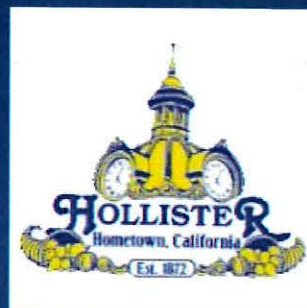


2019039151

Mitigated Negative Declaration

Woodle Prezone No. 2017-2

March 2019



Prepared by
EMC Planning Group

MITIGATED NEGATIVE DECLARATION

WOODLE PREZONE No. 2017-2

PREPARED FOR

City of Hollister

375 Fifth Street

Hollister, CA 95023

Tel 831.636.4360

PREPARED BY

EMC Planning Group Inc.

301 Lighthouse Avenue, Suite C

Monterey, CA 93940

Tel 831.649.1799

Fax 831.649.8399

Teri Wissler Adam, Senior Principal

wissler@emcplanning.com

www.emcplanning.com

March 2019

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Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21000, et sec.) that the following project will not have a significant effect on the environment.

Lead Agency City of Hollister	SCH # TBD	
File Number	APN(s)	Date
Prezone No. 2017-2	019-120-005	March 2019
Project Name	Project Type	
Woodle Prezone No. 2017-2	Prezone	
Owner	Proponent	
Alan and Lorraine Woodle	Hugh Bikle	
Project Location		
The 9.43-acre project site, consisting of 9.102 acres of the Woodle property and 0.323 acres of Westside Road, is located at 1070 Buena Vista Road in unincorporated San Benito County, within the City of Hollister's sphere of influence, and immediately north of the Hollister city limit.		
Project Description		
The applicant is requesting prezone of the project site to Medium Density Residential (R3) for annexation into the corporate limits of Hollister. The Medium Density Residential Performance Overlay Zone District (R3 M/PZ) is consistent with the project site's general plan designation of Medium Density Residential (MDR), which allows eight to twelve units per net acre, for a maximum 109 residential units. The proposed project does not include a development plan for the project site. Therefore, the initial study addresses environmental impacts of future development of 109 single-family homes on 9.102 acres of the project site.		
Address Where Written Comments May Be Sent		
Written comments concerning the Mitigated Negative Declaration should be received by 5:00 p.m. on April 22, 2019. Please address comments or questions to: City of Hollister, Development Services Department c/o: Eva Kelly, Assistant Planner 375 Fifth Street Hollister, CA 95023 (831) 636-4360 ph, (831) 634-4913 fax eva.kelly@hollister.ca.gov		
Public Review Period	Begins: March 22, 2019	Ends: April 22, 2019
Proposed Findings		
Based upon substantial evidence in the record that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case since mitigation measures have been added to the project to reduce impacts to a less than significant level.		
This finding is based on the following considerations		
The attached initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the attached initial study would reduce the impacts to a less than significant level, and have been agreed to by the applicant.		

There is no substantial evidence, in light of the whole record before the lead agency (the City of Hollister), that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

MITIGATION MEASURES

Air Quality

AQ-1. To reduce dust emissions from demolition, grading, and construction activities on the project site, the following language shall be included in all grading and construction plans for the project prior to issuance of demolition or grading permits:

Dust control measures shall be employed to reduce visible dust leaving the project site. The following measures or equally effective substitute measures shall be used:

- a. Use recycled water to add moisture to the areas of disturbed soils twice a day, every day, to prevent visible dust from being blown by the wind;
- b. Apply chemical soil stabilizers or dust suppressants on disturbed soils that will not be actively graded for a period of four or more consecutive days;
- c. Apply non-toxic binders and/or hydro seed disturbed soils where grading is completed, but on which more than four days will pass prior to paving, foundation construction, or placement of other permanent cover;
- d. Cover or otherwise stabilize stockpiles that will not be actively used for a period of four or more consecutive days, or water at least twice daily as necessary to prevent visible dust leaving the site, using raw or recycled water when feasible;
- e. Maintain at least two feet of freeboard and cover all trucks hauling dirt, sand, or loose materials;
- f. Install wheel washers at all construction site exit points, and sweep streets if visible soil material is carried onto paved surfaces;
- g. Stop grading, and earth moving if winds exceed 15 miles per hour;
- h. Pave roads, driveways, and parking areas at the earliest point feasible within the construction schedule;
- i. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving the complaint. The phone number of the Monterey Bay Air Resources District shall also be visible to ensure compliance with Rule 402 (Nuisance); and
- j. Limit the area under construction at any one time.

AQ-2. The developer shall prepare a Construction Staging Management Plan to be reviewed and approved by the City, prior to issuance of grading or demolition permits. The plan shall include the following restrictions:

- a. Heavy-duty diesel trucks (gross vehicle weight rating over 26,000 pounds), older than 2010 model year and not retrofit for reduced particulate emissions, shall not be staged within 500 feet of nearest sensitive receptors; and
- b. Construction equipment and heavy duty diesel trucks shall not idle in excess of five minutes.

AQ-3. The following language shall be included in all construction documents, subject to review and approval by City staff, prior to issuance of grading or demolition permits: "All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112."

Biological Resources

BIO-1. A qualified consulting biologist will conduct preconstruction surveys following the guidance documented in the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (US Fish & Wildlife Service and California Department of Fish and Game, 10/2003) for California tiger salamander no more than two weeks (14 days) prior to the start of construction activities. The project site will be surveyed for potential upland activity.

If California tiger salamander is found, City staff will coordinate with the USFWS and/or CDFW to determine the appropriate course of action per the requirements of FESA and/or CESA (e.g., obtaining Incidental Take Permits) and implement the permit requirements prior to ground disturbance.

BIO-2. Before construction activities begin, the qualified biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of California tiger salamander habitat, general measures that are being implemented to conserve the species as they relate to the project, and the boundaries within which the project occurs. Informational handouts with photographs clearly illustrating the species' appearance will be used in the training session. All new construction personnel will undergo this mandatory environmental awareness training.

The qualified biologist will train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor will check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a California tiger salamander is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 100 feet of the individual will be halted and all equipment turned off until the individual has left the construction area.

BIO-3. The qualified biologist will conduct construction monitoring during initial clearing and ground disturbance activities. The qualified biologist will have the authority to halt construction work at any time to prevent harm to California tiger salamander when any protection measures have failed. Work will commence only when authorized by the qualified biologist. If work is stopped due to potential harm to California tiger salamander, the qualified biologist will contact the USFWS and/or CDFW by telephone or email on the same day. City staff will coordinate with the USFWS and/or CDFW to determine the appropriate course of action per the requirements of FESA and/or CESA (e.g., obtaining Incidental Take Permits) and implement the permit requirements prior to restarting ground disturbance activities.

BIO-4. To avoid/minimize impacts to burrowing owls potentially occurring on or adjacent to the project site, the project proponent shall retain a qualified San Benito County-approved consulting biologist to conduct a two-visit (i.e. morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFW 2012). If these pre-construction "take avoidance" surveys performed during the breeding season (February through August) or the non-breeding season (September through January) locate occupied burrows in or near construction areas, consultation with the CDFW shall occur to interpret survey results and develop a project-specific avoidance and minimization approach.

The project proponent shall be responsible for the implementation of this mitigation measure.

Implementation of this mitigation measure would reduce the potential impact by requiring pre-construction surveys for burrowing owl, and consultation with the CDFW to protect individual burrowing owls if they are present on or adjacent to the project site.

BIO-5. Prior to construction activities, the project proponent shall retain a qualified biologist to conduct a focused survey for bats and potential roosting sites in trees within 250 feet of the development footprint. These surveys shall be conducted no more than 15 days prior to the start of construction. The surveys can be conducted by visual identification and 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.

If no roosting sites or bats are found, a letter report confirming absence shall be sent to the City of Hollister and no further mitigation is required.

If bats or roosting sites are found, a letter report and supplemental documents shall be provided to the City of Hollister prior to grading permit issuance and the following protection measure shall be implemented:

- a. A 50-foot buffer will be established around roosting sites near the work area. Construction proposed adjacent to roosts will not occur within the buffer area until bats have left the area.

BIO-6. To avoid impacts to nesting birds, construction activities that include grading, grubbing, or demolition shall be conducted outside of the bird nesting season (January through September) to the greatest extent feasible. If this type of construction occurs 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.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. Two surveys for active nests of such birds shall occur within 14 days prior to start of construction, with the second survey conducted with 48 hours prior to start of construction. Appropriate minimum survey radius surrounding each 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.

