

# Lico Major Subdivision

## Initial Study – Mitigated Negative Declaration

#### San Benito County Resource Management Agency

2301 Technology Parkway Hollister, California 95023

prepared with the assistance of

**Rincon Consultants, Inc.** 437 Figueroa Street, Suite 203 Monterey, California 93940

Project Applicant Longreach Associates, Inc. 601 McCray Street, Suite 205 Hollister, California 95023

May 2020



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# **Abbreviations and Acronyms**

AAQS	National Ambient Air Quality Standards
AB	Assembly Bill
AMBAG	Association of Monterey Bay Area Governments
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
BAAQMD	Bay Area Air Quality Management District
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CalRecycle	California Department of Resources Recycling and Recovery
CA MUTCD	California Manual on Uniform Traffic Control Devices
CAPCOA	California Air Pollution Control Officers Association
CaREG	California Reformulated Gasoline
CBC	California Building Code
CCE	community choice energy
CARB	California Air Resources Board
CCRWQCB	Central Coast Regional Water Quality Control Board
CEQA	California Environmental Quality Act
CH <sub>4</sub>	methane
CHRIS	California Historical Resources Information System
СО	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalent
COG	Council of San Benito County Governments
CRHR	California Register of Historical Resources
CVP	Central Valley Project
dB	decibels
dBA	A-weighted sound pressure level
DOC	Department of Conservation
DOF	California Department of Finance
DPM	diesel particulate matter
EVA	Emergency Vehicle Access

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FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GGRP	Greenhouse Gas Reduction Program
GHG	greenhouse gas
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
GWh	gigawatt-hours
GWPs	global warming potentials
HFC	hydrofluorocarbon
HUA	Hollister Urban Area
HVAC	heating, ventilation, and air conditioning
Hz	hertz
IS-MND	Initial Study Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
L <sub>dn</sub>	Day-Night Average (noise) level
L <sub>eq</sub>	single steady A-weighted (noise) level
LID	low impact development
LO	level of service
LRA	Local Responsibility Area
MBARD	Monterey Bay Air Resources District
MBCP	Monterey Bay Community Power
MRZ	Mineral Resource Area
MWh	megawatt hour
NAHC	California Native American Heritage Commission
NCCAB	North Central Coast Air Basin
NHMLAC	Natural History Museum of Los Angeles County
NO <sub>x</sub>	nitrogen oxides
N <sub>2</sub> O	nitrous oxide
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center

O <sub>3</sub>	ozone
OEHHA	California Office of Environmental Health Hazard Assessment
PFCs	perfluorocarbons
PG&E	Pacific Gas and Electric
PM <sub>2.5</sub>	particulate matter with a diameter of up to 2.5 microns
PM <sub>10</sub>	particulate matter with a diameter of up to 10 microns
ppm	Parts per million
PPV	peak particle velocity
PV	photovoltaic
R-1	Single Family Residential
RCNM	Roadway Construction Noise Model
RM	Residential Mixed
RR	Residential Rural
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SBR	San Benito River
SF <sub>6</sub>	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SLF	Sacred Lands File
SLOAPCD	San Luis Obispo Air Pollution Control District
SR	SR
SSCWD	Sunnyslope County Water District
SVP	Society of Vertebrate Paleontology
SWPPP	Storm Water Pollution Prevention Plan
SZ	Scientific Zone
TAC	toxic air contaminant
TIMF	Transportation Impact Mitigation Fee
UCMP	University of California Museum of Paleontology
UWMP	Urban Water management Plan
USEPA	United States Environmental Protection Agency
VHFHSZ	Very High Fire Hazard Severity Zones
VMT	vehicle miles traveled

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# **Initial Study**

## 1. Project Title

Lico Major Subdivision Project

## 2. Lead Agency Name and Address

County of San Benito Resource Management Agency 2301 Technology Parkway Hollister, California 95023

## 3. Contact Person and Phone Number

Darryl Boyd Principal Planner (831) 902-2286

## 4. Project Location

The project site is located at 213 Enterprise Road, approximately 0.5 mile south of the City of Hollister, 0.25 mile east of Southside Road, and directly south of and adjacent to Enterprise Road, in Ridgemark, a census designated place within unincorporated San Benito County (APN 020-290 -051 & -055). Figure 1 shows the location of the site in the region and Figure 2 shows the project site in its neighborhood context.

# 5. Project Sponsor's Name and Address

Ty Intravia Longreach Associates, Inc. 601 McCray Street, Suite 205 Hollister, California 95023

## 6. General Plan Designation

The project site is designated Residential Mixed (RM) under the San Benito County 2035 General Plan (San Benito County 2015). According to the General Plan, the purpose of this designation is to allow areas of unincorporated urban uses where circulation and utility services exist. This will provide individuals with the opportunity to live in an unincorporated village or neighborhood atmosphere composed primarily of residential land uses with some commercial uses serving the residences. This designation applies to areas that are largely developed and have public infrastructure and services necessary to support the increased density.

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### Figure 1 Regional Location



### Figure 2 Project Location



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Fig 2 Project Locatio

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The General Plan stipulates that the intensity of development shall be directly proportional to the level and availability of public infrastructure and services. A maximum of 20 dwelling units per acre can be achieved in areas designated as RM. Under the designation, 30 percent of new residential dwelling units with available public sewer and water shall include mixed residential types with an average development density of 8 units per acre.

# 7. Zoning

The project site is zoned Rural Residential (RR) (San Benito County 2019). According to the RR District development standards, permitted uses include single family dwellings, among others. Building height is restricted to 35 feet for primary dwellings and one story or 20 feet for accessory buildings. Single family dwellings are required to have a setback of 25 feet in a front yard, a setback equal to 15 percent of lot width (minimum of eight feet, maximum of 32 feet) in a side yard and a setback equal to 20 percent of lot length (minimum of 20 feet and maximum of 35 feet) in a backyard.

# 8. Setting and Surrounding Land Uses

The project site consists of 49.95 acres and is irregularly shaped, as shown in Figure 2. The site includes varied elevations with slopes ranging from two percent to twenty percent. Most of the site is grassland that has been used for grazing, with approximately 89 trees dispersed throughout the northern portion or the site and along the property line. Of the trees present, native species include coast live, blue and valley oaks and California buckeye. Non-native species include deodar cedar, California pepper and *Xylosma congestum*. The northwest corner of the site was formerly an agricultural orchard and three agricultural structures remain. The project site boundary excludes an existing residence east of the orchard, as well as three existing residences adjacent to the project site to the west. As shown in Figure 2, the project site boundary is configured to exclude these existing residences. Access to existing residences is provided via Enterprise Road and an unpaved driveway at the northwest corner of the project site. Access would be maintained via Enterprise Road and reconfiguration of the driveway to allow for shared access to the project site and existing residences.

Surrounding land uses include single-family residences to the east, south, and west, and agriculture to the west and north. The approximately 18.6-acre Fay property west of the site (bordering the site for approximately 570 feet) is currently under construction with 84 single-family residences. Across Southside Road to the west, a 44.4-acre property is under construction with up to 200 units (the Sunnyside Estates Project).

# 9. Description of Project

The project would involve a residential subdivision on the project site, consisting of 149 singlefamily lots developed during four phases of construction on an approximately 49.95-acre site. Of the 149 total lots, 19 would be designated as workforce housing units.<sup>1</sup> Residential lot sizes would be between 4,505-16,126 square feet. See Figure 3 for the project's overall site plan. The subdivision would include a 3.5-acre open space/stormwater drainage facility in the northeastern corner of the site and a 3.84-acre park and trail in the southwestern corner of the site. To develop the project, the

<sup>&</sup>lt;sup>1</sup> Workforce housing is designated for families with incomes between 30 and 160 percent of area median income.







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applicant requests a Vesting Tentative Subdivision Map, zone change, and a development agreement for the proposed affordable housing program. Primary county subdivision regulations are contained in Title 19 of the San Benito County Code of Ordinances. Table 1 provides a summary of proposed land uses.

Land Use	Acres	Percent Overall Acreage	Number of Units
Single Family Residences	30.59	61.3%	149
Park and Dual-use Park/Stormwater Facility	8.18	16.3%	-
Roads	11.18	22.4%	-
Total	49.95	100.0%	149

#### Table 1 Proposed Land Use Summary

As proposed, the project would not conform to the development standards of the RR zoning district therefore, a zone change is required. The applicant has requested a zone change from RR to Residential Multiple with a Planned Unit Development (PUD) overlay. The PUD overlay is necessary to provide for the variation in setback, lot coverage and road width that the project would involve. A zoning code amendment for the PUD overlay may also be included as part of the project in order to achieve the development standard flexibility desired for this project and other similar County developments. The zone district change and the code amendment would be consistent with the site's Residential Mixed designation under the 2035 General Plan.

The proposed project would require tree and vegetation removal, demolition of three existing agricultural structures, grading, and construction of 149 single-family residences and associated infrastructure. Project plans include planting of native or drought tolerant plants.

Access to the project would be provided via three connections to existing roadways including two connections to Enterprise Road, one located at the northwest corner of the site and one at the northeast corner of the site, and one connection to Quail Ridge Way at the southeastern corner of the site. The existing driveway at the northwest corner of the site would be reconfigured to provide shared access to the project site and existing residences to the west. New curb, gutter, sidewalks, street trees and landscaping would be installed along the project frontage on Enterprise Road and along both sides of all interior streets. Private sidewalks are proposed on each lot throughout the site.

