives or railcar coupling. As noted in Section 4.0, Project Description, several existing buildings as well as a portion of a roadway are planned for demolition as part of the proposed project.

Vibration generated by construction activities may be perceptible at the nearest on-site and off-site sensitive land uses (for the purpose of this evaluation, the sensitive land uses are considered "older residential structures"), each located less than 100 feet from the locations of proposed construction activities. Typical vibration levels at distances of 100 feet and 300 feet are summarized in Table 9-3, Typical Vibration Levels During Construction. Vibration levels as a result of constructing modern commercial buildings (0.1 in/sec at 100 feet) are not expected to exceed the threshold criteria for annoyance or structural damage on older residential structures outlined in Table 9-2 above.

Table 9-3 Typical Vibration Levels During Construction

Equipment	PPV (in/sec)	
	@ 100 Feet	@ 300 Feet
Extremely fragile, historic buildings, ancient monuments	0.011	0.0006
Fragile buildings	0.0004	0.00019
Historic and some old buildings	0.01	0.005
Older residential structures	0.005	0.002
New residential structures	0.3	0.013
Modern industrial/commercial buildings	0.1	0.006

SOURCE: Caltrans 2020

Ongoing operational activities associated with the proposed civic-oriented uses are not expected to generate vibration levels that would affect nearby sensitive receptors.

Based on the analysis presented above, the proposed project is not anticipated to generate excessive groundborne vibration or groundborne noise levels.

Excessive Noise Levels and Nearby Airports

The proposed project site is not located within an airport land use plan area, nor is it situated within two miles of a public or private airport. The nearest aviation facility is the San Martin Airport, located approximately seven miles to the north of the project site.

9.9 Population and Housing

Thresholds of Significance

A significant environmental impact associated with population and housing would occur if implementation of the project would:

- Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Analysis, Impacts, and Mitigation Measures

The project proposes the redevelopment of civic-oriented uses with new civic-oriented uses that would not result in a population increase and, therefore, would not result in substantial unplanned population growth. The project would not demolish the existing on-site residences and, therefore, would also not result in the displacement of existing housing or residents.

9.10 Public Services

Thresholds of Significance

A significant environmental impact associated with public services would occur if implementation of the project would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:
  - Fire protection;
  - Police protection;
  - Schools;
  - Parks; or
  - Other public facilities.

Analysis, Impacts, and Mitigation Measures

The proposed project involves the redevelopment of existing civic-oriented uses within the established footprint of the civic center. The project would not result in a population increase and, therefore, would not require the provision of new or physically altered governmental facilities to accommodate increased demand.

9.11 Recreation

Thresholds of Significance

A significant environmental impact associated with recreation would occur if implementation of the project would:

- Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Analysis, Impacts, and Mitigation Measures

The proposed project would not result in a population increase and, therefore, would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The proposed project does, however, include the construction of a multi-generational recreation and aquatics center and a paseo and civic park. Impacts associated with development of these recreational facilities is evaluated throughout this EIR. The applicable mitigation measures and regulations identified and required throughout this EIR would ensure that impacts associated with the construction of recreational facilities are less than significant.

9.12 Transportation

Notice of Preparation Comments

The California Department of Transportation (Caltrans) (District 4) responded to the Notice of Preparation on October 22, 2025 providing preliminary comments for informational purposes. Caltrans expresses interest in reviewing the draft EIR, particularly the vehicle miles traveled analysis, and also notes that construction activities involving oversized or excessive load vehicles on State roadways will require a transportation permit issued by Caltrans.

Thresholds of Significance

A significant environmental impact associated with transportation would occur if implementation of the proposed project would:

- Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- Result in inadequate emergency access.

Analysis, Impacts, and Mitigation Measures

Conflict with Program, Plan, Ordinance, or Policy

Transit Facilities

Gilroy is served by a wide variety of transit services, with local service provided by four Valley Transportation Authority bus routes. The nearest bus stops are on 6th Street at the northeast corner of the project site. Consistent with General Plan Policy M 4.2, the proposed project would accommodate public transit, including pedestrian and bicycle access to transit. Therefore, implementation of the proposed project would not conflict with a program, plan, ordinance, or policy addressing transit facilities.

Roadway Facilities

The proposed project involves the removal of Hanna Street through the project site and no other improvements to the roadway system (e.g., no extension of existing roadways nor construction of new roads). Therefore, implementation of the proposed project would not conflict with a program, plan, ordinance, or policy addressing roadway facilities.

Bicycle Facilities

There are existing bicycle facilities on 6th Street from Dowdy Street to Hanna Street and on Church Street. The proposed project is consistent with General Plan Policy M 3.2, which requires that new development include a system of sidewalks, trails, and bikeways that link all land uses, provide accessibility to parks and schools, and connect to all existing or planned external street and trail facilities in accordance with the Mobility Diagrams identified in the General Plan. The project would also be required to comply with General Plan Policies M 3.9, which requires adequate short- and long-term bicycle parking for all land uses except for single-family residential uses, and M 3.11, which states that the City provide bicycle parking at all City parks and public facilities (e.g. City Hall) sufficient to accommodate anticipated demand.

Compliance with the abovementioned General Plan policies would ensure that the proposed project does not conflict with a program, plan, ordinance, or policy addressing bicycle facilities.

Pedestrian Facilities

There are existing pedestrian facilities on all roadways surrounding the project site (Church Street, 7th Street, Dowdy Street, and 6th Street). The proposed project would not remove or otherwise damage these existing pedestrian facilities and is consistent with General Plan Policy M 3.2, identified above. Therefore, implementation of the proposed project would not conflict with a program, plan, ordinance, or policy addressing pedestrian facilities.