If the qualified biologist documents active nests within the project site or in nearby surrounding areas, 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 or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. If pre-construction nesting bird surveys are necessary, based upon the requirements of this mitigation measure, then a survey report shall be prepared prior to commencement of construction activities.

The developer of the project shall be responsible for implementation of this mitigation measure.

Cultural Resources

CR-1. If and when the existing structures on the project site are proposed for demolition, the applicant shall retain a qualified historian to evaluate the historical significance of the structures. If the structures are not considered historically significant according to the California Environmental Quality Act, no further evaluation would be necessary.

If the structures are considered historically significant accord to the California Environmental Quality Act, the structures shall be thoroughly documented, preserved and interpreted, as determined to be appropriate by a qualified historian. If it is not feasible to preserve the structures, and it is determined that the loss of the structures is significant and unavoidable, the city shall prepare an environmental impact report to include an evaluation of the structures and make the appropriate findings associated with demolition of the structures.

CR-2. Due to the possibility that significant buried cultural resources might be found during construction, the following language will be included on all construction documents and on any permits issued for the project site, including, but not limited to, grading and building permits associated with future development of the project site:

"If archaeological resources or paleontological resources are unexpectedly discovered during construction, work shall be halted immediately within 50 meters (160 feet) of the find, and the Planning Department notified, until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, an appropriate resource recovery shall be formulated, with the concurrence of the City of Hollister, and implemented, in compliance with municipal code section 17.16.0303."

CR-3. Due to the possibility that human remains may be discovered during future construction activities, the following language shall be included in all construction documents and on any permits issued for the project site, including, but not limited to, grading and building permits associated with future development of the project site:

"If human remains are found during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner is contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98.

The landowner or authorized representative will rebury the Native American human remains and associated grave goods with appropriate dignity on the project site in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."

Geology and Soils

GEO-1 Prior to approval of subdivision of the site, the project applicant shall have a site-specific soils report prepared by a state registered civil engineer.

Should the soils report indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, the project applicant shall have a soils investigation of each lot in the subdivision prepared by a state registered civil engineer consistent with section 16.28.030 of the city's municipal code and in compliance with all applicable state and local code requirements, that includes:

- a. Analysis of potential liquefaction hazards using accepted methodologies, confirmed by borings and excavations as required;
- b. Site specific engineering requirements for mitigation of any liquefiable soils, using proven methods, generally accepted by registered engineers, such as subsurface soil improvement, deep foundations extending below the liquefiable layers, structural slabs designed to span across areas of non-support, soil cover sufficiently thick over liquefaction soil to bridge liquefaction zones, dynamic compaction, compaction grouting, jet grouting, and other mitigation for liquefaction hazards suggested in the Guidelines for Evaluating and Mitigating Seismic Hazards In California (California Geological Survey 2008);
- c. Review of recommended measures to ensure compliance with California Geological Survey guidelines related to protection of public safety from liquefaction; and
- d. Determination of the final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.

All recommended corrective action which is likely to prevent structural damage to structures shall be incorporated into final construction plans of each structure.

GEO-2. Prior to any approval of subdivision on the project site, the project developer shall have a site-specific geologic report prepared by a state registered civil engineer, in compliance with all applicable state and local code requirements, that includes:

- a. Analysis of the expected ground motions at the site from known active faults using accepted methodologies;
- b. Analysis of potential fault rupture and landslide hazards using accepted methodologies, confirmed by borings and excavations as required;
- c. Site specific engineering requirements for mitigation of any identified risks of fault rupture or landslides, using proven methods, generally accepted by registered engineers, such as mitigation for landslide hazards suggested in the Guidelines for Evaluating and Mitigating Seismic Hazards In California (California Geological Survey 2008) to reduce risks of fault rupture and landslides to an insignificant level;

- d. Review of recommended measures to ensure compliance with California Geological Survey guidelines related to protection of public safety from landslide hazards and fault rupture;
- e. Structural design requirements as prescribed by the most current version of the California Building Code, to ensure that structures can withstand ground accelerations expected from known active faults; and
- f. Determination of the final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.

Such report shall specify the remedial measures, if any are necessary, that will make the subdivision safe for development. Project construction plans shall incorporate all report mitigations, and the project structural engineer and geotechnical consultant shall certify that the construction plans for the site incorporate all applicable mitigations from the investigation and meet current California Uniform Building Code requirements. The City Building Official shall review all project plans for the relevant permits to ensure compliance with the applicable geotechnical investigation and other applicable Code requirements.

GEO-3. Prior to issuance of a grading permit, the developer shall prepare and implement an erosion control plan for development of the project site, in compliance with city's general plan policies NRC 2.4(3) and CSF 3.2 and city's municipal code sections 15.24.210 and 16.24.070(B), subject to review and approval by the city. The plan shall include, but not be limited to the following measures:

- a. The construction sites shall be designed to prevent migration of soil fines. The contractor must plan the dewatering and excavation activities so that stable and dry excavations are maintained throughout construction.
- b. All development should be sited and designed to conform to site topography and minimize grading and other site preparation activities, to the maximum extent possible.
- c. All disturbed surfaces (including soils stockpiled temporarily) resulting from grading operations shall be prepared and maintained to control erosion. This control shall consist of measures to provide temporary cover to help control erosion during construction and permanent vegetative cover to stabilize the site after construction has been completed. The seeded areas shall be maintained and irrigated as needed to adequately establish vegetative cover.
- d. The following provisions shall apply during the wet season between October 15 and April 15:
 - 1. All necessary erosion control equipment shall be installed or shall be available for immediate installation when needed due to rainy conditions (i.e. silt fences, hay bales, jute netting, etc.).
 - 2. Disturbed surfaces not involved in the immediate operations must be protected by mulching and/or other effective means of soil protection. Soils temporarily stockpiled shall be covered with tarp and secured adequately.
 - 3. Runoff from the site shall be detained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site. These drainage controls must be maintained by the owner and/or contractor as necessary to achieve their purpose through the duration of the construction period. No sediment shall be allowed to enter the San Benito River.
 - 4. Erosion control measures shall be in place at the end of each day's work.
 - 5. A mitigation monitor designated by the city shall stop operations during periods of inclement weather if it is determined that erosion problems are not being controlled adequately.
- e. Final grades should be provided with positive gradient away from the building in order to provide removal of the surface water from the foundation to adequate discharge points. Sheet flow of building, parking, walkway, and deck runoff to surrounding heavily vegetated areas is preferred. Directly piped storm drainage to San Benito River shall be prohibited. Concentrations of surface water runoff should be handled by providing necessary structures, such as energy dissipation at outlets and catch basins, berms and vegetated filter strips as appropriate.

Greenhouse Gas Emissions

GHG-1. To ensure project GHG emissions are below the threshold of significance of 4.25 MT CO₂e per year, a minimum reduction of 0.48 MT CO₂e per year shall be achieved through implementing one or more of the following options: incorporating on-site GHG reduction measures into the project, participating in an off-site GHG reduction program, and/or purchasing GHG off-sets.

Potentially feasible on-site GHG reduction measures could include, but may not be limited to:

- a. Design buildings to exceed Title 24 energy efficiency standards by at least five percent. The 2019 Building Energy Efficiency Standards are assumed to be the applicable standards;
- b. Exceed higher than mandated parking lot and area energy efficient lighting standards;
- c. Include the necessary infrastructure in the project design (e.g. physical design, energy, and fueling) to support the deployment of zero emission technologies now and into the future, including electric vehicle charging stations for passenger cars and for zero emission battery electric and hybrid electric passenger vehicles; and/or
- d. Incorporate low flow irrigation that exceeds requirements of the state Water Efficient Landscape Ordinance.

If these or additional on-site measures are utilized, the project developer shall prepare a Greenhouse Gas Reduction Plan. The Greenhouse Gas Reduction Plan shall identify the proposed reduction measures, GHG emissions reductions volumes associated with each, and evidence to support the level of reduction calculated for each. The Greenhouse Gas Reduction Plan shall be subject to review and approval of city staff prior to approval of a grading permit.

If the project developer chooses to participate in an off-site GHG reduction project or program to reduce GHG emissions, evidence of such participation shall be provided to the City of Hollister by the agency/interest that is implementing the project or program. Evidence shall describe how the developer is participating, the expected GHG reduction volume that can be assigned to the developer as a result of the developer's participation, and verification that the developer has met participation requirements. The evidence shall be subject to review and approval of city staff prior to issuance of a grading permit.