#### Infrastructure Improvements

The project site is located outside the City of Hollister service area and sphere of influence. Water and sewer service to the project would be provided by the Sunnyslope County Water District (SSCWD). Project drainage would be tied into the County's existing storm drain system. Wastewater infrastructure would include a new lift station located at the northwest corner of the project site. A force main would move wastewater from the new lift station to the south edge of the site, where it would connect to the SSCWD system in Ridgemark to the east of the site. Utility connections would be provided in an underground joint trench within the roadways.

### Grading and Construction

Demolition and site preparation phases of the proposed project are anticipated to start in August 2020. Construction would occur in four phases through December 2024.

The site would be graded and excavated, with maximum cuts of approximately 12 to 20 feet in the center portion of the site, and less cut and fill in other portions of the site. Approximately 231,423 cubic yards of materials would be cut and approximately 263,498 cubic yards of fill would be used, including approximately 32,000 cubic yards of imported material, including base rock for road sections. In accordance with the General Plan, the site would be graded to ensure that no development would take place in areas with a 30 percent or greater slope (Policy LU-1.6). In its existing condition, the center of the site has a slope of greater than 20 percent (Appendix H).

Although detailed plans for on-site retaining walls are not currently available, it is estimated that a retaining wall approximately 4,800 feet in length and three to six feet in height would be installed along the northern portion of the site.

### Access and Parking

The project site is bordered by existing Enterprise Road to the north. Enterprise Road intersects with Southside Road approximately 1,050 feet west of the site and also intersects with Airline Highway (SR-25) approximately 2,000 feet east of the site. As described above, the project would be accessible by three connections to existing roadways. Within the project, public streets would be constructed to allow access to the driveways and garages of each dwelling unit. All interior public streets would have parallel guest parking to the extent that interference with driveway, sidewalks/crosswalks, or fire hydrant locations does not preclude them. Private sidewalks are proposed on each lot throughout the site to allow for residents and guests to access their homes from the public right of way. Minimum driveway lengths will ensure no conflicts with pedestrian circulation.

### **Drainage and Flood Hazard Alleviation**

This project site is delineated as the Lico Basin, within the Enterprise Drainage Watershed. The Federal Emergency Management Agency (FEMA) has mapped flood risks in this area of San Benito County on Flood Insurance Rate Map (FIRM) Panel 185 (map no. 06069C0185D) (FEMA 2009). FEMA issued a formal Letter of Map Revision (LOMR) to Panel 185 in 2018 for an area of the map that also coincides with the project site (FEMA 2018). According to the 2018 LOMR, the majority of the site is designated FEMA Zone X and not a flood zone. However, a portion of the northern area of the site has a designation of Special Flood Hazard Area Zone AE (100-year flood zone).

An existing 72-inch reinforced concrete pipe under Enterprise Road conveys stormwater out of the Lico Basin, eventually reaching the San Benito River. The current configuration of drainage facilities yields the 100-year flood zone designation because flooding can overflow an existing Lico Basin spillway and flow overland. To alleviate existing flood hazards, resulting in removal of the Zone AE designation, the project would include installation of a second 72-inch reinforced concrete pipe to convey additional water out of the Lico Basin, avoiding spillway overflow. The additional pipe would follow the alignment of the project's interior roadway segment adjacent to the Lico Basin before crossing underneath Enterprise Road and flowing into the Enterprise Basin.

The applicant would apply for a Conditional Letter of Map Revision (CLOMR) to account for the modified flood hazards prior to the issuance of a grading permit. Following the CLOMR and after installation of the proposed second drainage pipeline, the applicant would apply for a LOMR to

officially remove the 100-year flood zone designation. LOMRs are generally based on the implementation of physical measures that affect the hydrologic characteristics of a flooding source, thus resulting in changes to the floodway or Special Flood Hazard Area (FEMA 2019). Approval of the LOMR would be required prior to project occupancy.

#### **Building Design**

The proposed residential units would be one- or two-story single-family detached homes. Structures would be constructed with conventional light frame, using concrete slab on grade or structural mat foundations. The buildings would be oriented towards the streets and sidewalks. Each unit would include a minimum of two interior garage spaces with space to park two additional vehicles in the driveway. Setbacks would conform to County standards, with minimum front, side, and rear yard setbacks consistent with the proposed RM with PUC overlay zoning. Solar panels and efficient appliances would be included for energy and water efficiency consistent with General Plan policies related to green building and energy conservation policies. In addition, residential units would adhere to all requirements specified by the 2019 California Building Standards Code (Title 24, California Code of Regulations), including those related to seismic design standards.

#### Landscaping

The project would include new curb, gutter, and street landscaping along Enterprise Road and along both sides of all interior streets. Plantings would be native and drought tolerant plants with water efficient irrigation. Private sidewalks and street trees are proposed on each lot along the public right of way. Landscaping in the front of individual lots would be installed prior to occupancy and maintained by project residents.

#### **Outdoor Lighting**

Lighting would conform to San Benito County Code Chapter 19.31, Development Lighting, the purpose of which is to encourage lighting practices and systems which minimize light pollution, glare, and light trespass; and conserve energy and resources while maintaining night-time safety, utility, security and productivity; and curtail the degradation of the nighttime visual environment. Accordingly, streetlights would be shielded, downcast and use LED lamps.

### 10. Required Approvals and Permits

The project is anticipated to require the following discretionary approvals by San Benito County:

- Adoption of the IS-MND
- Approval of the preliminary and final development plans
- Approval of the site, building and landscaping plans
- Approval of the Vesting Tentative Subdivision Map
- Approval of proposed zoning change and PUD code amendment

The project would require the following permits to be issued by San Benito County:

- Grading Permit
- Tree Removal Permit

The following includes a list of other government agencies that would or may have some level of approval for one or more components of the proposed project, as required by State CEQA Guidelines section 15124(d):

- Sunnyslope County Water District (SSCWD): approval of Facilities and Service Agreement
- Central Coastal Coast Regional Water Quality Control Board (CCRWQCB): construction general permit

## 11. Native American Tribal Consultation

On January 10, 2020, the County of San Benito, pursuant to Public Resources 21080.3.1 and AB 52, sent via certified mail notification letters to four (4) California Native American Tribes that are traditionally and culturally affiliated with the project area. The letter was sent to the Indian Canyon Mutsun Band of Costanoan, Amah Mutsun Tribal Band, Amah Mutsun Tribal Band of Mission San Juan Bautista, and the Xolon-Salinan Tribe. The County did not receive responses from any tribes.

## Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources	Air Quality
	Biological Resources		Cultural Resources	Energy
•	Geology/Soils	•	Greenhouse Gas Emissions	Hazards & Hazardous Materials
	Hydrology/Water Quality		Land Use/Planning	Mineral Resources
	Noise		Population/Housing	Public Services
	Recreation	•	Transportation	Tribal Cultural Resources
	Utilities/Service Systems		Wildfire	Mandatory Findings of Significance

### Determination

Based on 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 to 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 "less than significant with mitigation incorporated" 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.

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□ I find that although the proposed project could have a significant effect on the environment, because all potential significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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.

Signature

May 12, 2020

Date

Darryl Boyd Printed Name **Principal Planner** 

Title

# **Environmental Checklist**

#### **Aesthetics** Less than Significant Potentially with Less than Significant Mitigation Significant Impact Incorporated Impact No Impact Except as provided in Public Resources Code Section 21099, would the project: a. Have a substantial adverse effect on a scenic vista? b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? c. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

### Setting

The project site is 49.95 acres, consisting mostly of gently sloping grassland. There are several trees scattered throughout the northern portion of the site and along the site boundaries. Development on-site consists of three agricultural structures at the northwestern portion of the site with two existing driveways on Enterprise Road. A driveway intersecting Enterprise Road borders the western portion of the site, providing access for three single family residents located adjacent to the project site.

Expansive views are available from within the site in all directions, to surrounding grassland and distant mountains. However, views toward the north are also toward urban and suburban development in Hollister, and foreground views to the east are of existing suburban residential development. The site itself contributes to similar grassland views from the surrounding areas.

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#### a. Would the project have a substantial adverse effect on a scenic vista?

Scenic vistas are viewpoints that provide expansive views of a highly valued landscape for the benefit of the general public. Scenic vistas may be informally recognized, or officially designated by a public agency.

The San Benito 2035 General Plan Natural and Cultural Resources Element states that the prominent elements of the county's scenic landscape include mountains, undeveloped rangelands, large agricultural fields and croplands, natural ridgelines along the Diablo and Gabilan Ranges, and annual grasslands. The project site is not within mountainous areas or along a ridgeline. However, the project site has historically been used for rangeland grazing and planted orchards. Although much of the vegetation on-site is ruderal and weedy, the resultant appearance may be that of a grassland. Additionally, the surrounding area, especially to the west and northwest appear to be similar grasslands. Combined, the larger area including the project site could be considered scenic by some people.

The project site is adjacent to residential development on the east that is of similar density and size to that included in the proposed project. The proposed residential development would appear similar to the existing development to the east, as well as development farther north, on the north side of SR 25. Because the proposed project would appear similar to surrounding development that is already a component of the landscape, visual contrast would be minimal. The proposed project would result in an incremental increase in the number of structures visible in the landscape but would not substantially alter the visual quality or character of the landscape from all vantage points, including the residences located to the west of the project site. Grasslands would continue to be visible in the area. Therefore, impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

# b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no roadways in San Benito County that are officially designated for the State Scenic Highway System, but several roadways have been identified as potentially eligible for this designation. These roadways include segments of SR 25, SR 101, SR 146, and SR 156 (Caltrans n.d.). The project site is more than four miles from SR 156 and even farther away from SR 101 and SR 146. There is intervening topography, vegetation, and structures that prevent views of the project site from these roadways. However, the project site would be visible from an eligible segment of SR 25, which is within approximately 400 feet of the project site boundary.