Vehicle Miles Traveled

Hexagon Transportation Consultants prepared the *VMT Assessment for the Proposed Gilroy Civic Center Master Plan Update* ("VMT assessment") in August 2025. The full VMT assessment can be found in Appendix D.

The VMT assessment states that the City of Gilroy has not formally adopted its own City-specific VMT (vehicle miles traveled) policies and, therefore, relies on guidelines contained in the California Governor's Office of Land Use and Climate Innovation's technical advisory dated December 2018 for the assessment of VMT. The technical advisory provides recommendations regarding VMT evaluation methodology, significance thresholds, and screening thresholds for land use projects. The screening threshold recommendations are intended to identify uses, such as local-serving retail, that would be expected to cause a less than significant impact without conducting a detailed VMT evaluation since they would provide a local service that might otherwise be sought elsewhere. Similarly, other locally serving public/community facilities can be considered to have a less than

significant impact on VMT since they are located within established communities and provide needed services to the community. These facilities include, but are not limited to, branch libraries, community centers, fire stations, parks, and other public services that serve local needs. These public services improve people's proximity to recreational and other community services resulting in shorter trips and a decrease in VMT (Hexagon Transportation Consultants 2025, p. 2).

The VMT assessment concludes that the project consists of local-serving public facilities and that although the building square footages would increase compared to existing conditions, the intensity of these uses would not increase and all proposed uses would continue to be local-serving public services. Therefore, the proposed project is anticipated to result in a less than significant VMT impact.

Increase in Hazards and Emergency Access

The proposed project would result in the removal of some existing access points into the project site such as the removal of Hanna Street and the replacement of existing parking areas with new buildings. However, the proposed project would introduce new access points and circulation design on the site. All transportation improvements will be consistent with the City's standard specifications, which are based on standard engineering practice for safe and efficient facility design. These include specifications for emergency vehicle access, sight distance, vehicle speed, timing radii, etc. The proposed project would also be reviewed by the City's Public Works, Fire, and Police Departments to ensure that circulation improvements are designed consistent with their respective standards for safe movement of vehicles, pedestrians, bicyclists, and emergency vehicles. Therefore, the project would not result in inadequate emergency access nor increase hazards due to a geometric design feature.

9.13 Tribal Cultural Resources

Thresholds of Significance

A significant environmental impact associated with tribal and cultural resources would occur if implementation of the project would:

- Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
    - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or
    - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public

Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Analysis, Impacts, and Mitigation Measures

On April 12, 2025, the City sent an Assembly Bill (AB) 52 consultation offer letter to the tribal representatives of the following tribes:

1. Amah Mutsun Tribal Band;
2. Amah Mutsun Tribal Band of Mission San Juan Bautista;
3. Costanoan Rumsen Carmel Tribe;
4. Indian Canyon Mutsun Band of Costanoan;
5. North Valley Yokuts/Ohlone Tribe;
6. Tamien Nation;
7. The Ohlone Tribe; and
8. Wuksachi Indian Tribe/Eshom Valley Band.

No responses or requests for tribal consultation pursuant to Public Resources Code Section 21080.3.1 were received (Ryan Osenton, email message, July 16, 2025).

9.14 Utilities and Service Systems

Thresholds of Significance

A significant environmental impact associated with utilities and service systems would occur if implementation of the project would:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Analysis, Impacts, and Mitigation Measures

New or Expanded Facilities

The proposed project involves the redevelopment of existing and new civic-oriented uses within the established footprint of the master plan boundary area. Existing uses and facilities within the project site are already served by water, wastewater, and stormwater drainage systems, as well as electric power, natural gas, and telecommunication infrastructure. It is anticipated that new construction would connect to these existing utility systems, as the proposed development consists of similar civic-oriented uses. However, the addition of an outdoor swimming pool—a proposed new feature for the Civic Center—is expected to result in an increase in water demand compared to existing conditions. However, City staff indicate that the pool will be accommodated by the existing water system. There is an existing 12-inch water main along 6th Street that the proposed swimming pool would connect into (Ryan Osenton, email message, August 20, 2025).

Water Supply

Water would be supplied to the proposed project by the City of Gilroy, which obtains its water supply from the Llagas Subbasin of the Gilroy-Hollister Groundwater Basin. The City relies on groundwater extraction from nine municipal wells to meet its domestic water demands (City of Gilroy 2023). Table 9-4, Water Supply and Demand Estimates, shows estimated water supply and demand as provided in the *City of Gilroy 2020 Urban Water Management Plan* (UWMP) for a single-dry year, multiple-dry years, and estimated water demand for the proposed project.

Table 9-4 Water Supply and Demand Estimates

	2020 UWMP		Proposed Project Swimming Pool Demand*
	Single Dry Year[1]	Multiple Dry Year[1,2]	
Water Supply	20,064 AF	19,404 AF	--
Water Demand	14,109 AF	14,109 AF	2.5 AFY
Surplus/Deficit	+5,955 AF	+5,295 AF	--

SOURCE: City of Gilroy 2021
NOTES: AF means acre-feet. AFY means acre-feet-per-year.
1 Data reported is for estimates through year 2045.
2 Data reported is for fifth year estimates through 2045.

According to the 2020 UWMP, the projected single-dry year water supply through 2045 is 20,064 acre-feet (AF), with an estimated demand of 14,109 AF. In a multiple-dry year scenario, the projected supply in the fifth year is 19,404 AF, while the estimated demand remains at 14,109 AF. As shown in Table 9-4, both scenarios result in a surplus of available water supply.