If the project developer chooses to purchase carbon off-sets to reduce GHG emissions, the project developer shall provide evidence to the City of Hollister that a contract for such purchase has been executed through a credible carbon off-set registry such as the Climate Action Reserve, certified carbon off-set project developer, or a broker. The evidence shall be subject to review and approval of city staff prior to issuance of a grading permit.

Hazards and Hazardous Materials

HAZ-1. Prior to issuance of grading permits, the developer shall prepare a site specific Phase I Environmental Site Assessment. If hazardous site conditions are identified that require preparation of a Phase II Environmental Site Assessment, the project developer shall be responsible for conducting the assessment and for implementing all recommendations and requirements for remediation of residual soil conditions, if present, identified therein. Proof of completed remediation activities shall be provided to the city prior to approval of a grading permit.

Hydrology and Water Quality

HYD-1. The developer shall include a hydrodynamic vortex separator, which will capture trash prior to entering overflow or bio-retention facilities, on the tentative subdivision map, and final map and improvement plans.

HYD-2. Prior to approval of a tentative map, the applicant shall prepare a drainage plan that complies with the City of Hollister Best Management Practices and standards established for compliance with non-point discharge emissions for storm water. The drainage plan shall incorporate Low Impact Development strategies and Best Management Practices to reduce storm water runoff, encourage infiltration, and reduce pollutant transmission.

The drainage plan shall substantially detain storm water runoff on the project site with a combination of methods including onsite detention facilities, reduction of impervious surfaces, vegetated swales, permeable paving, landscaping and other strategies.

Noise

N-1. The developer shall prepare an acoustical analysis when layout of the development is determined. The acoustical analysis shall determine potential impacts to the proposed homes from the surrounding noise environment, potential impacts to neighboring uses due to proposed residential use, and recommendations for reducing potential noise impacts within acceptable levels. The acoustical analysis shall be completed and appropriate mitigation adopted prior to approval of a subdivision map.

N-2. The following measures shall be incorporated into construction documents to reduce construction-related noise:

- a. Construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and federally recognized holidays;
- b. Locate construction equipment and equipment staging areas at the furthest distance possible from nearby noise-sensitive land uses;
- c. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds should be closed during equipment operation;
- d. When not in use, all construction equipment shall be turned off and shall not be allowed to idle; and
- e. A noise disturbance coordinator shall be designated to handle complaints and the site shall be posted with a phone number and email address so that the nearby residents have a contact person in case of a noise problem.

Transportation and Traffic

T-1. The developer shall pay the applicable San Benito County Regional Transportation Impact Mitigation Fee prior to scheduling a final inspection and issuance of an occupancy permit.

T-2. One of the following mitigation measures would mitigate the project's cumulative impact at the San Felipe Road/San Benito Street and North Street/Santa Ana Road intersection:

- a. The City will include the required intersection improvements in the San Benito County Regional Transportation Impact Mitigation Fee (TIMF) program, and the developer shall pay the applicable TIMF fee as a fair-share contribution toward the above improvements prior to the issuance of building permits.
- b. The developer will improve the intersection with installation of a separate left-turn lane on both the eastbound and westbound approaches as well as modifications to the existing traffic signal.

Note: A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

INITIAL STUDY

WOODLE PREZONE No. 2017-2

PREPARED FOR

City of Hollister

375 Fifth Street

Hollister, CA 95023

Tel 831.636.4360

PREPARED BY

EMC Planning Group Inc.

301 Lighthouse Avenue, Suite C

Monterey, CA 93940

Tel 831.649.1799

Fax 831.649.8399

Teri Wissler Adam, Senior Principal

wissler@emcplanning.com

www.emcplanning.com

March 2019

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A. BACKGROUND

Project Title	Woodle Prezone No. 2017-2
Lead Agency Contact Person and Phone Number	City of Hollister Eva Kelly, Assistant Planner (831) 636-4360
Date Prepared	March 15, 2019
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940 Teri Wissler Adam, Senior Principal Tanya Kalaskar, MS, Assistant Planner Gail Bellenger, MA, Archaeologist/Biologist Janet Walther, MS, Senior Biologist
Project Location	1070 Buena Vista Road Hollister, CA 95023
Project Sponsor Name and Address	Hugh Bikle 1540 Constitution Boulevard Salinas, CA 93905
General Plan Designation	City: Medium Density Residential (MDR) County: Residential Mixed (RM)
Zoning	City (Proposed): Medium Density Residential (R3 M/PZ) County: Agricultural Productive (AP)

Setting

The 9.43-acre project site, consisting of 9.102 acres of the Woodle property and 0.323 acres of Westside Road, is located at 1070 Buena Vista Road in unincorporated San Benito County, within the City of Hollister's sphere of influence, and immediately north of the Hollister city limit. The project site is comprised of one parcel: Assessor's parcel number 019-120-005. The project site consists of a house and a muscle car fabrication shop located on the southern portion of the parcel. The rest of the project site is occupied by livestock and animals (i.e., goats, chickens, llamas, and horses), storage sheds, bricks, pallets, recreational vehicles, semi-tractor trailers, and other equipment. A private dirt road runs through the project site. The project site is located north of Buena Vista Road, Calaveras Elementary School, Calaveras Park, and a residential neighborhood, and south of Westside Road and agricultural land. Orchards are located west and east of the project site.

The project site is located in unincorporated San Benito County and the project site has a *San Benito County 2035 General Plan* land use designation of Residential Mixed (RM). The entire project site is within the City of Hollister's planning area and sphere of influence, as shown on Map 1, Hollister Planning Area of the general plan. The project site has a *City of Hollister General Plan* land use designation of Medium Density Residential (MDR). The general plan identifies the project site as "priority infill area" on Map 5, Infill Development Strategy.

Figure 1, Location Map, presents the regional and vicinity location of the project site. Figure 2, Aerial Photograph, presents an aerial view of the project site and immediate surroundings. Figure 3, Site Photographs, presents photographs taken at the project site in September 2018.

Project Background

In 2015, the City of Hollister received an application for initiation of prezone for the project site for future annexation into the corporate limits within the Medium Density Residential General Plan Designation. The city's municipal code requires city council authorization to initiate prezoning and annexations. The initiation of prezone was approved by the city council on August 17, 2015 per Resolution No. 2015-157.