The project would involve the removal of trees visible from SR 25. However, the project would be seen from SR 25 in context with other residential development of similar density and scale to the proposed project. This would reduce the visual contrast that project has when viewed from SR 25. Additionally, the project includes planting vegetation, including trees, which would reduce the potential impact of tree removal during construction. Therefore, substantial damage to scenic resources would not occur and impacts resulting from the proposed project would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

c. Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Views of the project site are generally not possible from more distant locations in the County because of the rolling landscape and roadway and housing development. Thus, the project site is most readily viewed from the adjacent roadways, including Enterprise Road to the north, Quail Ridge Way to the southeast, and the access driveway to the west. The existing views from these roadways in proximity to the project site are comprised of parcels developed with single-family residences and the Sunny Mesa Pump Station located along Enterprise Road, as shown in Figure 4. As noted above, the project site is also visible from SR 25.

The existing development visible from these roadways is generally consistent with the underlying RR zoning, or more dense residential designations to the east of the site on either side of SR 25. There are also undeveloped agricultural lands to the west of the project site that are visible from Enterprise Road that appear similar to existing conditions on the project site.

The project would alter the visual character of the site by converting a mostly undeveloped vacant parcel into new residential development with supporting infrastructure and landscaping throughout the site and open space at the southeastern and western portions of the site. Construction of the project would involve removal of existing structures and trees and extensive grading, including 12-20 feet of excavation at the center of the site.

While the proposed project would change the visual character of the site from vacant to mostly developed, the proposed development would be similar in character, height, and massing to the existing surrounding development to the east of the project site.

The project site is in an urbanized area. The proposed residential development would be consistent with the surrounding development, not conflict with the San Benito County General Plan, and would be built in accordance with the RR zoning ordinance. Therefore, the project would not substantially degrade visual character and quality. Project grading would change the slope of the site but would be consistent with adjacent sloping. Impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Existing conditions at the project site include artificial light produced by exterior lights on the existing agricultural structures. Nearby sources of light include residential development adjacent to the east, and across SR 25 to the north. The project would add 149 single family homes to the project site, thus adding new sources of light in the form of street lighting and external lighting associated with the residences that would impact nighttime views.

The project would be required to comply with the County Code of Ordinances Chapter 19.31: Development Lighting ("Dark Skies"), which encourages lighting practices and systems that minimize light pollution, glare, and light trespass, and curtail degradation of the nighttime visual environment while maintaining night-time safety, utility, security and productivity. Specific regulations applicable to the project include the following: San Benito County Resource Management Agency Lico Major Subdivision

#### Figure 4 Site Photographs



**Photograph 1.** Undeveloped grazing land within the center of the site, facing east



**Photograph 2.** Existing agricultural structures at the northeastern portion of the site, facing north



**Photograph 3.** Sunnyslope well house immediately adjacent to the site's northern border, facing west



**Photograph 4.** View of site from Enterprise Road, facing southeast

- Per Section 19.31.002, project streetlights would be required to utilize low-pressure sodium lamps and be shielded.
- Per Section 19.31.005, three lighting zones are established, with Zone I imposing the strictest regulations and Zone III imposing the least restrictive. The Project Site is located in Zone II. The special requirements applicable to Zone II are set forth in Section 19.31.008.
- Per Section 19.31.006(C), all light fixtures other than streetlights are required to be located, aimed, or shielded so as to minimize stray light trespassing across property boundaries.
- Per the special requirements for Zone II established in Section 19.31.008, total outdoor light output (excluding streetlights used for illumination of county roadways or private roadways) for the project would not be permitted to exceed 100,000 initial raw lamp lumens per net acre, averaged over the entire project. No more than 5,500 initial raw lamp lumens per net acre may be accounted for by lamps in unshielded fixtures.

Depending on the final design of residential structures, exteriors may also contribute glare, particularly windows and glass components. However, building windows would comply with Title 24 Energy Standards by providing UV protection with polarization to reduce light and glare onto adjacent uses.

Conformance to the County's outdoor lighting standards and Title 24 would reduce potential light and glare impacts to nighttime views to a less than significant level. Impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

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# 2 Agriculture and Forestry Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?				
b.	Conflict with existing zoning for agricultural use or a Williamson Act contract?				•
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))?				-
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				•
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				

- a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

As noted in checklist "a," the term "Farmland" includes areas that the Department of Conservation (DOC) has mapped as either Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as part of the Farmland Mapping and Monitoring Program (FMMP). To classify as Prime Farmland under the DOC's definition, the FMMP must determine that it has the best combination of

physical and chemical features able to sustain long term agricultural production, with the soil quality, growing season, and moisture supply needed to produce sustained high yields. The FMMP designates Farmland of Statewide Importance as land other than Prime Farmland which has a good combination of physical and chemical characteristics for the production of crops. In order to be classified as Prime Farmland or Farmland of Statewide Importance by FMMP, land must have been used for irrigating agricultural production at some time during the four years prior to the mapping date, which is currently 2012.

According to the DOC FMMP Important Farmland Finder (DOC 2016), the northwestern portion of the project site contains Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. Table 2 shows the acreage of FMMP designations, including Important Farmland, on the project site and Figure 5 shows an overlay of these designations on the project site.

Designation	Acreage (Approximate)	
Grazing Land	21.0	
Other Land	12.5	
Farmland of Local Importance	9.2	
Farmland of Statewide Importance	4.6	
Prime Farmland	1.8	
Unique Farmland	0.6	
Urban and Built-up Land	0.2	
Total Important Farmland <sup>1</sup>	7.0	
Total	49.9	

#### Table 2 Project Site FMMP Designations

As shown in Table 2, approximately 1.8 acres of the project site has an FMMP designation of Prime Farmland, approximately 4.6 acres of the site has a designation of Farmland of Statewide Importance and approximately 0.6 acre of the site has a designation of Unique Farmland. Together, these areas total to approximately seven acres of Important Farmland on the project site. The remainder of the site contains Grazing Land, Other Land, Farmland of Local Importance, and Urban and Built-up Land.

Implementation of the proposed project would result in conversion of the project site to nonagricultural uses and would eliminate the approximately seven acres of Important Farmland on-site. This is a potentially significant impact. Therefore, implementation of the following mitigation would be required.

### **Mitigation Measures**

According to 2035 General Plan Policy LU 3.10, the loss of Prime Agricultural Lands should be avoided and replaced at a ratio of up to 1 to 1 to protect this important resource in the county. In San Benito County, the San Benito Agricultural Land Trust currently protects 5,454 acres of working ranches and farms and is working to acquire additional acreage (Land Trust 2016). The Land Trust is devoted to providing financial options to landowners in order to protect the agricultural heritage of San Benito County. The Land Trust may be a potential holder of such easements or fee title for Important Farmland. This type of mitigation has been found to be feasible in many California



Figure 5 Project Site FMMP Designations

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communities facing suburban development pressures in traditional agricultural areas with Important Farmland. The mitigation ratios in those communities can range from 1 to 1 (as suggested in the San Benito County 2035 General Plan) to higher levels reported up to 3 to 1.

### AG-1 Agricultural Land Conservation Measures

Prior to issuance of any grading permits, the project proponent shall provide that for every one acre of FMMP Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) on the project site that is permanently converted to non-agricultural use as a result of project development, one acre of land of comparable agricultural productivity shall be preserved in perpetuity. This ratio shall also apply to fractions of an acre, such as preservation of 0.5 acre of land in result of impacts to 0.5 acre of Farmland. The 1 to 1 mitigation shall be satisfied through one or more of the following:

- a. Granting a perpetual conservation easement(s), deed restriction(s), or other Farmland conservation mechanism(s) to the County or qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of seven acres of FMMP Important Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or
- b. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward the future purchase of a minimum of seven acres of FMMP Important Farmland in San Benito County, together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or
- c. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of seven acres of FMMP Important Farmland in San Benito County. The amount of the payment shall be equal to 110 percent of the amount determined by the qualifying entity or a licensed appraiser; or
- d. Any combination of the above.

### Significance After Mitigation

Implementation of Mitigation Measure AG-1 would preserve other land of equal agricultural productivity off-site through conservation easements, acquisition and/or payment of in lieu fees, consistent with General Plan Policy LU-3.10. Preservation of equally productive agricultural land would reduce impacts related to conversion or loss of Important Farmland to a less than significant level.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

*b.* Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

The project site is not under a Williamson Act contract (DOC 2016). The project site has a County General Plan land use designation of RM and zoning designation of RR. These designations are residential, and neither are agricultural designations. Therefore, although the site has been used for agriculture, the project would not conflict with existing zoning for agricultural uses. The proposed project would have no impact on agricultural zoning or Williamson Act contracts.

#### **NO IMPACT**

- c. Would the project 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))?
- d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?
- e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Forestry resources include forestland, timberland, and timberland production zones. Forest land is land that can support, under natural conditions, 10 percent native tree cover of any species, including hardwoods, and that allows for the preservation or management of forest-related resources such as timber, aesthetic value, fish and wildlife, biodiversity, water quality, recreational facilities, and other public benefits (PRC §12220(g)). Timberland means land on which is growing a significant stand of trees of commercial species, or potential commercial species, either in public or private ownership or that is generally capable of maintaining a stand of trees in perpetuity and not withdrawn or otherwise devoted to uses other than timber production (PRC §4789.2(g)). Timberland production zones or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h) (CGC §51104).