The proposed project would redevelop the existing civic center with similar civic-oriented uses, resulting in water demands generally comparable to existing conditions. However, the inclusion of a new outdoor swimming pool—currently not part of the civic center—would result in a modest increase in overall water demand. Based on operational assumptions such as daily use, partial shading, and typical wind exposure, the proposed pool is estimated to require approximately 2.5 acre-feet of water per year. Therefore, water demand generated by the project could be fully accommodated within the projected surplus water supply under both single- and multiple-dry year scenarios in the 2020 UWMP.

Wastewater Treatment

The South County Regional Wastewater Authority owns and operates the wastewater treatment plant that serves the wastewater treatment needs of the City of Gilroy. The wastewater treatment plant is currently being expanded to increase the capacity of the facility from 8.5 million gallons per day (mgd) to 11 mgd. The plant is expected to be online in early 2026 (Ryan Osenton, email message, August 20, 2025).

The *City of Gilroy 2023 Sewer System Master Plan* identifies wastewater generation assumptions for various land use classifications across Gilroy (City of Gilroy 2023, Table 3.2). The project could be characterized under the "Public Facility/Institution" land use classification, which is designated a wastewater unit factor of 360 gallons per day per acre (gpd/acre) for wastewater flows at 100 percent occupancy. Utilizing a wastewater unit factor of 360 gpd/acre for the approximate 14-acre project site would result in a total project wastewater generation of 5,040 gpd, or 0.005 mgd.

The project's generation of 0.005 mgd makes up less than one-half of one percent of the expanded capacity of the wastewater treatment plant. Therefore, the wastewater treatment plant has adequate capacity to serve the project's projected demand in addition to existing commitments.

Solid Waste Generation and Regulation Compliance

Recology South Valley provides materials collection services to residents and businesses in Gilroy. Recyclables such as paper, cardboard, cans, bottles, and metal are sent to a material recovery facility. This facility sorts, bales, and then sells the material so it can be recycled and made into new products. Clean yard waste is transported to South Valley Organics; a compost facility located at the Pacheco Pass Landfill in Gilroy. This facility processes yard waste into compost (Recology 2025).

Historically, the City has utilized the John Smith Road Landfill; however, it is no longer accepting waste from outside of San Benito County. After garbage is dropped off at the San Martin Transfer Station, it is transported to the Monterey Peninsula Landfill (formerly called the "Marina Landfill") located in unincorporated Salinas (Recology South Valley, personal conversation, May 15, 2025). The Monterey Peninsula Landfill has a maximum permitted capacity of 49.7 million cubic yards and a maximum permitted tonnage per day at the landfill is 3,500 tons (CalRecycle 2025). According to Monterey Regional Waste Management District staff, alternative construction and operational

methods have been approved and have increased the available waste capacity at the landfill. As of December 2024, remaining capacity at the landfill was estimated at 61,482,000 cubic yards (Caty O'Connor, PE, email message, May 16, 2025).

The proposed project involves the redevelopment of existing civic-oriented uses within the established footprint of the master plan. Therefore, solid waste generation is expected to be similar to existing conditions and would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Given that the project involves the construction and demolition of more than 5,000 square feet, the project is required to recycle or divert at least 50 percent of materials generated for discards by the project (City Municipal Code Section 12.66).

State mandates such as AB 939, AB 341, AB 1826 and SB 1383 require all California jurisdictions to implement organics recycling programs, business/residential recycling programs, and meet mandatory diversion from landfill or face potential compliance schedules and/or fines.

Pursuant to SB 1383, Santa Clara County Integrated Waste Management Regional Agency has modified solid waste requirements for unincorporated Santa Clara County customers to help meet state waste diversion mandates. The proposed project would be required to comply with the new recycling programs and, therefore, the proposed project would comply with federal, state, and local statutes and regulations related to solid waste.

9.15 Wildfire

Thresholds of Significance

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- Substantially impair an adopted emergency response plan or emergency evacuation plan;
- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Analysis, Impacts, and Mitigation Measures

The project site is not located within a state responsibility area or lands classified as very high fire hazard severity zones. The nearest state responsibility area with a very high fire hazards classification is approximately two-and-a-half miles southwest of the site. (California Department of Forestry and Fire Protection 2024). Therefore, impacts associated with wildfire risk would be less than significant. No further environmental analysis is required.

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10.0 Growth Inducing Impacts

10.1 CEQA Requirements

CEQA Guidelines section 15126.2 states that an EIR shall discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Population increases may tax community service facilities, requiring construction of new facilities that could cause significant environmental effects. An EIR shall also discuss characteristic of projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

10.2 Impact Analysis

Redevelopment of the project site has been planned by the City of Gilroy since at least 2002 when the *City of Gilroy 2020 General Plan* was adopted. This is reflected in *City of Gilroy 2020 General Plan* Policy 15.02 and *City of Gilroy 2040 General Plan* Policy PFS 1.12, which indicates expansion of the civic center complex as necessary to meet the City's long-term workspace needs.

As discussed in Section 3.0, Environmental Setting, the project site is already developed with civic center uses and, therefore, there would be no extension of infrastructure or expansion of public services to accommodate development at the site. However, redevelopment of the site could result in environmental impacts as a result of the physical development, the environmental effects of which are evaluated in this EIR.

The proposed project is consistent with the uses existing at the site and with the General Plan land use vision for the site. The project potential to be growth-inducing arises from its upgrades to the existing civic center. The environmental impacts of physical development that would occur with buildout under the General Plan, including development of the project site, have already been evaluated as part of the General Plan EIR and mitigated to less than significant where feasible.