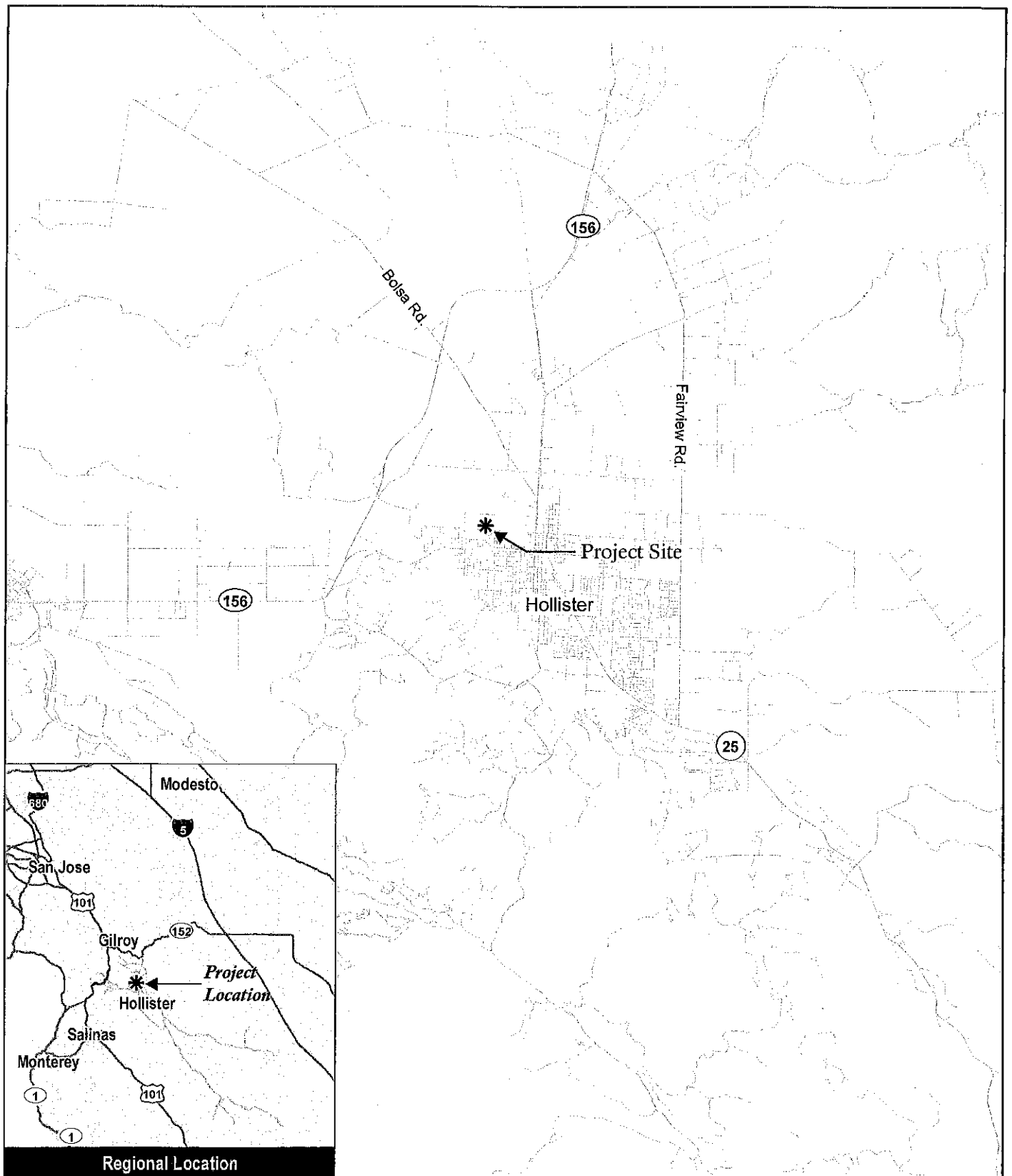
The Local Agency Formation Commission (LAFCO) of San Benito County has adopted policies for review of annexation requests to cities. LAFCO requires applicants to demonstrate that the city is capable of providing services to the territory that is proposed for prezoning and annexation. The applicant provided a plan for providing services to the project site.

Description of Project

The applicant is requesting prezone of the project site to Medium Density Residential (R3) for annexation into the corporate limits of Hollister. The Medium Density Residential Performance Overlay Zone District (R3 M/PZ) is consistent with the project site's general plan designation of Medium Density Residential (MDR), which allows eight to twelve units per net acre, for a maximum 109 residential units. The proposed project does not include a development plan for the project site. Therefore, this initial study will address environmental impacts of future development of 109 single-family homes on 9.102 acres of the project site. The applicant prepared an annexation map for the project as presented in Figure 4, Annexation Map.

The applicant's Plan for Services is included as Appendix A. The applicant also provided a Preliminary Engineer's Report, which is included as Appendix B.

The Preliminary Engineer's Report identifies possible points of location for water and wastewater infrastructure, all within the immediate vicinity of the site on Buena Vista Road.



Source: ESRI 2018

Figure 1
Location Map

Woodle Prezone No. 2017-2 Initial Study

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0 300 feet



Project Site

Source: ESRI 2018



Figure 2
Aerial Photograph

Woodle Prezone No. 2017-2 Initial Study

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① View of the existing home on the site



② View of the existing muscle car fabrication shop on the site



③ View of the Calaveras Park and Calaveras Elementary School



Project Site

Source: ESRI 2018

Photographs: EMC Planning Group, September 2018



④ View of the livestock on the site



⑤ View along the western boundary of the site

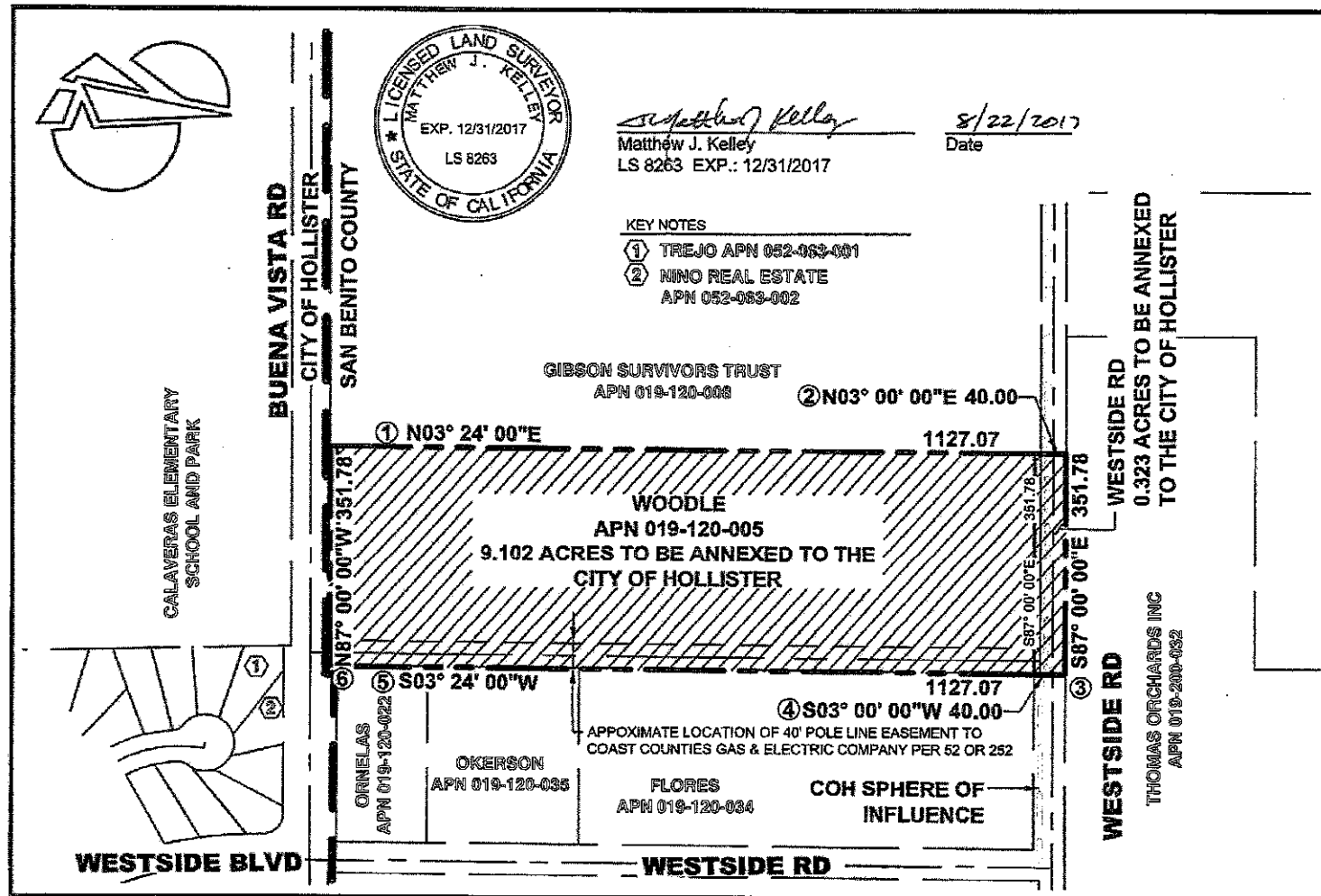


⑥ View south across the site from the dirt road

Figure 3 Site Photographs

Woodle Prezone No. 2017-2 Initial Study

This side intentionally left blank.



Source: Kelly Engineering and Surveying 2017

Figure 4
Annexation Map

Woodle Prezone No. 2017-2 Initial Study

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All improvements, both onsite and offsite are addressed in this initial study. Therefore, mitigation measures would apply to all improvements, whether onsite or offsite.

Other Public Agencies Whose Approval is Required

No other public agencies approval is required for the pre zoning. Annexation of the project site requires approval by San Benito County LAFCO.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

No California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

C. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Eva Kelly, Assistant Planner

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
 - a. "Earlier Analysis Used" identifies and states where such document is available for review.
 - b. "Impact Adequately Addressed" identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. "Mitigation Measures" — For effects that are "Less-Than-Significant Impact with Mitigation Measures Incorporated," mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
7. "Supporting Information Sources" — A source list is attached, and other sources used or individuals contacted are cited in the discussion.
8. This is the format recommended in the CEQA Guidelines as amended 2016.
9. The explanation of each issue identifies:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any to reduce the impact to less than significant.