The project site has a County General Plan land use designation of RM and zoning designation of RR. These designations are residential, and neither are forest land or timberland designations. Although the site is not officially designated as forest land or timberland, the site supports 19 percent tree cover, as described in Section 4, *Biological Resources*. Chapter 19.33 of the County Code of Ordinance requires that woodlands be conserved at specific densities based on existing canopy cover. To meet the County requirements, 100 percent of the canopy would have to be retained. A discretionary tree removal permit is therefore required for project since retention of 100 percent of trees is not feasible. Upon compliance with the Ordinance's applicable requirements, impacts to forestry resources would be less than significant. Refer to Section 4, *Biological Resources*, for additional discussion of compliance with the ordinance.

#### LESS THAN SIGNIFICANT IMPACT

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# 3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?			•	
<ul> <li>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?</li> </ul>				
c. Expose sensitive receptors to substantial pollutant concentrations?			•	
<ul> <li>Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</li> </ul>			•	

### Air Quality Standards and Attainment

The project site is within the North Central Coast Air Basin (NCCAB, the Basin), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The local air quality management agency is required to monitor air pollutant levels to ensure that applicable air quality standards are met and, if they are not met, to develop strategies to meet the standards. The NCCAB is composed of Monterey, Santa Cruz, and San Benito Counties and covers an area of more than 5,100 square miles. The state and federal Clean Air Acts mandate the control and reduction of certain air pollutants. Under these Acts, the U.S. Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for certain "criteria" pollutants. Examples of criteria pollutants include carbon monoxide (CO), Ozone ( $O_3$ ), particulate matter less than 10 microns in diameter ( $PM_{10}$ ) or 2.5 microns in diameter ( $PM_{2.5}$ ), and nitrogen oxides ( $NO_X$ )

Ambient air pollutant concentrations are affected by the rates and distributions of corresponding air pollutant emissions, along with climactic and topographic influences. The primary determinant of concentrations of non-reactive pollutants such as CO and PM<sub>10</sub> is proximity to major sources. Ambient CO levels in particular usually correspond closely with spatial and temporal distributions of vehicular traffic.

Depending on whether state and federal air quality standards are met or exceeded, an air basin is classified as being in "attainment" or "nonattainment." In 2012, EPA designated the NCCAB as inattainment of the national 8-hour  $O_3$  standard of 0.075 parts per million (ppm) and in 2015 the national standard was revised to 0.070 ppm. However, the NCCAB is in nonattainment for the state 8-hour standard for  $O_3$ . In addition, the portion of the NCCAB in which the project is located is unclassified for CO (U.S. EPA 2015). Thus, strategies that would reduce the pollutant levels to
recognized acceptable standards must be implemented in the NCCAB. MBARD has adopted an Air Quality Management Plan (AQMP) that provides a strategy for the attainment of state and federal air quality standards.

The Air Quality Management Plan (AQMP) was adopted initially in 1991 and updated in 1994, 1997, 2000, 2004, 2008, 2012 and most recently in March 2017 as the 2012-2015 AQMP (MBARD 2017). Each iteration of the plan is an update of the previous plan and has a 20-year horizon. The pollutants addressed in the AQMP are volatile organic compounds (VOCs) and NO<sub>x</sub>, precursors to the photochemical formation of O<sub>3</sub> (the primary component of smog). The AQMP identifies feasible emission control measures to provide progress in Monterey, Santa Cruz, and San Benito counties toward attaining the state O<sub>3</sub> standard. The AQMP discusses MBARD's efforts for achieving the state 8-hour O<sub>3</sub> requirement as the region has already attained the 1-hour standard. The plan includes an updated air quality trends analysis, which reflects the 8-hour standard, as well as an updated emission inventory, which includes the latest information on stationary, area, and mobile emission sources.

# **Significance Thresholds**

## MBARD Thresholds of Significance

Emissions from construction activities represent temporary impacts that are typically short in duration, depending on the size, phasing, and type of project. Air quality impacts can nevertheless be acute during construction periods, resulting in significant localized impacts to air quality. In addition, construction projects which may cause or substantially contribute to the violation of other State or national AAQS or that could emit toxic air contaminants could result in temporary significant impacts.

MBARD has issued criteria for determining the level of significance for project-specific impacts within its jurisdiction in accordance with the below thresholds. Based on criteria applied in or adapted from the MBARD Guidelines, the proposed project's impacts related to emission of criteria air pollutants would be significant if the project would (MBARD 2008):

- Be inconsistent with the adopted AQMP
- During construction, cause a violation of PM<sub>10</sub> CAAQS at nearby or upwind of sensitive receptors, based on whether the project would:
  - Emit greater than 82 lb/day of PM<sub>10</sub> if located nearby or upwind of sensitive receptors (note: projects which require minimal earthmoving on 8.1 or more acres per day or grading and excavation on 2.2 or more acres per day are likely to exceed this threshold); or
  - Use equipment that is not "typical construction equipment" as specified in Section 5.3 of the MBARD CEQA Guidelines

Table 3 summarizes MBARD's project-level thresholds of significance for operational impacts by pollutant. An exceedance of any threshold would represent a significant impact on local or regional air quality.

Pollutant Source	Threshold(s) of Significance
NO <sub>x</sub> , as NO <sub>2</sub>	137 lbs/day (direct area source or stationary + indirect operational or mobile)
ROG	137 lbs/day (direct area source or stationary + indirect operational or mobile)
PM <sub>10</sub>	82 lbs/day (on-site)
SO <sub>x</sub> , as SO <sub>2</sub>	150 lbs/day (direct)
СО	550 lbs/day (direct)
Source: MBARD 2008	

Table 3Air Quality Significance Thresholds for Criteria Pollutants of Concern(Operational Impacts)

## ODORS

The MBARD guidelines state that odor impacts would be significant if the project would result in the emission of substantial concentrations of pollutants that produce objectionable odors, causing injury, nuisance, or annoyance to a considerable number of persons, or endangering the comfort, health, or safety of the public. If construction or operation of the project would emit pollutants associated with odors in substantial amounts, the analysis should assess the impact on existing or reasonably foreseeable sensitive receptors (MBARD 2008).

## TOXIC AIR CONTAMINANTS

In addition to criteria pollutants, MBARD regulates TACs from new or modified sources under Rule 1000. Rule 1000 applies to any source which requires a permit to construct or operate pursuant to District Regulation II (Permits) and has the potential to emit carcinogenic or noncarcinogenic TACs. The District also implements Rule 1003, Air Toxic Emissions Inventory and Risk Assessments, which establishes and implements the Air Toxics Hot Spots Act, and Rule 424, which applies to demolition and/or renovation activities which are subject to the asbestos NESHAP in Rule 306. The project would be required to comply with Rules 1000, 1003, and 424, if and to the extent applicable.

According to MBARD Guidelines, a project would have a significant impact if its TAC emissions resulted in an exceedance of health risk public notification thresholds adopted by MBARD. The guidelines also set forth the following thresholds, which are the same as the public notification thresholds (MBARD 2008):

- The hazard index is greater than 1 for acute or chronic impacts
- The cancer risk is greater than 10 in one million

#### CARBON MONOXIDE

The MBARD Guidelines indicate that any of the following traffic effects should be assumed to generate a significant CO impact, unless CO dispersion modeling demonstrates otherwise (MBARD 2008):

- Intersections or road segments that operate at level of service (LOS) D or better would operate at LOS E or F with the project's traffic
- Intersections or road segments that operate at LOS E or F where the volume-to-capacity (V/C) ratio would increase 0.05 or more with the project's traffic
- Intersections that operate at LOS E or F where delay would increase by 10 seconds or more with the project's traffic

- Unsignalized intersections which operate at LOS E or F where the reserve capacity would decrease by 50 or more with the project's traffic
- The project would generate substantial heavy-duty truck traffic or generate substantial traffic along urban street canyons or near a major stationary source of CO

The CO thresholds provided by MBARD are designed to screen out from further analysis projects that would have a less than significant impact from CO emissions; however, projects that exceed these thresholds would not necessarily result in a CO hotspot. Localized CO concentrations are primarily the result of the volume of cars along a road and the level of emissions generated by vehicles; restricted traffic flows (LOS D or worse) can contribute to higher volumes of vehicles on a given roadway in a period of time, but are not the cause of high CO concentrations. Stringent vehicle emission standards in California have reduced the level of CO emissions generated by vehicles over time such that CO hotspots are rarely a concern, except for roadways with very high traffic volumes. The adjacent Bay Area Air Quality Management District (BAAQMD) has established a volume of 44,000 vehicles per hour as the level above which traffic volumes may contribute to a violation of CO standards (BAAQMD 2017). In the absence of a MBARD threshold that establishes a specific vehicle volume, the BAAQMD bright-line threshold for vehicle volume is applied in the following impact analysis if the project exceeds the MBARD screening thresholds presented above to determine whether the project would result in an exceedance of CO standards.

## AIR QUALITY MANAGEMENT PLAN CONSISTENCY

MBARD relies on information from CARB and Association of Monterey Bay Area Governments (AMBAG), including mobile and area source emissions; it also collects information regarding projected growth in the region to project future emissions and then determine the strategies necessary for the reduction of emissions through regulatory controls. CARB mobile source emission projections and AMBAG growth projections are based on population and vehicle trends and land use plans developed by the cities and the counties as part of the development of the individual general plans. As such, according to the MBARD 2008 *Guidelines for Implementing CEQA*, projects that propose development consistent with the growth anticipated by the general plans would be consistent with the regional air quality standards. In the event that a project proposes development less dense than that anticipated in a general plan, the project would likewise be consistent with the regional air quality standards. If a project proposes more dense or intense development than that anticipated in a general plan and AMBAG's growth projections, it could conflict with the regional air quality standards and could have a potentially significant impact on air quality.