The project would not directly or indirectly induce population by providing new housing or other forms of growth through removing infrastructure or other barriers to such growth. The project is planned on an infill site that already has access to utility infrastructure and to the existing road network. Therefore, the proposed project would not be growth inducing.

11.0 Cumulative Impacts

11.1 CEQA Requirements

CEQA Guidelines section 15130 requires a discussion of cumulative impacts when the project's incremental effect is "cumulatively considerable", as defined in section 15065(a)(3), which states, "The project has possible environmental effects that are individually limited but cumulative considerable. Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable. A cumulative impact consists of an impact that is created as a result of the combination of the proposed project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts that do not result in part from the project evaluated in the EIR. When the combined cumulative impacts associated with the project's incremental effect and the effects of other projects is not significant, the EIR shall briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency shall identify facts and analysis supporting its conclusion that the cumulative impact is less than significant.

A lead agency may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable and therefore, is not significant. A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. The lead agency shall identify facts and analysis supporting its conclusion that the contribution will be rendered less than cumulatively considerable.

The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness and should focus on the cumulative impact to which the other identified projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact (CEQA Guidelines, Section 15130).

CEQA requires a cumulative development scenario to consist of either a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or, a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

11.2 Cumulative Development Scenario

CEQA requires a cumulative development scenario to consist of either 1) a "list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency" or 2) a "summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include a general plan, regional transportation plan, or plans for reducing GHGs. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Projections may be supplemented with additional information such as a regional modeling program.

The cumulative development scenario in this EIR is the summary of projections contained in the adopted *City of Gilroy 2040 General Plan* and evaluated in the General Plan EIR.

Geographic Scope

The geographic scope of the area affected by cumulative impacts can vary with the specific environmental topic being evaluated. Therefore, the cumulative development scenario can vary with the environmental topic being considered. The geographic scope of the area affected by cumulative impacts is typically larger than the boundary of the project site itself. According to CEQA Guidelines section 15130(b)(1)(3), the lead agency should define the geographic scope of the area affected by the cumulative effect. For the proposed project, the geographic scope for cumulative impacts ranges from development within the site and City of Gilroy to much broader areas such as Santa Clara County, the air basin or state. The geographic scope is included in each cumulative impact discussion, and summarized in Table 11-1, Geographic Scope for Cumulative Impact Analyses. For environmental topics for which no project-specific impact is identified, no cumulative impact analysis is provided and, therefore, no cumulative impact geographic boundary is identified.

Table 11-1 Geographic Scope for Cumulative Impact Analyses

Resource Area	Geographic Area
Air Quality	San Francisco Bay Air Basin
Biological Resources	Santa Clara County covered by the Santa Clara Valley Habitat Plan
Cultural Resources	General Plan buildout and Santa Clara County
Greenhouse Gas Emissions	State of California

SOURCE: EMC Planning Group 2024

General Plan Projections Contributing to Cumulative Development Conditions

The General Plan EIR states that the geographic area considered for each cumulative impact area depends on the impact analyzed, as identified in Table 11-1, above.

As noted in the General Plan EIR, because the air quality impacts associated with the General Plan are inherently considered in a cumulative context, the analysis of air quality in the General Plan EIR is a cumulative impact assessment. Section 3.3, Air Quality of the General Plan EIR concludes less than significant impacts with mitigation incorporated for consistency with the 2017 clean air plan and effects to sensitive receptors from TACs. The increase in operational criteria air pollutant emissions resulting from an increase in vehicle miles traveled, however, was found to be significant and unavoidable with no mitigation. Given these determinations, air quality impacts would be cumulatively considerable and cumulatively significant.

The potential impacts on biological resources as a result of implementing the General Plan are site-specific, but the General Plan EIR found that the overall impacts would either be beneficial, as related to Habitat Plan-covered species, or less than significant with mitigation for non-covered species. Impacts would not be considerable.

Future development within the Gilroy Urban Growth Boundary, as well as within other jurisdictions with Santa Clara County, would be conditioned to avoid or lessen its impacts on cultural resources. Consequently, the General Plan's contribution to cumulative cultural resource impacts would be less-than-cumulatively considerable.

The General Plan EIR states that GHG emissions leading to global climate change are inherently a cumulative effect and the analysis of GHG emissions in the General Plan EIR is the cumulative impact assessment, which concludes interim significant and unavoidable impacts, even with mitigation incorporated, associated with generating GHG emissions and conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Given these determinations by the General Plan EIR, impacts would be cumulatively considerable.

11.3 Cumulative Analysis

Air Quality

Proposed Project Impact Summary

As described in Section 5.0, Air Quality, the proposed project would have less than significant impacts associated with generating criteria air pollutant emissions and exposing sensitive receptors to operational sources of toxic air contaminants. The project would result in less than significant impacts with mitigation incorporated associated with exposing sensitive receptors to toxic air contaminants during construction.

Geographic Scope

The geographic scope for cumulative air quality impacts varies based on the particular potential impact being considered. For criteria air emissions impacts, the boundary is the San Francisco Bay Air Basin (air basin) which encompasses all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, as well as the southern portions of Solano and Sonoma counties. This is the area for which the Bay Area Air Quality Management District has prepared an air quality plan for reducing specific types of air emissions and otherwise manages air quality to meet federal and state air quality standards.

For health risks associated with construction source and stationary source Toxic Air Contaminant (TAC) emissions from future development within the site, the boundary is the location of existing sensitive receptors within and adjacent to the site. For transportation-source health risks, the boundary is the location of sensitive receptors on local roadways in the immediate project area.