1. AESTHETICS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista? (1,2,3,4,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (3,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings? (1,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. A scenic vista is typically considered a location from which the public can experience unique and exemplary high quality views of an area. The project area and surrounding land do not contain any *City of Hollister General Plan* and *San Benito County General Plan* designated scenic vistas. The visual character of the city is defined by mountains in the background and agricultural fields in the foreground. These features are considered local scenic resources. The public views of agricultural fields and distant mountain ranges as viewed from Buena Vista Road are obscured by intervening homes and vegetation. Development of the project site with single-family homes could block views of the agricultural fields and distant mountain ranges to people driving along Buena Vista Road. The city's general plan includes the following land use and community design policies: LU1.3, 1.5, 1.9, 6.1, 7.1, 7.2, 8.3, 8.4, 9.1, 10.4, 11.1, and 11.2, and housing policies H2.1, 2.2, and 2.3 to reduce adverse impacts on scenic vistas and visual natural resources. Conformance with the development review and design review processes, as outlined in the city's general plan policies, would reduce the proposed project's impact on scenic vistas to less than significant.

- b. The project site is not located in the vicinity of a state scenic highway. The project site is in the vicinity of State Route 25 and State Route 156, which are eligible state scenic highways but not officially designated (county general plan, page 8-13). Therefore, the proposed project would not damage scenic resources within a state scenic highway.
- c. The project site consists of a house and a muscle car fabrication shop located on the southern portion of the parcel. The rest of the project site is occupied by livestock and animals (i.e., goats, chickens, llamas, and horses), storage sheds, bricks, pallets, recreational vehicles, semi-tractor trailers, and other equipment. The defining visual feature of the project site is the house and surrounding landscape. Land uses adjacent to the project site include Calaveras Elementary School, Calaveras Park, and a residential neighborhood to the south, agricultural land to the north, and orchards to the west and east.

The project site is identified as "priority infill area" on Map 5, Infill Development Strategy of the *City of Hollister General Plan*. The project site has a *City of Hollister General Plan* land use designation of Medium Density Residential. The conversion of the project site and surrounding orchards and agricultural land to residential uses has been anticipated in the city's general plan (city general plan, map 2 land use plan). Development of the project site with single-family homes would change the existing visual character of the site but the proposed project would blend into the existing and planned residential and public uses. Additionally, the proposed project would be subject to the development review and design review processes, as outlined in the city's general plan policies. Therefore, this impact would be less than significant.

- d. Development of the project site with single-family homes would increase light and glare by introducing new sources of light from the residential structures, individual lots, and neighborhood street lights. This lighting has the potential to result in light and glare impacts to the nearby existing residences, and could also detract from views of the night sky. Section 17.16.090 of the City of Hollister's municipal code regulates outdoor lighting facilities within the city and outlines types of lighting that are acceptable and/or unacceptable. The proposed project is subject to conformance with the city's municipal code. Further, the proposed project would comply with the development review and design review processes, as outlined in the city's general plan policies. Therefore, light and glare impacts associated with the proposed project would be less than significant.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (1,6,9,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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))? (9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use? (4,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. 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? (1,4,5,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

- a. The project site is identified as "Grazing Land" on the California Department of Conservation's Important Farmland Finder. Therefore, the proposed project would have no impact on important farmlands.
- b. The project site is not under a Williamson Act contract. The project site has a county zoning of Agricultural Productive (AP). However, the project site is within the City of Hollister's sphere of influence and is designated as Medium Density Residential (MDR) in the city's general plan. The proposed project includes prezoneing the project site Medium Density Residential (R3 M/PZ) for annexation into the corporate limits of the city. Pending prezone, development of the site with single-family homes would be consistent with applicable land use regulations. Therefore, the proposed project would not conflict with zoning for agricultural use or a Williamson Act contract.
- c, d. The project site is not zoned for forestland or timberland uses. There are no forest resources on or adjacent to the project site. Therefore, there will be no impact on forestland.
- e. Existing uses on the project site include a house, muscle car fabrication shop, livestock and animals (i.e., goats, chickens, llamas, and horses), storage sheds, bricks, pallets, recreational vehicles, semi-tractor trailers, and other equipment. Land uses adjacent to the project site include Calaveras Elementary School, Calaveras Park, and a residential neighborhood to the south, agricultural land to the north, and orchards to the west and east. The conversion of the project site and surrounding orchards and agricultural land to residential uses has been anticipated in the city's general plan (city general plan, map 2 land use plan). The proposed project has no characteristics that would adversely affect existing agricultural production in the project site vicinity.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan? (11,12,13,14,15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (6,11,16,33)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (6,11,16,33)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations? (4,6,11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people? (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:

- a. The City of Hollister, including the project site, is located in the North Central Coast Air Basin, which is under the jurisdiction of the Monterey Bay Air Resources District (hereinafter "air district"). Regional air districts must prepare air quality plans specifying how state air quality standards will be met. The air district's most recent adopted plan is *2012-2015 Air Quality Management Plan for the Monterey Bay Region* (hereinafter "air quality management plan"). The air district specifies air quality management plan consistency for population-related projects only. Population-related emissions have been estimated in the air quality management plan using population forecasts adopted by the Association of Monterey Bay Area Governments (AMBAG). Population-related projects that are consistent with these forecasts are consistent with the air quality management plan. AMBAG recently updated its regional population forecast in June 2018, but the air district has not yet updated the

air quality management plan. The air district recommends using the 2018 AMBAG regional population forecast to determine a project's consistency with the air quality management plan.

The air district consistency determination spreadsheet was used to assess the proposed project's population in comparison to the AMBAG's 2018 population forecasts (using housing units as a proxy for population). The results of the evaluation are included as Appendix C. With the proposed project, the city's cumulative housing stock would be 1,207 units below AMBAG projections for the year 2025. Since the project is within the population projections, the proposed project would not conflict with or obstruct implementation of the air quality management plan.

- b. An air quality standard defines the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without significant harmful effects on people or the environment. The project site is located in the North Central Coast Air Basin (hereinafter "air basin"), which is currently in non-attainment status with state standards for ozone and suspended particulate matter particulate matter (PM₁₀). Under federal criteria, the air basin is at attainment (8-hour standard) for ozone and particulates. The air district is responsible for monitoring air quality in the air basin. The air district has developed criteria pollutant emissions thresholds, which are used to determine whether or not the proposed project would violate an air quality standard or contribute to an existing violation during operations and/or construction. Based on the air district's CEQA Air Quality Guidelines (hereinafter "air district CEQA Guidelines"), a project would have a significant air quality impact if it would:

- Emit 137 pounds per day or more of direct and indirect volatile organic compounds (VOC);
- Emit 137 pounds per day or more of direct and indirect nitrogen oxides (NO_x);
- Directly emit 550 pounds per day or more of carbon monoxide (CO);
- Emit 82 pounds per day or more of suspended particulate matter (PM₁₀) on-site and from vehicle travel on unpaved roads off-site; or
- Directly emit 150 pounds per day or more of sulfur oxides (SO_x).

Operational Impacts. The proposed project would result in new sources of mobile and area source emissions. Per air district CEQA Guidelines, Table 5-4 Indirect Sources with Potentially Significant Impacts on Ozone, the screening threshold for single-family homes is 810 dwelling units. Therefore, operation of the proposed 109 single-family homes would not likely result in significant impacts to local or regional air quality either individually or cumulatively. However, emissions modeling was undertaken to evaluate greenhouse gas emissions and the criteria air pollutant emission results from this modeling were reviewed against the air district thresholds. The model was adjusted to account for required compliance with the State thresholds for Model Water Efficient Landscape Ordinance (MWELO) and compliance with the air district's rule to limit the use of VOC-emitting solvents, paints and other coatings. The results are summarized in Table 1, Operational Criteria Pollutant Emissions (Pounds per Day). Detailed emissions modeling results are presented in Appendix D.