#### **CUMULATIVE IMPACTS**

The criteria for assessing cumulative impacts on localized air quality (i.e., CO, PM<sub>10</sub>) are the same as those for assessing project impacts, since air quality impacts are cumulative in nature. Projects that do not exceed MBARD's construction or operational thresholds are considered consistent with the AQMP and are not treated as making a cumulatively considerable contribution to cumulative impacts (MBARD 2008).

# Methodology

The project's construction and operational criteria pollutant emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2016.3.2. CalEEMod uses project-specific information, including the project's land uses, square footages for different uses (e.g., single family dwelling unit, city park), and location, to estimate a project's emissions. Construction emissions

modeled include emissions generated by construction equipment used on-site and emissions generated by vehicle trips associated with construction, such as worker and vendor trips. The construction schedule and list of construction equipment were based on applicant-provided data. Over the course of construction, existing structures on the project site would be demolished and approximately 32,000 cubic yards of soil would be imported during the grading phase. Residential construction and architectural coatings would occur in four separate phases. In addition, it was assumed that project construction would comply with all mandatory regulatory standards, including MBARD Rule 426 (Architectural Coatings), which specifies volatile organic content limits of 50 grams per liter for flat coatings and 100 grams per liter for non-flat coatings.

#### a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

As noted above, a project would conflict with or obstruct implementation of the AQMP for the Monterey Bay Region if it is inconsistent with the growth assumptions included in the 2012-2015 AQMP, in terms of population, employment, or regional growth in vehicle miles traveled (VMT) (MBARD 2017).

The project involves the construction of 149 single family residential units, which would cause a direct increase in the County's population. According to data provided by the California Department of Finance (DOF), the estimated population of the County of San Benito is 62,296 (2018). Based on an average household size of 3.04 persons per dwelling unit, derived from DOF estimates, the project would house approximately 453 residents.<sup>2</sup>

The population growth projections used in the 2015 AQMP forecast that the population of San Benito County will reach 78,418 residents by 2030, an increase of 5,315 from 2020 projections (MBARD 2017). Overall, the population of the AMBAG region<sup>3</sup> is expected to reach 856,000 by 2030, an increase of 56,000 from 2020 projections. Buildout of the project would not exceed the AQMP population growth forecast for San Benito County. The project's population growth represents approximately 8.5 percent of the total population growth anticipated to occur within San Benito County between 2020 and 2030. On a regional scale, the project represents only 0.8 percent of the growth that is expected to occur in the AMBAG region during this time frame. The level of population growth associated with the project was anticipated in AMBAG's long-term population forecasts and would not exceed official regional population projections.

The proposed project would be consistent with AQMP growth assumptions and is therefore accommodated within and consistent with the AQMP. Impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

<sup>&</sup>lt;sup>2</sup>: 3.04 persons per dwelling unit times 149 dwelling units = 453 residents

<sup>&</sup>lt;sup>3</sup> Includes Monterey, Santa Cruz and San Benito Counties

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

## **Construction Emissions**

Construction activities such as demolition, grading, construction worker travel to and from project site, delivery and hauling of construction supplies and debris to and from project site, and fuel combustion by on-site construction equipment would generate emissions of ozone precursors (ROG and NO<sub>x</sub>), CO, and fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>). According to the MBARD guidelines, PM<sub>10</sub> is the greatest pollutant of concern during construction.

The MBARD Guidelines provide project-level thresholds for construction emissions. If a project's construction emissions fall below the project-level thresholds, the project's impacts to regional air quality are considered individually and cumulatively less than significant. Table 4 shows the estimated mitigated maximum daily emissions for each year of construction of the project.

Construction Year	ROG	NOx	CO	SO2	<b>PM</b> 10	PM2.5
2020	13	144	83	0.2	26	15
2021	11	54	50	< 0.1	3	3
2022	10	48	49	< 0.1	3	2
2023	10	44	49	< 0.1	3	2
2024	10	42	48	< 0.1	2	2
Maximum Emissions (lbs/day)	13	144	83	0.2	26	15
MBARD Thresholds	n/a	n/a	n/a	n/a	82 <sup>2</sup>	n/a
Threshold Exceeded?	n/a	n/a	n/a	n/a	No	n/a

Table 4 Estimated Maximum Daily Construction Emissions in Pounds per Day

N/A = Not applicable.

Notes: All numbers have been rounded to the nearest whole number. Emissions presented are the highest of the winter and summer modeled emissions. Emission data is pulled from "mitigated" results, which account for compliance with regulations and project design features. See Appendix A for CalEEMod calculations and assumptions.

 $^2$  This threshold only applies if construction is located nearby or upwind of sensitive receptors. In addition, a significant air quality impact related to PM<sub>10</sub> emissions may occur if a project uses equipment that is not "typical construction equipment" as specified in Section 5.3 of the MBARD CEQA Guidelines

As shown in Table 4, construction of the project would generate maximum daily emissions of approximately 25.3 pounds of  $PM_{10}$ , which would not exceed the MBARD threshold of 82 pounds per day. Therefore, construction-related air quality impacts from buildout of the project would be less than significant, and no mitigation would be required. Required compliance with MBARD Rule 400 (Visible Emissions) and Rule 425 (Use of Cutback Asphalt) would further reduce emissions of dust particulates during construction activity.

# **Operational Emissions**

Long-term operational emissions associated with the proposed project are those attributed to vehicle trips (mobile emissions), the use of natural gas and electricity (energy emissions), and

consumer products, architectural coatings, and landscape maintenance equipment (area emissions). Table 5 illustrates the estimated operational emissions associated with the project.

Construction Year	ROG	NOx	СО	SO <sub>2</sub>	<b>PM</b> 10	<b>PM</b> <sub>2.5</sub>
Maximum Emissions (lbs/day)	10	17	45	0.1	10	3
MBARD Thresholds	137	137	550	150	82	n/a
Threshold Exceeded?	No	No	No	No	No	No

 Table 5
 Estimated Maximum Daily Operational Emissions in Pounds per Day

N/A = Not applicable.

Notes: All numbers have been rounded to the nearest whole number. Emissions presented are the highest of the winter and summer modeled emissions. Emission data is pulled from "mitigated" results, which account for compliance with regulations and project design features. See Appendix A for CalEEMod calculations and assumptions

As shown in Table 5, the project would not exceed the daily emissions thresholds established by the MBARD and as such, would not expose sensitive receptors to substantial pollutant concentrations. Because emissions would be below MBARD thresholds, operational emissions would not substantially contribute to the violation of other State or national AAQS. Therefore, impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

## **Toxic Air Contaminants**

#### Construction

Construction-related activities would result in temporary project-generated emissions of diesel particulate matter (DPM) exhaust emissions from off-road, heavy-duty diesel equipment for site preparation, grading, building construction, and other construction activities. DPM was identified as a toxic air contaminant (TAC) by CARB in 1998. The potential cancer risk from the inhalation of DPM, discussed in the following paragraphs, outweighs the potential non-cancer health impacts (CARB 2017).

Generation of DPM from construction projects typically occurs in a single area for a short period. Construction of the proposed project would occur in phases over approximately four years. The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period. According to the California Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 70-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the project. Thus, the duration of proposed construction activities (i.e., four years) is approximately 5.7 percent of the total exposure period used for health risk calculation. Current models and methodologies for conducting health-risk assessments are associated with longer-term exposure periods of nine, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities, resulting in difficulties in producing accurate estimates of health risk (BAAQMD 2017).

The maximum PM<sub>10</sub> and PM<sub>2.5</sub> emissions would occur during site preparation and grading activities. The DPM emissions would decrease for the remaining construction period because construction activities such as building construction and architectural coating would require less construction equipment. While the maximum DPM emissions associated with site preparation and grading activities would only occur for a portion of the overall construction period, these activities represent the worst-case condition for the total construction period. This would represent less than 0.06 percent of the total exposure period for health risk calculation. Therefore, given the aforementioned, DPM generated by project construction would not create conditions where the probability is greater than one in one million of contracting cancer for the maximally exposed individual<sup>4</sup> or to generate ground-level concentrations of non-carcinogenic TACs that exceed a hazard index greater than one for the Maximally Exposed Individual. This impact would be less than significant.

## Operation

As discussed under *MBARD Thresholds of Significance* above, a significant CO impact would occur if project-generated traffic would degrade LOS operations at County roadways or intersections, such that those roadways or intersections would degrade from LOS D or better to LOS E or F with the addition of project-generated traffic. In addition, a significant CO impact would occur if project generated traffic would increase delay by 10 seconds or more on any intersections that currently operate at LOS E or F.

As described in Section 17, *Transportation*, the proposed project would increase traffic in the project vicinity. However, as shown in Table 29, traffic conditions under the Background Plus Project Mitigated scenario would not degrade any existing intersections from LOS D or better to LOS E or F and the project would not result in a delay of 10 seconds or more at any intersections that currently operate at LOS E or F. Therefore, the project would not result in volumes of traffic that would create, or substantially contribute to, the exceedance of State and federal AAQS for CO. The project would not expose sensitive receptors to substantial pollutant concentrations related to CO hotspots. Impacts related to CO hotspots would be less than significant.

Additionally, the project would not include any stationary sources of TACs that would expose both on-site and nearby off-site receptors to substantial TAC emissions. No operational TAC emissions would result from the project. Impacts related to TAC emissions would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

# d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

During construction activities, temporary odors from vehicle exhaust and construction equipment, fumes from fuel and architectural coatings engines would occur. Construction-related odors would be short-term and would cease upon completion. In addition, MBARD Rule 402 prohibits the discharge of air contaminants or other materials which would cause a nuisance or detriment to a considerable number of persons or to the public, except for odors from agricultural activities.