Cumulative Impacts

Past and present development within the air basin has generated criteria air emissions through construction and operational activities. The air basin is in non-attainment with state mandated thresholds for ozone, and suspended particulate matter (PM_{10} and $PM_{2.5}$) and with respect to federal standards, the air basin is in non-attainment with ozone and suspended particulate matter ($PM_{2.5}$). Past and present development has generated emissions to the extent that their concentration within the air basin exceeds applicable standards. Therefore, this impact is cumulatively significant.

Construction TACs can adversely affect sensitive receptors, but due to their temporary nature and localized effects, it is unlikely that they would combine in a cumulative context to adversely affect the same population of sensitive receptors; the impact is less-than-cumulatively significant. TACs from stationary sources and transportation sources can individually or additively impact sensitive receptors. However, it is unlikely that these TAC sources have combined to create cumulative health risks for the same sensitive receptors.

Project Contribution to Cumulative Impacts

Criteria Air Emissions

Consistent with air district guidance, consistency with the air quality plan serves as the analysis of cumulative impacts from generation of criteria air pollutant emissions. Given that the proposed project would not exceed any construction or operational air quality significance thresholds, the project is consistent with associated air quality control measures in the air quality plan. Consequently, the proposed project's contribution to cumulative impacts for criteria air pollutant emissions would be less-than-cumulatively considerable.

Health Risks

As discussed in Section 5.0, Air Quality, public-serving uses such as those proposed on the project site are not typically associated with continuous or substantial stationary source TAC emissions, such as those generated by heavy service commercial or industrial operations. Section 5.0, Air Quality, also discusses that it is unlikely for the project to result in new transportation source TACs that would pose elevated TAC-related health risks to sensitive residential receptors along the local road network.

However, because existing sensitive receptors are located within 1,000 feet of the project site, they could be exposed to localized health risks associated with TAC emissions from construction equipment exhaust. Implementation of Mitigation Measure AQ-1 is required to ensure that the potential health risks from the construction equipment exhaust would be less than significant by requiring that best management practices be implemented to reduce emissions and ensure compliance with diesel engine regulations designed to reduce diesel emissions. As a result, the proposed project contribution to this effect would be less-than-cumulatively considerable.

Biological Resources

Proposed Project Impact Summary

The biological impacts of the project are discussed in Section 6.0, Biological Resources. The proposed project would have less than significant impacts with mitigation measures incorporated for the effect on special-status wildlife species (protected bat species), nesting migratory birds and raptors, and protected trees.

Geographic Scope

The cumulative impact scenario for biological resources is variable, depending on the specific resource being considered. The geographic distribution ranges for special-status species vary greatly depending largely on environmental factors such as habitat suitability criteria. For example, some species may only occur locally while others may range throughout large geographic areas such as the western U.S.

For the purposes of cumulative analysis for special status species and other biological resources, the geographic boundary for cumulative impacts is the portions of Santa Clara County covered by the Santa Clara Valley Habitat Plan. Within this area, regulatory agencies and conservation organizations, including U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife, and California Native Plant Society, work to establish and update critical distribution range information for species thought to be declining within their geographic ranges due to habitat loss and degradation.

Cumulative Impacts

The proposed project is located within the boundaries of the Santa Clara Valley Habitat Plan (Habitat Plan), a 50-year regional plan to protect endangered species and natural resources while allowing for future development in southern Santa Clara Valley. The City of Gilroy is a co-permittee authorized to permit their own projects under the Habitat Plan; however, according to the Santa Clara Valley Habitat Agency's *Geobrowser* (Santa Clara Valley Habitat Agency 2025), the project site is designated as "Urban Areas" and no land cover fee or permit is required.

The proposed project has the potential to result in significant impacts to special-status wildlife species (protected bat species), nesting migratory birds and raptors, and protected trees – none of which are covered species under the Habitat Plan.

Given that none of the species potentially impacted by the project are covered species under the Habitat Plan and the mitigation measures presented in Section 6.0, Biological Resources, would reduce potential impacts on those biological resources to a less-than-significant level, the proposed project would have a less than cumulatively considerable effects on biological resources.

Project Contribution to Cumulative Impacts

The proposed project is located on land that is developed for institutional use. Generally, developed land does not provide valuable habitat for habitat for most special-status species due to its regular disturbance and absence of cover for wildlife. Given the relatively low quality of the habitat that would be affected by the proposed project, as well as the anticipated effectiveness of mitigation measures (i.e., BIO-1 through BIO-3), the impacts of the proposed project on biological resources are considered to be less-than-cumulatively considerable.

Cultural Resources

Proposed Project Impact Summary

The cultural impacts of the project are discussed in Section 7.0, Cultural Resources. The proposed project would have a significant and unavoidable impact associated with the loss of a historic resource and less than significant with mitigation measures incorporated for potential impacts to unique archaeological resources and the disturbance of Native American human remains.

Geographic Scope

The geographic scope for this impact is the General Plan buildout and Santa Clara County.

Cumulative Impacts

Impacts on cultural resources and Native American human remains may have occurred throughout Gilroy and Santa Clara County over time given the richness of these resources in other areas of Gilroy and due to a range of development activities that have disturbed surface and subsurface resources. Cumulative impacts on these resources are assumed to be significant.

Project Contribution to Cumulative Impacts

The proposed project is anticipated to have significant and unavoidable impacts on cultural resources as described in this section due to the demolition of the historic Wheeler Auditorium. Required conformance to local regulations and standards that are designed to reduce impacts on these resources will reduce its contribution to cumulative cultural resources impacts; however, the impacts would remain significant. Therefore, the project contribution to cultural resources impacts would be cumulatively considerable.