Table 1 Operational Criteria Pollutant Emissions (Pounds per Day)¹

Emissions	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO_x)	Sulfur Oxides (SO_x)	Suspended Particulate Matter (PM₁₀)	Carbon Monoxide (CO)
Summer (Unmitigated)	91.13	15.92	0.33	23.48	153.26
Winter (Unmitigated)	90.95	16.65	0.32	23.48	154.44
Summer (Regulatory Mitigations) ²	90.81	15.92	0.33	23.48	153.26
Winter (Regulatory Mitigations) ²	90.64	16.65	0.32	23.48	154.44
<i>Air District Thresholds</i>	<i>137</i>	<i>137</i>	<i>150</i>	<i>82</i>	<i>550</i>

SOURCE: EMC Planning Group 2018

NOTES:

1. Results may vary due to rounding.
2. Results assume compliance with the State thresholds for MWELO and compliance with the air district's rule to limit the use of VOC-emitting solvents, paints and other coatings.

As summarized in Table 1, the proposed project would not result in operational emissions that exceed the air district thresholds for VOC, NO_x, SO_x, PM₁₀, or CO.

Construction Impacts. Emissions produced during grading and construction activities are considered short-term as they occur only during the construction phase of the project. Construction emissions include mobile source exhaust emissions, emissions generated during the application of asphalt paving material and architectural coatings, as well as emissions of fugitive dust associated with earthmoving equipment. Worst case construction phase emissions typically occur during initial site preparation, including grading and excavation, due to the increased amount of surface disturbance that can generate dust and due to construction equipment emissions with the use of heavier equipment used at this phase.

Air district CEQA Guidelines Table 5-2, Construction Activity with Potentially Significant Impacts, identifies the level of construction activity that could result in significant temporary fugitive dust impacts if not mitigated. Construction activities with grading and excavation that disturb more than 2.2 acres per day and construction activities with minimal earthmoving that disturb more than 8.1 acres per day are assumed to be above the 82 pounds of particulate matter per day threshold of significance. Construction activities on the 9.102 acres of the project site are likely to result in soil disturbance that exceeds the air district's thresholds of 2.2 acres per day and 8.1 acres per day, resulting in a significant impact on air quality. Implementation of the following mitigation measure would reduce this impact to less than significant.

Mitigation Measure

AQ-1 To reduce dust emissions from demolition, grading, and construction activities on the project site, the following language shall be included in all grading and construction plans for the project prior to issuance of demolition or grading permits:

Dust control measures shall be employed to reduce visible dust leaving the project site. The following measures or equally effective substitute measures shall be used:

- a. Use recycled water to add moisture to the areas of disturbed soils twice a day, every day, to prevent visible dust from being blown by the wind;
- b. Apply chemical soil stabilizers or dust suppressants on disturbed soils that will not be actively graded for a period of four or more consecutive days;
- c. Apply non-toxic binders and/or hydro seed disturbed soils where grading is completed, but on which more than four days will pass prior to paving, foundation construction, or placement of other permanent cover;
- d. Cover or otherwise stabilize stockpiles that will not be actively used for a period of four or more consecutive days, or water at least twice daily as necessary to prevent visible dust leaving the site, using raw or recycled water when feasible;
- e. Maintain at least two feet of freeboard and cover all trucks hauling dirt, sand, or loose materials;

- f. Install wheel washers at all construction site exit points, and sweep streets if visible soil material is carried onto paved surfaces;
 - g. Stop grading, and earth moving if winds exceed 15 miles per hour;
 - h. Pave roads, driveways, and parking areas at the earliest point feasible within the construction schedule;
 - i. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving the complaint. The phone number of the Monterey Bay Air Resources District shall also be visible to ensure compliance with Rule 402 (Nuisance); and
 - j. Limit the area under construction at any one time.
- c. The air district is responsible for monitoring air quality in the North Central Coast Air Basin, which is designated, under state criteria, as a nonattainment area for ozone and inhalable particulate matter (PM₁₀). Under federal criteria, the air basin is at attainment (8-hour standard) for ozone and at attainment for particulates. New emissions would be generated by the proposed project during the operational and constructional phases.

Emissions generated during operation of the proposed 109 single-family homes would not exceed the air district's thresholds for operational criteria pollutants (see "b" above), and would not be cumulatively considerable.

Emissions generated during construction activities are short-term because they would be limited to the periods of site development and construction. Construction emissions could exceed thresholds for particulate matter, and therefore, could be cumulatively considerable. Implementation of Mitigation Measure AQ-1 (see "b" above) would reduce construction emissions to less than significant.

Therefore, the cumulatively considerable impact of the proposed project would be less-than-significant with mitigation.

- d. According to the air district CEQA Guidelines, a sensitive receptor is generally defined as any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (k-12) schools; daycare centers; and health care facilities such as

hospitals or retirement and nursing homes. The nearest sensitive receptors are homes, located approximately 105 feet southeast of the project site and the Calaveras Elementary School, located approximately 110 feet southwest of the project site.

Operation of the proposed project is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels, because no significant operational sources of pollutants are proposed onsite. Construction activities would result in localized emissions of dust and diesel exhaust that could result in temporary impacts to adjacent land uses that include sensitive receptors. The short-term air quality effects related to dust emissions during project construction would be avoided with implementation of the Mitigation Measure AQ-1 under checklist item "b" above. However, the diesel construction equipment required for the proposed project could expose these sensitive receptors to toxic air contaminants from heavy equipment diesel exhaust. Implementation of the following mitigation measures would reduce this impact to a less-than-significant level.

Mitigation Measures

- AQ-2 The developer shall prepare a Construction Staging Management Plan to be reviewed and approved by the City, prior to issuance of grading or demolition permits. The plan shall include the following restrictions:
- a. Heavy-duty diesel trucks (gross vehicle weight rating over 26,000 pounds), older than 2010 model year and not retrofit for reduced particulate emissions, shall not be staged within 500 feet of nearest sensitive receptors; and
 - b. Construction equipment and heavy duty diesel trucks shall not idle in excess of five minutes.
- AQ-3 The following language shall be included in all construction documents, subject to review and approval by City staff, prior to issuance of grading or demolition permits: "All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112."

- e. The proposed residential development is not anticipated to produce any objectionable odors during its operation. Construction activities associated with the proposed project, such as paving and painting, may temporarily generate objectionable odors. Since odor-generating construction activities would be localized, sporadic, and short-term in nature, this impact would be less than significant.

4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1,3,18,19,20,21,23,24,25)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. 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 US Fish and Wildlife Service? (1,3,22)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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? (22)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. 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? (17,18,19,21,23,24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

A biological reconnaissance survey was conducted by EMC Planning Group biologist Gail Bellenger on September 10, 2018 to document existing habitats and evaluate the potential for special-status species to occur on the project site. Prior to conducting the survey, Ms. Bellenger reviewed site maps, aerial photographs, database accounts, and relevant scientific literature describing natural resources in the project vicinity.

Biological resources were documented in field notes, including species observed, dominant plant communities, and significant wildlife habitat characteristics. The project site is situated on the Hollister U.S. Geological Survey (USGS) quadrangle map, with an approximate elevation of 279 feet, and is adjacent to commercial, agricultural, and residential development, with the San Benito River approximately 0.87 miles to the southwest, and a retention pond approximately 0.94 miles to the northeast.

A review was conducted of the National Wetlands Inventory (USFWS 2018) and the Geographic Information System (GIS) data for wetlands and water features maintained by San Benito County (San Benito County 2018) to identify the closest jurisdictional aquatic features adjacent to the project site.

The project site is disturbed, and currently used for livestock and animals such as goats, chickens, llamas, and horses, and for storage of semi-tractor trailers, recreational vehicles, bricks, pallets, pick-up trucks, and other equipment. Non-native grassland is the dominant plant community present.

On-site plants include, cheeseweed (*Malva parviflora*), curly dock (*Rumex crispus*), field bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus cistoides*), lambs quarters (*Chenopodium album*), bristly ox tongue (*Helminthotheca echioides*), and ripgut brome (*Bromus diandrus*).

Common wildlife species likely to occur on the project site include raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), Virginia opossum (*Didelphis virginiana*), and California ground squirrel (*Otospermophilus beecheyi*). Species of small rodents including mice (*Mus musculus*, *Reithrodontomys megalotis*, and *Peromyscus maniculatus*) and California vole (*Microtus californicus*) are also likely to occur. Approximately 10 California ground squirrel or vole burrows were observed in the non-native grassland areas along the center and western fencelines. Several birds were observed flying near or over the site including American crow (*Corvus brachyrhynchos*), European starling (*Sturnus vulgaris*), and pigeons (*Columba livia*).