<sup>&</sup>lt;sup>4</sup> Hypothetical person receiving the greatest exposure to DPM.

Therefore, construction the project would not result in significant impacts related to objectionable odors during construction.

Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (MBARD 2008). The project does not include any uses associated with objectionable odors. Operational odor emissions from the project would be limited to odors associated with vehicle and engine exhaust and trash receptacles and would be comparable with existing residential uses on and near the site. Therefore, the proposed project would not expose sensitive receptors to substantial concentrations of odors and would not directly or indirectly generate any objectionable odors, or other emissions that would adversely affect a substantial number of people. Impacts related to objectionable odors would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

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# 4 Biological Resources

Potentially with Less than Significant Mitigation Significant Impact Incorporated Impact	No Impact

Would the project:

- 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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 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 U.S. Fish and Wildlife Service?
- c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 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?
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 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?

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# Methodology

Information contained in this section comes primarily from a literature review and reconnaissance site visit conducted by Rincon on October 17, 2019. A Biological Resources Assessment (BRA) report (Monk & Associates 2019, Appendix B) and arborist report (HortScience 2019, Appendix C) prepared for this project were also reviewed for background information.

## Literature Review

Rincon reviewed relevant databases and literature for baseline information on biological resources occurring and potentially occurring at the project site and in the immediate surrounding area. The review included the following sources:

- U.S. Fish and Wildlife Service (USFWS) Information, Planning and Conservation (IPaC) Trust Resource Report (USFWS 2020);
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) for the Hollister, California USGS 7.5-minute quadrangle, and eight surrounding quadrangles; (CDFW 2020);
- California Native Plant Society Online Inventory of Rare and Endangered Vascular Plants (California Native Plant Society 2020).
- National Hydrography Dataset (NHD) (USGS 2019)
- National Wetlands Inventory (NWI) (USFWS 2019)
- A Manual of California Vegetation (Sawyer et al. 2009);
- California Wildlife Habitat Relationships System (CDFW 2005);
- Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland 1986);
- Jepson Manual of Higher Plants of California (Baldwin et al. 2012); and
- Biological Resources Assessment (BRA) report prepared for this project (Monk & Associates 2019)
- Preliminary Arborist Report, Enterprise Road Hollister, CA (HortScience 2019)

## **Biological Surveys**

On October 17, 2019 Rincon conducted a reconnaissance-level biological field survey of the project site. The survey consisted of a pedestrian survey and scanning a 50-foot buffer along the periphery of the site to map and characterize on-site vegetation, identify and record observations of plant and wildlife species, and assess the potential of on-site habitats to support the special status species identified as potentially occurring during the preliminary database and literate review.

Rincon also evaluated the site for consistency with the preliminary jurisdictional delineation of wetlands and other waters of the United States conducted by Monk & Associates and arborist report prepared by HortScience in 2019 (Appendix B and C, respectively).

# **Vegetation Communities**

This section addresses the habitats and vegetation communities at the project site. Vegetation classification was based on Sawyer et al. (2009) and Holland (1986), modified as needed to accurately describe the existing habitats observed on-site. Eight vegetation communities or land-cover types are present onsite, listed in Table 6 and shown in Figure 6. A brief discussion of each vegetation community is provided below.





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Vegetation Community	Acres (approximate)	
Agricultural	8.90	
Blue oak valley oak woodland	2.11	
Coast live oak woodland	0.21	
Developed	2.03	
Landscaped	0.42	
Non-native Annual Grassland	35.09	
Ruderal	0.93	
Lico Basin	0.21	
Total	49.91	

## Table 6 Vegetation Communities and Land Cover Types in the BSA

## Agricultural

Agricultural land cover types are not naturally occurring, and therefore are not described in either the Holland (1986) or Sawyer et al. (2009) classification systems. The agriculture land cover type at the site includes rangeland that covers approximately 8.9 acres. The fields are regularly disked or denuded of vegetation through grazing by goats. The vegetation observed is dominated by non-native species typical to disturbed areas such as wild oats (*Avena* sp.).

## Blue Oak Valley Oak Woodland

The project site contains approximately 2.11 acres of blue oak valley oak woodland. This community was observed along the remnant section of creek in the northeast corner of the site and is a naturally occurring remnant community. The canopy is open with no shrub layer, as characteristic of oak savanna communities (Sawyer et al. 2009). Blue oak (*Quercus douglasii*) and Valley oak (*Quercus lobate*) are codominant with non-native annual grasses in the understory. Under CDFW's revised ranking system, Blue oak woodland has a CRPR of G4 S4, and *Quercus douglasii* – *Quercus lobata* woodland alliance is considered a sensitive natural community (CDFW 2019).

## Coast Live Oak Woodland

The project site contains approximately 0.21 acre of coast live oak woodland. Oak woodland habitat is characterized by coast live oak trees found in monotypic stands and most closely corresponds with the *Quercus agrifolia* Woodland Alliance in the Manual of California Vegetation system (Sawyer et al. 2009). This community is dominated by coast live oak (*Quercus agrifolia*) with an understory that ranged from dense scrub to open and underdeveloped. Typical scrub understory constituents include scrub or chaparral species such as poison oak (*Toxicodendron diversilobum*) and annual grasses. This community was observed within the project site along the assess road at the western border of the property.

## Developed

Approximately 2.03 acres of the project site is represented by developed areas. Developed areas are represented by man-made features such as unvegetated roadways, buildings, and ornamental landscapes. While some buildings can be utilized by wildlife, developed areas are typically void of native plants and wildlife species.

### Landscaped

This vegetation community includes planted trees around the edges of the residence along Enterprise Road and covers approximately 0.42 acre of the project site. Species observed in landscaped areas were primarily Deodar cedar (*Cedrus deodara*) and Peruvian pepper (*Schinus mole*), both of which are non-native species commonly used in landscaping.

#### Non-Native Annual Grassland

This vegetation community covers approximately 35.09 acres of the project site and is composed primarily of non-native annual grasses and forbs and lacks shrub or tree cover. The physiognomy and species composition of annual grasslands is highly variable and also varies considerably on a temporal scale. The habitat type resembles Non-Native Grassland as described by Holland (1986), and includes the wild oats and annual brome grasslands of Sawyer et al. (2009). This is the largest community on the project site. Characteristic non-native, annual species present include mustard (*Brassica* sp.), Jersey cudweed (*Pseudognaphalium luteoalbum*), stinkwort (*Dittrichia graveolens*), turkey mullein (*Croton setiger*), and rip-gut brome (*Bromus diandrus*).

#### Ruderal

The project site contains approximately 0.93 acre of ruderal land cover. Habitats that have been heavily disturbed or altered such that natural vegetation has largely been removed are mapped as ruderal areas. These sites do not correspond well with either the Holland (1986) or Sawyer et al. (2009) classification systems. Ruderal areas have had visible disturbance of soil or vegetation and are mostly bare and colonized by weeds and disturbance-tolerant natives, such as wild radish (*Raphanus sativa*), field mustards (*Hirschfeldia* spp., *Brassica* spp.), and annual grasses.

#### Lico Basin

A manmade stormwater basin is located in the northeast corner of the project site, covering approximately 0.21 acer of the site. Monk and Associates delineated the Lico Basin in 2015 and Rincon confirmed conditions in 2019 were consistent with those reported by Monk and Associates in 2015.

## **Drainages and Wetlands**

The project site is located within the San Benito River watershed. The portion of the San Benito River to the west of the proposed project, as shown in Figure 7, is an intermittent drainage. Flows from the San Benito River ultimately drain into the Pacific Ocean. The San Benito River and its tributaries are of biological importance, utilized by species such as south-central California coast steelhead (*Oncorhynchus mykiss*) Distinct Population Segment (DPS) and California red-legged frog (*Rana draytonii*) when sufficient water is present. The site is hydrologically connected to the San Benito River via the City of Hollister stormwater drainage system (Hollister 2011). The San Benito River is approximately 2,400 feet to the west of the site, with light residential and agricultural land use between.

San Benito County Resource Management Agency Lico Major Subdivision





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Lico Basin receives flow from the channelized creek and housing development to the east, including 4.2 square miles of upstream watershed (Appendix H). Water then flows under Enterprise road into another stormwater basin before flowing to the San Benito River Via the City's storm drain system.

Bird Creek is shown to the east of the project site in Figure 7. The remnant segment of Bird Creek on the eastern edge of the project site does not receive flow (upstream or downstream) and does not contain wetland soils, hydrophytic plant species, or species associated with riparian habitats (Monk & Associates 2019). In a preliminary jurisdictional delineation prepared in 2016 and submitted to the U.S. Army Corps of Engineers (USACE), the USACE did not take jurisdiction over this feature, nor over the roadside ditch under the driveway along Enterprise Road (Monk & Associates 2019). It is unlikely that the remnant segment of creek bed would be considered a jurisdictional feature pursuant to Section 1602 of the California Fish and Game Code. Revisions to the state definition of water of the state (Wetland Rule) schedule to take effect in May 2020 are not expected to have any effect on this determination as the segment does not contain wetlands.

The Lico Basin is likely to be under the jurisdiction of the USACE under Section 404 of the Clean Waters Act, and Regional Water Quality Control Board (RWQCB) pursuant to the federal Clean Water Act (CWA) and the Porter-Cologne Water Quality Control Act, and under CDFW jurisdiction under section 1602 of the California Fish and Game Code (CFGC) (M&S 2019, Appendix B). Project activity that would result in impacts to the Lico Basin would likely require permitting under the CWA and CFGC; however, those permits are issued at the discretion of the regulatory agencies, and regulatory permits are generally not specified as CEQA project conditions.