Greenhouse Gas Emissions

Proposed Project Impact Summary

As described in Section 8.0, Greenhouse Gases, the proposed project would result in less than significant impacts with mitigation incorporated associated with generating GHG emissions during operation of the project and conflicting with an applicable plan for reducing GHG emissions.

Geographic Scope

While the true geographic scope of the area affected by GHG emissions is global, for purposes of this EIR, the geographic scope is considered to be the state of California. This scope is selected because California's legislative and regulatory climate change framework is designed to reduce GHG emissions whose management is directly or indirectly within the control of the state. All new land use development within the state, including development within the project site, is subject to compliance with state climate change legislation and regulations.

Cumulative Impacts

Refer to Section 8.0, Greenhouse Gas, for a review of state legislative and regulatory framework for setting and achieving statewide GHG reduction goals. In summary, even with continued implementation of state regulations aimed at achieving the state's 2030 and 2045 GHG reduction goals, it is uncertain at this time whether these goals can be achieved. It would be speculative to assume that the required actions embodied in the 2022 Scoping Plan, which guides current state actions to achieve the goals, can and will achieve their anticipated GHG emissions objectives. Therefore, the contribution of cumulative development within the state to climate change impacts in 2030 and 2045 is assumed to be significant.

Project Contribution to Cumulative Impacts

Future development within the site would have less than significant GHG impacts with implementation of Mitigation Measure GHG-1. The mitigation measure ensures that all future development is consistent with GHG reduction performance standards designed to reduce GHG emissions from land use projects such that the land use sector contributes its fair share to reducing statewide GHG emissions to meet the state's 2030 and 2045 GHG reduction targets. Therefore, the proposed project would achieve its fair share of GHG emissions reductions. As a result, its contribution to the cumulative impact is less than considerable.

12.0 Significant and Unavoidable Impacts

12.1 CEQA Requirements

A significant adverse unavoidable environmental impact is a significant adverse impact that cannot be reduced to a less-than-significant level by implementing mitigation measures. CEQA Guidelines section 15093 requires that a lead agency make findings of overriding considerations for unavoidable significant adverse environmental impacts before approving a project.

CEQA Guidelines section 15093(a) requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." CEQA Guidelines section 15093(b) states that when the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

12.2 Significant and Unavoidable Impacts: Historic Resources

Project-Level

As described in Section 7.0, Cultural Resources, the proposed project would demolish the Wheeler Auditorium, which is designated as a historic resource by the City of Gilroy. The demolition and loss of a designated historic resource is considered a significant environmental impact. The impact cannot be reduced to less than significant through implementation of uniformly applied polices or regulations, nor through implementation of mitigation measures. Therefore, the impact is significant and unavoidable.

Cumulative-Level

The proposed project is anticipated to have significant and unavoidable impacts on cultural resources due to the demolition of the Wheeler Auditorium. Given the project's contribution to the cumulative loss of historical resources in the City of Gilroy that cannot be substantially lessened, impacts would be cumulatively considerable. Therefore, the proposed project's contribution to the loss of historic resources is significant and unavoidable.

The City Council will be required to adopt a statement of overriding considerations for project-level and cumulative-level impact, if approving the project.

Other Environmental Topics

All other significant impacts can be mitigated to a less-than-significant level.

13.0 Alternatives

13.1 CEQA Requirements

CEQA Guidelines section 15126.6(a) requires a description of a range of reasonable alternatives to the proposed project, or to the location of the project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. It also requires an evaluation of the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project, but must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

CEQA Guidelines section 15126.6(b) further requires that the discussion of alternatives focus on those alternatives capable of eliminating any significant adverse environmental impacts or reducing them to a level of insignificance, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly. CEQA Guidelines section 15126.6(a), states in part:

> "Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation".

"Significant impacts" here are impacts that have been identified as unavoidable. The degree to which an alternative lessens the number of significant impacts that are already reduced to less than significant through implementation of mitigation measures is a secondary consideration.

The EIR must present enough information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.

CEQA Guidelines section 15126.6(c) states in part that an EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process

and briefly explain the reasons underlying the determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: i) failure to meet most of the basic project objectives, ii) infeasibility, or iii) inability to avoid significant environmental impacts.

13.2 Project Objectives and Significant Impacts

As discussed above, alternatives must be able to meet most of the basic objectives of the project. Further, the selection of alternatives should take into consideration those that prioritize avoiding or substantially lessening any of the significant unavoidable effects of the project where feasible. Avoiding or substantially lessening the significant mitigable impacts of the project is a benefit but secondary to the focus on doing so for significant unavoidable impacts. To provide context for these considerations, the proposed project objectives and significant unavoidable and significant mitigable impacts of the project are identified below.

Objectives

The underlying purpose of the project is to re-develop and modernize the Civic Center's aging and underutilized facilities due to growing service demands of Gilroy residents. The project objectives identified in Section 4.2, Project Objectives, are reiterated here as follows:

- Inventory and analyze existing Civic Center facilities and open spaces and their uses;
- Identify and compile Civic Center needs and desires based on City Council, staff, and community input;
- Maximize site uses through site layouts and designs;
- Meet space needs for applicable City staff and programming at City buildout;
- A campus as a well-defined place where people come to share in a set of common purposes; and
- Provide an implementation timeline for detailed design, funding, phasing, and construction of Civic Center projects.

Significant Impacts of the Proposed Project

Significant Unavoidable Impacts

- Loss of the Historic Wheeler Auditorium (Project-Level and Cumulative).