- a. **Special-Status Species.** A search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) was conducted for the Chittendan, San Juan Bautista, San Felipe, Three Sisters, Hollister, Tres Pinos, Mt. Harlan, and Paicines USGS quadrangles to generate a list of potentially occurring special-status species in the project vicinity (CDFW 2018). Records of occurrence for special-status plants were reviewed for those eight USGS quadrangles in the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2018). A U.S Fish and Wildlife Service (USFWS) Endangered Species Program threatened and endangered species list was also generated for San Benito County (USFWS 2018).

Special-status species in this report are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the USFWS and/or CDFW, Species of Special Concern or Fully Protected species by the CDFW, or as Rare Plant Rank 1B or 2B by the CNPS.

Given the existing level of disturbance on the project site, special-status plants are not expected to occur on the site due to lack of suitable habitat.

Special-Status Wildlife Species

Special-status wildlife species with low potential to occur on site include: California tiger salamander (*Ambystoma californiense*), California red-legged frog (*Rana draytonii*), burrowing owl (*Athene cunicularia*), San Joaquin kit fox (*Vulpes macrotis mutica*), and western pond turtle (*Emys mamorata*). These species have been recorded within three miles from the project site. Figure 5, Special-Status Species in Project Vicinity, presents CNDDDB results, as well as water features, in relation to the project site. Other special-status wildlife species recorded as occurring in the vicinity of the project site include: the state-listed threatened bank swallow (*Riparia riparia*), state-listed species of special concern American badger *Taxidea taxus*), state-listed species of special concern western red bat (*Lasiurus blossevillei*), state-listed species of special concern western mastiff bat (*Eumops perotis californicus*), and federally-listed endangered and state-listed threatened San Joaquin kit fox (*Volpes macrotis mutica*). These species are not likely to occur on the project site due to lack of suitable habitat.

California Tiger Salamander. California tiger salamander (*Ambystoma californiense*) is a federally and state-listed Threatened species. The project site is not located within federally designated critical habitat for this species. The California tiger salamander is dependent on small shallow bodies of water for breeding. It can be found in grasslands, most frequently within 400 feet of breeding pools or ponds where California ground squirrels are prevalent and active. California tiger salamanders will occupy burrows of ground squirrels during summer and fall months, emerging

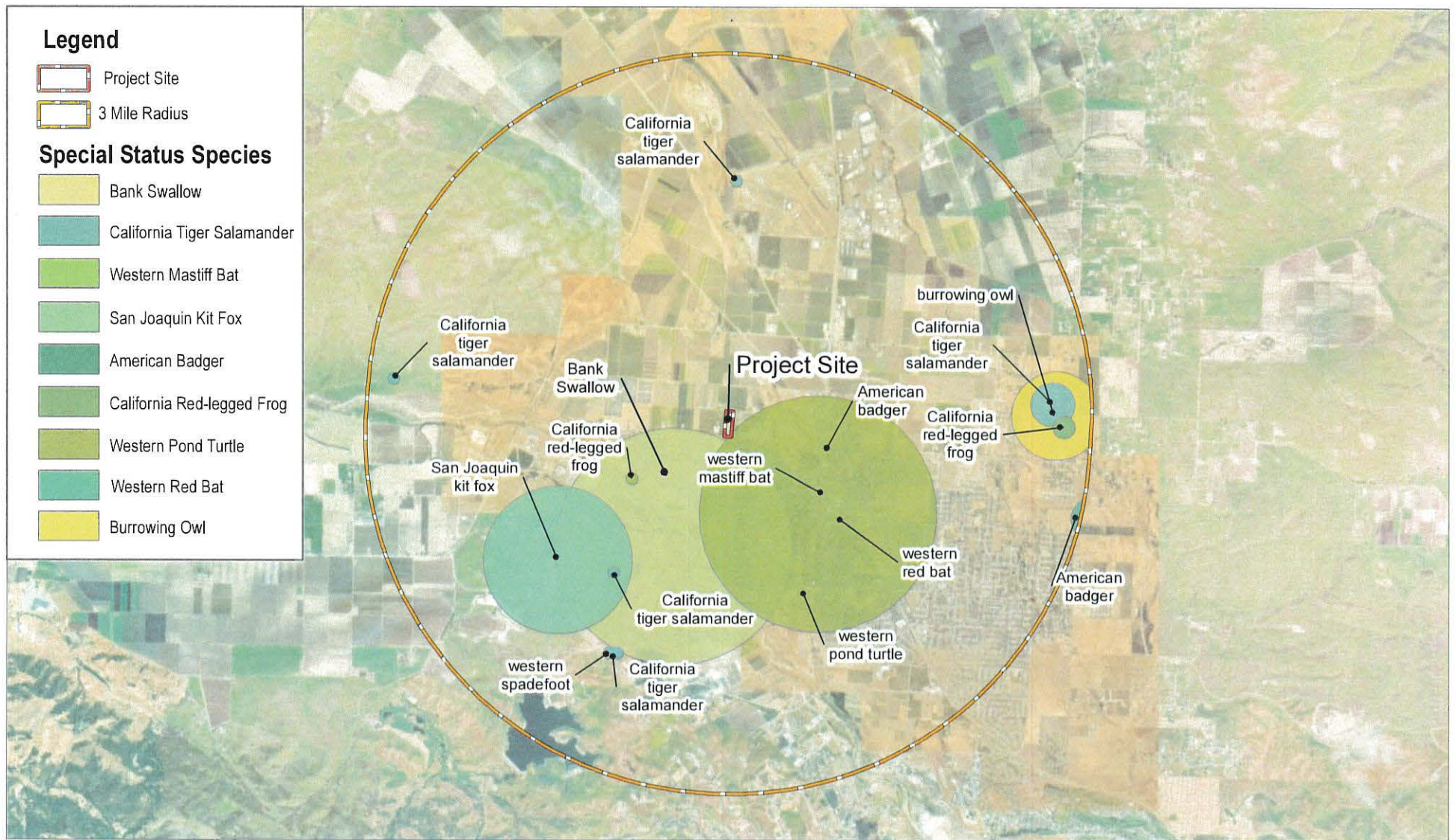
to move toward breeding sites when the rainy season commences. They typically disperse to burrows and other hiding places in oak woodlands and grasslands within a quarter mile or less by early summer. CDFW records indicate that there are known occurrences of California tiger salamander within two miles of the site. The San Benito River is approximately 0.87 miles to the southwest and a retention pond is approximately 0.97 miles to the northeast of the project site. There were approximately 10 California ground squirrel or vole burrows observed in non-native grassland on the site, and many barriers between the river, retention pond and the property, but there is low potential for California tiger salamander to utilize the site for upland refuge habitat. If California tiger salamander is present on the project site, construction activities could result in the loss or disturbance of individual animals. This would be a significant adverse environmental impact. Implementation of mitigation measures BIO-1 through BIO-3 would reduce this potential impact to a less-than-significant level.

Mitigation Measures

BIO-1 A qualified consulting biologist will conduct preconstruction surveys following the guidance documented in the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (US Fish & Wildlife Service and California Department of Fish and Game, 10/2003) for California tiger salamander no more than two weeks (14 days) prior to the start of construction activities. The project site will be surveyed for potential upland activity.

If California tiger salamander is found, City staff will coordinate with the USFWS and/or CDFW to determine the appropriate course of action per the requirements of FESA and/or CESA (e.g., obtaining Incidental Take Permits) and implement the permit requirements prior to ground disturbance.

BIO-2 Before construction activities begin, the qualified biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of California tiger salamander habitat, general measures that are being implemented to conserve the species as they relate to the project, and the boundaries within which the project occurs. Informational handouts with photographs clearly illustrating the species' appearance will be used in the training session. All new construction personnel will undergo this mandatory environmental awareness training.



Source: ESRI 2018, CNDDB 2018

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The qualified biologist will train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor will check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a California tiger salamander is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 100 feet of the individual will be halted and all equipment turned off until the individual has left the construction area.

- BIO-3 The qualified biologist will conduct construction monitoring during initial clearing and ground disturbance activities. The qualified biologist will have the authority to halt construction work at any time to prevent harm to California tiger salamander when any protection measures have failed. Work will commence only when authorized by the qualified biologist. If work is stopped due to potential harm to California tiger salamander, the qualified biologist will contact the USFWS and/or CDFW by telephone or email on the same day. City staff will coordinate with the USFWS and/or CDFW to determine the appropriate course of action per the requirements of FESA and/or CESA (e.g., obtaining Incidental Take Permits) and implement the permit requirements prior restarting ground disturbance activities.