A small pond was reported near the barn during surveys in 2015, however it has since been infilled and graded and no longer functions as a water feature.

# **Special Status Species**

Special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS) under the federal Endangered Species Act (FESA); those listed or proposed for listing as rare, threatened, or endangered by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA); animals designated as "Species of Special Concern," "Fully Protected," or "Watch List" by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1 or 2 which are defined as:

- List 1A = Plants presumed extinct in California;
- List 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat);
- List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80 percent occurrences threatened);
- List 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20 percent of occurrences threatened or no current threats known); and</li>
- List 2 = Rare, threatened or endangered in California, but more common elsewhere

Queries of the IPaC (USFWS 2020), CNDDB (CDFW 2020), and CNPS Online Inventory of Rare, Threatened and Endangered Plants of California (CNPS 2020) were conducted to compare to the list compiled by Monk and associates regarding special status species considered to have potential to occur within the project site.

# Sensitive Communities and Critical Habitat

One natural community considered sensitive by the CDFW, blue oak valley oak woodland, was observed within the site (Figure 6). Federally designated critical habitat for two special status animal species are mapped within five miles of the project site (CDFW 2020). Critical habitat for California red-legged frog occurs within the San Benito River, located approximately 2.6 miles to the southwest of the project site beginning in the foothills of the Gabilan and Diablo Mountain ranges (Figure 8). Designated critical habitat for California tiger salamander (*Ambystoma californiense*) is located approximately 0.8 mile to the east of the project site to the north and east of State Route (SR) 25 (Unit 15a) (CDFW 2020).

# **Special Status Plants and Animals**

Queries of the USFWS IPaC (USFWS 2020), CNDDB (CDFW 2020), and CNPS Online Inventory of Rare, Threatened and Endangered Plants of California (CNPS 2020) were conducted to obtain comprehensive information regarding special status species considered to have potential to occur on the project site or the vicinity. this list was compared to the list included in the BRA.

The BRA concluded that no special status plants have the potential to occur on-site based on the disturbed nature of the site and results of seasonally timed botanical surveys. These surveys were conducted in 2015, and rare plant survey results are typically only valid for two years. However, based on land cover types and disturbed nature of the site, as confirmed during a 2019 reconnaissance survey, and the species with potential to occur in the region, federal or state listed species are not expected to occur on site.

The BRA concluded that eight special status animal species have the potential to occur on or near the site and be affected by the proposed project, including; white-tailed kite (*Elanus leucurus*), Swainson's hawk (*Buteo swainsoni*), golden eagle (*Aquila chrysaetos*), burrowing owl (*Athene cunicularia*), pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossevillii*), and Townsend's big-eared bat (*Corynorhinus townsendii*) (Monk & Associates 2019). An updated search of occurrence records contained in the CNDDB identified three additional species that should be evaluated based on known occurrences in the vicinity and hydrologic connectivity at the site. These species include California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), and vernal pool fairy shrimp (*Branchinecta lynchi*).

# Wildlife Movement Corridors

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Other corridors may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

Habitats within a habitat linkage do not necessarily need to be identical to those habitats being linked. Rather, the linkage needs only to contain sufficient cover and forage to allow temporary utilization by species moving between core habitat areas. Habitat linkages are typically contiguous strips of natural areas, though dense plantings of landscape vegetation can be used by certain





Imagery provided by Microsoft Bing and its licensors © 2019. Critical habitat data provided by U.S. Fish and Wildlife Service, November 2019.

disturbance-tolerant species. Some species may require specific physical resources (such as rock outcroppings, vernal pools, or oak trees) within the habitat link for the linkage to serve as an effective movement corridor, while other more mobile or aerial species may only require discontinuous patches of suitable habitat to permit effective dispersal and/or migration. Wildlife movement corridors may occur at either large or small scales.

The project site is not located within any previously defined essential connectivity areas or within existing natural landscape blocks as defined in the California Essential Habitat Connectivity Project (Spencer et al. 2010). The site is largely surrounded by existing development and does not function to connect any non-essential or local expanses of natural habitat and is unlikely to support substantial local movement of wildlife.

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

# Special Status Wildlife and Nesting Migratory Birds

The review of the resource agency databases for known special-status wildlife species occurrences within the nine USGS quadrangles containing and surrounding the project site identified 28 special-status wildlife species with potential to occur in the region. Of these 28 special-status wildlife species, 11 species were determined to have some potential to occur on the site: California red-legged frog (federally threatened), California tiger salamander (federally and state threatened), vernal pool fairy shrimp (federally threatened), white-tailed kite (fully protected), Swainson's hawk (state threatened), golden eagle (fully protected), burrowing owl (species of special concern), pallid bat (species of special concern), western mastiff bat (species of special concern). No special status species were observed during surveys of the site. The remaining 17 species are not expected to occur on site based on the lack of suitable habitat or the project site being outside the geographic range of the species (see Appendix B). Additionally, nesting opportunities exist for birds protected under the California Fish and Game Code (Section 3503).

# California Red-legged Frog

The California red-legged frog (CRLF) is federally Threatened and a state Species of Special Concern. Critical Habitat for the CRLF is mapped in the Gabilan Range, beginning approximate 2.6 miles to the southwest of the project site. This species is likely to occur within the San Benito River and has the potential to breed in backwaters of the San Benito River and its tributaries, assuming sufficient water was present. CRLF are not precluded from traversing agricultural areas (Bulger et al., 2003), but the potential for occurrence is reduced in areas with no, or low-quality upland refugia, and which are not located between areas of suitable breeding habitat. No suitable aquatic breeding habitat occurs within the project site, the stormwater basin does not hold enough water (<3 inches deep) to provide breeding habitat. Potentially suitable aquatic habitat is located approximately 0.87 miles to the southeast at the Ridgemark Golf Course (Figure 7). There is a known occurrence (CNDDB # 84) from ponds on the golf course and the site is hydrologically connected via Bird Creek. While there is no breeding habitat the site does contain upland habitat (oak savanna/range land) with suitable burrows. The site is also approximately 0.6 mile east of suitable habitat in the San Benito River, therefore this species has a low potential to be present in terrestrial (upland) habitats (e.g., annual non-native grassland, or adjacent agricultural areas) on site. This species would only have the potential to occur on-site transiently during overland movement following rainfall. During precipitation events in the rainy season, foraging may occur in upland habitat adjacent to ponds.

If present, individuals could be significantly impacted during construction and grading within or in the vicinity of terrestrial upland refuge. However, based on the project site conditions and the facts

described above, the potential for impacts is low and these impacts would be potentially significant but mitigable to a less than significant level with implementation of below-referenced mitigation measures.

## California Tiger Salamander

The California tiger salamander (CTS) Central California distinct population segment is federally, and state Threatened. CTS require vernal and seasonal pools for breeding and upland habitats, such as grasslands and scrub habitats, with small mammal burrows for dispersal and aestivation during the non-breeding season. Breeding takes place after the first rains in late fall and early winter, when the wet season allows the salamanders to migrate to the nearest pond. CTS have also been known to breed in man-made agricultural ponds as well. CTS have also been documented within ponds in the Ridgemark Golf Course (Figure 7). The nearest documented occurrence of CTS is approximately 0.87 mile of the project site. No suitable aquatic breeding habitat occurs within the project site; however, suitable burrow for upland habitat are present and it is unknown if the pond that was filled in provided breeding habitat. The San Benito River is generally flowing during the breeding season which poses a significant barrier to this lentic species, as CTS is a poor swimmer not adapted to the strong currents, high flows, and velocities of the flowing river during winter. Therefore, the San Benito River acts as a barrier to dispersal to and from known locations across the river to the project site and vicinity during breeding, when the species is active.

Impacts would likely only occur if CTS are found within the construction footprint when dispersing between breeding ponds and upland habitats (grasslands), which could only occur during periods of heavy rainfall. If present, individuals could be significantly impacted during construction and grading during the breeding season within or in the vicinity of suitable upland habitats, or if individuals are migrating between aquatic habitats. However, based on the project site conditions and the facts described above, the potential for impacts is low and these impacts would be potentially significant but mitigable to a less than significant level with implementation of below-referenced mitigation measures.

#### Vernal Pool Fairy Shrimp

Vernal pool fairy shrimp is a small freshwater crustacean (0.12 to 1.5 inches long). It is endemic to vernal pools of California and Oregon. Because they do not have any predatory defenses, vernal pool fairy shrimp do not exist in pools that contain fish. The vernal pool fairy shrimp are found in temporary pools that go dry in the summer. Offspring withstand these drying conditions as desiccation-resistant embryos or cysts. The embryos will embed in the mud and dried pool bottoms of their parent's vernal pool. The embryotic cysts can be transported to nearby depressions in topography and the species spreads in this manner to other vernal pools. The nearest CNDDB occurrence is approximately 1.2 miles to the east. This species was also documented approximately 2 miles to the south east in a seasonal wetland swale (Bird Creek), just south of the golf course (ECORP Consulting, Inc. 2018) and dry season surveys of this parcel identified eggs of the genus *Branchinecta* in 20 wetland features (ECORP Consulting, Inc. 2017). The project site contains a small area of habitat in the detention basin which is hydrologically connected to the swale where this

species was observed. The proposed project would avoid any impacts to the existing detention basin, and therefore the project would not result in impacts to Vernal pool fairy shrimp

## White-tailed Kite

White-tailed kite is a fully protected species of special concern. This species forages in open grasslands, meadows, and marshes close to isolated, dense-topped trees where they nest and perch. Large trees on-site are suitable nest trees, but they are adjacent to development and high levels of human disturbance. The closest CNDDB occurrence is 12.4 miles west of the project site, however numerous sightings have been reported on ebird throughout Hollister (Sullivan, et al. 2009). Based on the project site conditions and the facts described above, the potential for impacts is low and these impacts would be potentially significant but mitigable to a less than significant level with implementation of below-referenced mitigation measures.