Significant Mitigable Impacts

- Operation of Construction Equipment with Potential to Expose Sensitive Receptors to Toxic Air Contaminants;
- Generate Greenhouse Gas Emissions;
- Conflict with an Applicable Plan, Policy, or Regulation for Reducing Greenhouse Gases;

- Potential Adverse Effect on Special-Status Wildlife Species (Protected Bat Species);
- Potential Adverse Effect on Nesting Migratory Birds and Raptors;
- Potential Adverse Effect on Protected Trees;
- Potential Loss of or Damage to Unique Archaeological Resources During Construction; and
- Potential Loss of or Damage to Native American Human Remains During Construction.

13.3 Alternatives Considered but Rejected

Alternative Project Location

CEQA Guidelines section 15126.6(f)(2) identifies considerations for evaluating an alternative project location. Among these are whether any of the significant effects of the project would be avoided or substantially lessened and whether feasible alternative locations exist. Feasibility is described in section 15126.6(f)(1) and includes factors such as site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

The proposed project is the redevelopment of the existing civic center with modernized civic center uses. Civic centers are intended to be located in the geographic and functional heart of a community, providing easy access to residents, businesses, and public transit. The project site is centrally located in Gilroy, contains the infrastructure needed to support the proposed project, and has been anticipated for redevelopment the City since 2002 when the current civic center master plan was adopted. Additionally, the General Plan includes Policy PFS 1.12, Civic Center Expansion, which states "Expand the Civic Center Complex as necessary to meet the City's long-term workspace needs." Sufficient property for an alternative location would likely be located outside of the existing city limits and, therefore, not located with the geographic and functional heart of a community, providing easy access to residents, businesses, and public transit. Additionally, if the City were to move the civic center to a new location, the existing civic center site would likely be redeveloped with other uses, which would result in additional environmental impacts.

For these reasons, an alternative location was not further investigated.

13.4 Alternatives Considered

The following alternatives to the project are considered:

- Alternative 1: No Project; and
- Alternative 2: Retain Wheeler Auditorium in Place and Redesign Proposed Project.

CEQA Guidelines section 15126.6 (e) requires the "No Project" alternative be evaluated along with its impacts. The "No Project" alternative analysis must discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

The approach for defining and evaluating other possible project alternatives takes into consideration the extent to which an alternative reduces one or more significant unavoidable impacts of the project to less than significant versus lessening the significance of an impact that is already reduced to less than significant by implementation of mitigation measures. This "priority" on avoiding significant unavoidable impacts is based on CEQA Guidelines section 15126.6(a), which states in part:

> "Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation."

"Significant impacts" here are impacts that have been identified as unavoidable. The degree to which an alternative avoids or lessens significant impacts that are already reduced to less than significant through implementation of mitigation measures is a secondary consideration in identifying alternatives to evaluate in detail.

Alternative 2 was defined based on its ability avoid a significant unavoidable impact and to lessen the significance of significant, mitigable impacts. The descriptions of each alternative identify the significant impacts which each alternative is intended to avoid or substantially lessen.

The alternatives are described below, along with analysis of how each has potential to avoid or substantially lessen significant impacts associated with the proposed project.

Alternative 1: No Project

As noted previously, the required No Project alternative analysis must discuss what would be reasonably expected to occur in the foreseeable future if the proposed project were not approved, based on current plans and consistent with available infrastructure and community services. Given the City's efforts to conduct the master plan update, it is reasonable to assume that should the City Council decide against the proposed project in favor of the No Project alternative, that would result in no redevelopment of the project site.

Alternative Description

Under the No Project alternative, the Civic Center Master Plan would not be adopted and implemented and therefore, redevelopment of the civic center site would not occur. Existing uses at the civic center would continue.

No Project Alternative Attainment of Project Objectives

The main intent of the proposed project is to redevelop the site into a modern, sustainable, high-capacity facility designed to support multi-generational programming and future growth. The No Project alternative would not meet any of the project objectives.

No Project Alternative Impacts Comparison

This analysis identifies potential impacts associated with this alternative and compares the impacts to the significant and unavoidable impacts and the significant, mitigable impacts of the proposed project.

Air Quality

The No Project alternative would result in no redevelopment of the site and, therefore, no air quality impacts would occur.

Biological Resources

The No Project alternative would result in no redevelopment of the site and, therefore, would have no potential impacts associated with biological resources.

Cultural Resources

The No Project alternative would result in no redevelopment of the site and, therefore, would have no impacts associated with the loss of a historic resource, or the potential impacts associated with undiscovered historic or unique archaeological resources or Native American human remains. This alternative would avoid the significant and unavoidable historic resource impact associated with the proposed project.

Greenhouse Gases

The No Project alternative would result in no redevelopment of the site and, therefore, would have no impacts associated with greenhouse gas emissions.

Alternative 2: Retain Historic Wheeler Auditorium in Place and Redesign Proposed Project

Alternative Description

This alternative would retain the project site boundaries, but the Wheeler Auditorium would remain in place. As a result, the proposed recreation and aquatics facility would not be constructed and the new public park may be reduced in size to accommodate the existing Wheeler Auditorium building footprint. The buildings proposed for demolition, proposed to be constructed, and proposed to remain in place would otherwise remain the same as with the proposed project.

The purpose of the alternative is to substantially lessen or avoid the significant and unavoidable historic resource impact and to lessen a range of significant, mitigable impacts that are not related to the size of the development footprint.