California Red-legged Frog. California red-legged frog (*Rana draytonii*) is a federally threatened species and state species of special concern. The project site is not located within federally designated critical habitat for this species. California red-legged frog may disperse from their aquatic breeding habitats to upland habitats during the dry season. They prefer upland habitats that include downed logs, woody vegetation, boulders, moist leaf litter, small mammal burrows, or other refugia during the dry season that provide moisture to prevent desiccation and protection from predators. However, if there is sufficient water at their breeding location, they may remain in aquatic habitats year-round instead of moving to adjacent uplands (FWS 2011).

Dispersal and migration of California red-legged frog can be highly variable depending on site conditions and individual frogs. During wet seasons, frogs can move long distances between habitats, traversing upland areas or ephemeral drainages. Dispersal distances are typically less than 0.5 km (0.3 mile), with a few individuals moving 2.0-3.6 kilometers (1.2-2.2 miles) (Bulger et al. 2003). CDFW records indicate that there are known occurrences of California red-legged frog less than a mile southwest of the site.

Even with the San Benito River approximately 0.87 miles to the southwest and a retention pond approximately 0.97 miles to the northeast, and areas of small mammal burrows evident on the project site, there is low potential for upland habitat for California red-legged frog due to a lack of water or moist soil conditions. California red-legged frog can travel up to a mile during rain events from creeks, ponds, or other waters, and aestivate in animal burrows during the dry summer months, providing moist conditions are present. It is unlikely that California red-legged frog would be found on the project site.

Burrowing Owl. Burrowing owl (*Athene cunicularia*) is a California Species of Special Concern. Burrowing owls live and breed in burrows in the ground, especially in abandoned California ground squirrel burrows. Optimal habitat conditions include large open, dry and nearly level grasslands or prairies with short to moderate vegetation height and cover, areas of bare ground, and populations of burrowing mammals. This species is known to occur within three miles east of the site. The project site's non-native grassland provides marginally suitable foraging habitat for burrowing owl, and a few scattered small mammal burrows on the site could be utilized for nesting habitat, but burrowing owl has low potential to occur on the site. If burrowing owl is present on or adjacent to the project site, construction activities could result in the loss or disturbance of individual animals. This would be a significant adverse environmental impact. Implementation of the following mitigation measure would reduce the potentially significant impacts to burrowing owl to less than significant.

Mitigation Measure

BIO-4 To avoid/minimize impacts to burrowing owls potentially occurring on or adjacent to the project site, the project proponent shall retain a qualified San Benito County-approved consulting biologist to conduct a two-visit (i.e. morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFW 2012). If these pre-construction "take avoidance" surveys performed during the breeding season (February through August) or the non-breeding season (September through January) locate occupied burrows in or near construction areas, consultation with the CDFW shall occur to interpret survey results and develop a project-specific avoidance and minimization approach.

The project proponent shall be responsible for the implementation of this mitigation measure. Implementation of this mitigation measure would reduce the potential impact by requiring pre-construction surveys for burrowing owl, and consultation with the CDFW to protect individual burrowing owls if they are present on or adjacent to the project site.

San Joaquin Kit Fox. The San Joaquin kit fox is a federally-listed endangered species and a state-listed threatened species. The present range of the San Joaquin kit fox extends from the southern end of the San Joaquin Valley, north to Tulare County, and along the interior Coast Range valleys and foothills to central Contra Costa County. San Joaquin kit foxes typically inhabit annual grasslands or grassy open spaces with scattered shrubby vegetation, but can also be found in some agricultural habitats and urban areas. This species needs loose-textured sandy soils for burrowing, and they also need areas that provide a suitable prey base, including black-tailed hare, desert cottontails, and California ground squirrels, as well as birds, reptiles, and carrion.

The reconnaissance-level survey conducted at the project site did not observe San Joaquin kit fox and found no indication of the presence of this species on the project site. The nearest observation of this species was documented approximately 1.2 miles southwest of the project site in 1992. Although the project site supports a prey base, the site would likely not support habitat for the kit fox due to disking and mowing which diminish habitat suitability for the kit fox, fencing around the site, and human presence.

Western Pond Turtle. Western pond turtles vary in length from 3.5 to over eight inches in length. They will aestivate during summer droughts by burying themselves in soft mud, and will on occasion walk across land up to a hundred yards from the water in search of food or another water source. Due to the lack of nearby water at the property site, it is unlikely that western pond turtle would be found.

Bats. On-site and nearby trees could provide roosting habitat for western red bat (*Lasiurus blossevillii*) and western mastiff bat (*Eumops perotis californicus*), both state-listed species of special concern. Both species have been identified in proximity of the project site. Western red bats and western mastiff bats will roost in trees alone or in small colonies. Construction activities at the project site could result in the disturbance of adjacent roost and natal sites occupied by special-status bats, if present. Implementation of the following mitigation measure would reduce this potentially significant impact to a less-than-significant level.

Mitigation Measure

BIO-5 Prior to construction activities, the project proponent shall retain a qualified biologist to conduct a focused survey for bats and potential roosting sites in trees within 250 feet of the development footprint. These surveys shall be conducted no more than 15 days prior to the start of construction. The surveys can be conducted by visual identification and 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.

If no roosting sites or bats are found, a letter report confirming absence shall be sent to the City of Hollister and no further mitigation is required.

If bats or roosting sites are found, a letter report and supplemental documents shall be provided to the City of Hollister prior to grading permit issuance and the following protection measure shall be implemented:

- a. A 50-foot buffer will be established around roosting sites near the work area. Construction proposed adjacent to roosts will not occur within the buffer area until bats have left the area.

Nesting Birds. The project site and the surrounding properties contain a variety of trees and shrubs, resulting in the potential for impacts to protected nesting birds. Construction activities, including ground disturbance, can impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. If protected bird species are nesting adjacent to the project site during the bird nesting season (February 1 through August 31), then noise-generating construction activities could result in the loss of fertile eggs, nestlings, or otherwise lead to the abandonment of nests. Implementation of the following mitigation measure would reduce potentially significant impacts to nesting birds to less than significant.

Mitigation Measure

BIO-6 To avoid impacts to nesting birds, construction activities that include grading, grubbing, or demolition shall be conducted outside of the bird nesting season (January through September) to the greatest extent feasible. If this type of construction occurs 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.

If project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. Two surveys for active nests of such birds shall occur within 14 days prior to start of construction, with the second survey conducted with 48 hours prior to start of construction. Appropriate minimum survey radius surrounding each 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.

If the qualified biologist documents active nests within the project site or in nearby surrounding areas, 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 or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. If pre-construction nesting bird surveys are necessary, based upon the requirements of this mitigation measure, then a survey report shall be prepared prior to commencement of construction activities.

The developer of the project shall be responsible for implementation of this mitigation measure.

Implementation of Mitigation Measure BIO-6 would ensure impacts to nesting birds are avoided by requiring a pre-construction survey for active bird nests (should construction be scheduled during the nesting season) and implementation of avoidance measures should any active nests be found.

- b. **Riparian Habitat or Sensitive Natural Communities.** The project site does not contain riparian habitat or sensitive natural communities.
- c. **Wetlands and Waterways.** There are no wetlands or waterways on the project site, therefore, no impacts are anticipated.
- d. **Wildlife Movement.** Wildlife movement corridors provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites. The project site is not likely to facilitate major wildlife movement due to current active disturbance and fencing. There are approximately 10 small animal burrows on-site that could potentially provide habitat or facilitate movement corridors for commonly occurring, urban-adapted mammals such as California ground squirrel and Botta's pocket gopher (*Thomomys bottae*). With the fencing and marginal habitat, the proposed project would have a less-than-significant impact on wildlife movement.
- e. **Local Biological Resource Policies/Ordinances.** Measures to protect sensitive biological resources within the City are identified in the *City of Hollister General Plan* as follows:

The *City of Hollister General Plan* has goals in place for dealing with natural resources and conservation. Goal NRC1 is to "Assure enhanced habitat for native plants and animals, and special protection for threatened or endangered species."

The project site is composed of heavily disturbed soils, with non-native grasses, and ruderal (weedy) plants. There is no designated critical habitat, or habitat conservation plan on the project site. With these considerations, the proposed project would not conflict with local regulations related to biological resources.

- f. **Conservation Plans.** There is no critical habitat, habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans applicable to the proposed project site.