Retain Historic Wheeler Auditorium and Redesign Project Alternative Attainment of Objectives

This alternative would provide for a similar outcome in terms of redevelopment of the site with modernized civic center uses. However, during the community engagement process whose input was largely drawn from when preparing the *Gilroy Civic Center Master Plan (Draft)*, many participants voiced support for an aquatic center since local options and hours for public swimming are limited.

With the Wheeler Auditorium remaining in place, the proposed public park may also be reduced. As discussed in the *Gilroy Civic Center Master Plan (Draft),* the most definitive component of the entire master plan is the new civic center park, which not only connects all civic buildings, but is envisioned as a large open lawn space to host farmers markets, performances, and community gatherings.

With the considerations noted above, this alternative would meet some, but not all of the project objectives.

Retain Historic Wheeler Auditorium and Redesign Project Alternative Impacts Comparison

This analysis identifies potential impacts associated with this alternative and compares the impacts to the significant unavoidable impacts and the significant, mitigable impacts of the proposed project.

Air Quality

This alternative would result in the same impacts associated with exposing sensitive receptors to toxic air contaminants during operation of construction equipment. The same construction equipment related to the demolition and construction of buildings would be used even with the Wheeler Auditorium remaining in place.

The impact significance from this alternative would be similar to the proposed project and less than significant with mitigation.

Biological Resources

This alternative would result in the same potential to impact biological resources as the proposed project because construction of buildings (even without removal of the Wheeler Auditorium) could impact special-status bat species roosting in trees and/or buildings on or adjacent to the site. Additionally, similar to the proposed project, this alternative could impact nesting migratory birds and raptors that may be nesting throughout the site and could be disturbed during construction activities. Protected trees would also still need to be removed under this alternative.

Therefore, biological resources impacts would be similar to the proposed project and less than significant with mitigation measures.

Cultural Resources

Historic Structures

This alternative would avoid the significant and unavoidable impact to the historic Wheeler Auditorium by including the historic building in the redesign. This alternative would eliminate the significant and unavoidable project-level and cumulative impact associated with demolition of a historic structure.

Historic and Unique Archaeological Resources

Potential impacts to historic and unique archaeological resources would be similar to the proposed project associated with the potential to disturb previously unknown historic and unique archaeological resources and Native American human remains during construction of the proposed buildings.

Greenhouse Gases

Retaining the Wheeler Auditorium under this alternative would have a minimal, if any, change in the impact compared to the proposed project. All new development under this alternative would be required to be all electric and electric vehicle infrastructure would be required to be incorporated (i.e., Mitigation Measure GHG-1 would be required). Therefore, this alternative would also have a similar impact as the proposed project associated with conflicting with the air district's applicable plan.

For these reasons, GHG impacts associated with this alternative would be similar to that of the proposed project.

13.5 Comparison of Alternatives

Pursuant to CEQA Guidelines section 15126.6(a), an EIR must evaluate the comparative merits of the alternatives. The significance of effects of the alternatives relative to the proposed project are summarized Table 13-1, Comparison of Alternatives Impacts to Proposed Project Impacts. The table includes information on whether the alternatives have potential to lessen or avoid the significant and unavoidable and/or significant mitigable impacts of the proposed project, or whether the alternatives have a similar or greater impact than the proposed project. The table does not include impacts found to be less than significant as identified in this EIR, as the key function of evaluating alternatives is to avoid or lessen only the potentially significant and significant impacts of the project.

Table 13-1 Comparison of Alternatives Impacts to Proposed Project Impacts

Environmental Impact	Proposed Project	Alternative 1 No Project	Alternative 2 Historic Wheeler Auditorium Remains
Operation of Construction Equipment with Potential to Expose Sensitive Receptors to Toxic Air Contaminants	LTSM	No Impact Impact Eliminated	LTSM Same as Proposed Project
Potential effect on special-status wildlife species (protected bat species)	LTSM	No Impact Impact Eliminated	LTSM Same as Proposed Project
Potential effect on nesting migratory birds and raptors	LTSM	No Impact Impact Eliminated	LTSM Same as Proposed Project
Effects on protected trees	LTSM	No Impact Impact Eliminated	LTSM Same as Proposed Project
Loss of a historic resource	SU	No Impact Impact Eliminated	No Impact Impact Eliminated
Potential loss or damage to unique archaeological resources during construction	LTSM	No Impact Impact Eliminated	LTSM Same as Proposed Project
Potential loss of or damage to Native American human remains during construction	LTSM	No Impact Impact Eliminated	LTSM Same as Proposed Project
Generate GHGs	LTSM	No Impact Impact Eliminated	LTSM Impact Lessened
Conflict with an Applicable Plan, Policy, or Regulation for Reducing Greenhouse Gases	LTSM	No Impact Impact Eliminated	LTSM Same as Proposed Project
Project Objectives Met?	Yes	No	Yes, but to Lesser Degree than the Proposed Project

NOTE: LTSM – Less than Significant with Mitigation; SU – Significant and Unavoidable

13.6 Environmentally Superior Alternative

Alternative 2, Retain Historic Wheeler Auditorium in Place and Redesign the Proposed Project, is the environmentally superior alternative. It would avoid the significant and unavoidable impact by not demolishing a historic resource (Wheeler Auditorium).

This alternative would generally meet the fundamental project objectives although to a lesser degree because the intent of the project is to maximize site uses and meet space needs for applicable City staff and programming at City buildout, which would be met but not to the full intent of the objectives when compared to the proposed project.

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14.0 Sources

14.1 Documents, Persons Contacted and Web Sources

This section provides the document, persons contacted and web sources referenced in the draft EIR. Sources are provided by section.

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