## Swainson's Hawk

The historical breeding range of Swainson's hawk in California included the Great Basin, Sacramento, and San Joaquin Basins, the coast from Marin County to San Diego County, and scattered sites in the Mojave and Colorado Deserts (CDFW 2016). The species continues to breed across its entire historical range, but in significantly lower numbers than historically. In San Benito County the first documented breeding occurred in 2013, and successful nesting in the Coyote valley between Gilroy and Hollister was documented in 2013 and 2014 (Phillips et al. 2014). There are no CNDDB occurrences within 5 miles of the site, however there are numerous occurrences reported on ebird (Sullivan et al. 2009). The project site contains several large trees that are suitable for nesting, however the small size of the parcel and surrounding development make the site marginal for nesting.

Based on the lack of suitable nesting habitat, nesting Swainson's hawk occurrence records, and lower quality foraging habitat, Swainson's hawk have a low potential to nest on site. Based on the project site conditions and the facts described above, the potential for impacts is low and these impacts would be potentially significant but mitigable to a less than significant level with implementation of below-referenced mitigation measures.

# Golden Eagle

Golden eagle is a CDFW fully protected species that inhabits semi-open habitats where there is easy access to their primary prey of small to medium-sized mammals. Grasslands, deserts, savannahs, and early successional stages of forest and shrub habitats provide necessary foraging habitats. Nests are placed on cliffs or large trees and are maintained from year to year. Breeding occurs from January through August, and breeding territories range from eight to 21 square miles, or three to five miles surrounding the nest, but activity is often concentrated in a smaller core area. Although only one nest is used each year, a territory may contain multiple alternate nests.

There are no occurrence records on the CNDDB within five miles of the BSA, however there are numerous sighting's on ebird, including a possible nest site just over five miles to the east (Sullivan et al. 2009). The project site and immediate vicinity do not provide suitable nesting habitat for this species, and individuals of the species are most likely to forage over open grasslands to the west. The project would not have a significant impact to golden eagles.

#### Burrowing Owl

Burrowing owl is a California Species of Special Concern that occupies open, treeless areas within grassland, low density scrub, and desert biomes. This species generally inhabits gently-sloping areas, characterized by low, sparse vegetation, and is often associated with high densities of burrowing mammals (Poulin et al. 2011). Burrowing owl often uses relatively disturbed areas such as agricultural fields, golf courses, cemeteries, and vacant urban lots in addition to natural breeding habitats. Nests are most often in fossorial animal burrows, such as California ground squirrel or American badger, but atypical nests such as culverts or rubble piles may also be used. Nest sites are typically selected in an area with a high density of burrows.

The nearest CNDDB record for this species is approximately 1.7 miles to the northwest. Suitable habitat is present in non-native annual grassland, ruderal, and agricultural areas throughout the project site. Large ground squirrel burrows were primarily observed along the remnant segment of Bird Creek and around the edges of the south end of the site. This species also has numerous sighting's on ebird; however, none are within the developed portions of the County or nearby City of Hollister. Therefore, there is a low potential for burrowing owl to occur on-site. The potential for impacts to burrowing owl is low but would be potentially significant if burrowing owls are present on site at the time of construction. Impacts would be reduced to a less than significant level with implementation of below-referenced mitigation measures.

#### San Joaquin Kit Fox

San Joaquin kit fox (*Vulpes macrotis mutica*) is a federally endangered and state threatened species. The San Joaquin kit fox inhabits grasslands and scrublands, oak savannahs, alkali sink communities, alkali meadows, and vernal pool habitats. They may also be found in agricultural and urban areas. Friable soils are a necessary component of their habitat as they occupy subterranean burrows throughout the year for denning and refuge. The San Joaquin kit fox's historic range extends through the Central Valley from Contra Costa and Stanislaus Counties to southern Kern County, and west into the Carrizo Plains and Salinas Valley.

The nearest CNDDB occurrence is approximately 0.9 mile to the north east; however, this is a historical occurrence from 1971. The other occurrences in and around the City of Hollister are also from the 1970s, with the exception of one occurrence in 1992. No San Joaquin kit fox or their sign (e.g. scat, tracks, and prey items) were observed during the reconnaissance survey, and the site did not contain suitable burrows for this species. Protocol level surveys conducted in 2015 were also negative and the site is outside current known distribution for this species. No impacts to San Joaquin kit fox are expected.

#### Special Status Bats

The pallid bat, western red bat, western mastiff bat, and Townsend's big-eared bat are California species of special concern. Townsend's big-eared bat is closely associated with mines and caves. Unlike other bats, this species roosts in the open, hanging from walls and ceilings instead of in cracks and crevices. It may also roost in buildings that provide a cave-like environment, such as dark attics or basements. Pallid bats roost in caves and mines as well as crevices; they roost in hollow trees and buildings occasionally. These species are both highly sensitive to human disturbance. The western mastiff bat roosts in crevices in cliffs, tall buildings, large trees, and tunnels, typically preferring greater heights (> 10 feet). Western red bat is closely associated with riparian habitats, but also uses edge habitats where suitable roost trees are present adjacent to foraging habitat. The

large trees and barn may provide suitable roosting habitat for these species. Therefore, specialstatus bats have a low potential to occur.

Impacts would include injury or mortality if bats are present during tree removal or building demolition, and would be considered significant but mitigable to a less than significant level with implementation of below-referenced mitigation measures.

### Nesting Birds

The project site contains suitable foraging habitat for several common raptor species found in California, such as red-tailed hawk (*Buteo jamaicensis*), and common passerine species such as mourning dove (*Zenaida macroura*). It also provides nesting habitat for ground-nesting species such as killdeer (*Charadrius vociferus*) and western meadowlark (*Sturnella neglecta*), as well as habitat for tree nesting species. Although no special-status bird species were observed during the field survey, all native birds in California are protected by Sections 3503 and 3503.5 of the California Fish and Game Code, which specifically protect active nests of native birds and raptors. Ground disturbance, construction activities, or vegetation removal that would result in destruction of active bird nests or abandonment of an active bird nest could potentially be a violation of the Fish and Game Code. Impacts to nesting birds would only be considered a significant impact under CEQA if the species affected were federal or state listed species, or if the result had a population-level effect on non-listed sensitive species. Implementation of mitigation would ensure no violation of the California Fish and Game Code and avoid potential significant impacts under CEQA.

## **Mitigation Measures**

# BIO-1 Worker Environmental Awareness Program (WEAP)

Prior to initiation of construction activities (including staging and mobilization, or any ground disturbing activities), all personnel associated with project construction shall complete WEAP training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the project site. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area, including applicable permit conditions. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting their completion of WEAP training and understanding of the information presented in the training.

# BIO-2 Construction Best Management Practices

The following construction Best Management Practices (BMPs) shall be incorporated into all grading and construction plans:

- Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from areas that drain into waters, wetlands (i.e., the Lico Basin). Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site.
- 2. Daily construction work schedules shall be limited to daylight hours only.
- 3. Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition.

- 4. Drip pans shall be placed under all stationary vehicles and mechanical equipment.
- 5. All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week.
- 6. No pets are permitted on project site during construction.

## BIO-3 California Tiger Salamander (CTS) and California Red-legged Frog (CRLF) Pre-construction Survey and Impact Avoidance

Within 24 hours prior to the start of any construction activities (including staging and mobilization, ground disturbing activities), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site. If no CTS or CRLF are observed, no further mitigation is necessary.

If either of these species are identified dispersing through the work area, construction and grading in these areas shall be halted, and the individuals will be allowed to leave the work area of their own accord. A qualified biologist shall be contacted to monitor the individual and determine when the individual is safely out of harm's way and off the project site. The qualified biologist shall the authority to halt and direct construction activity within the vicinity of the individual until the time the individual has left the construction site.

A report of survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion to document compliance. The report shall include the dates, times, weather conditions, aquatic and terrestrial habitat conditions, agency consultation if individuals are discovered, and personnel involved in the surveys. Take of CTS and/or CRLF, including disturbance, handling or relocating, is illegal without state and/or federal take authorization.

#### BIO-4 Nesting Bird Surveys and Avoidance

Project-related ground disturbance activities, including vegetation removal, shall not occur during the general avian nesting season (February 1 – August 31), if feasible. If breeding season avoidance is not feasible, the applicant shall retain a qualified biologist to conduct a preconstruction nesting bird survey to determine the presence/absence, location, and status of nests on or adjacent to the project site. The survey shall include a 0.25 mile buffer for golden eagle and Swainson's hawk, and 500 foot buffer for white-tailed kite. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the California Fish and Game Code, nesting bird surveys shall be performed not more than 14 days prior to scheduled vegetation clearance. In the event that active nests are discovered, a 0.25 mile radius avoidance buffer shall be established for golden eagle and Swainson's hawk, a 500 foot buffer for white-tailed kite, a 300-foot buffer for other raptors and 50-foot radius avoidance buffers for all other birds shall be established around such active nests and no construction or personnel shall be allowed within the buffer areas until a qualified biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest). No project activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting bird surveys are not required for construction activities occurring between September 1 and January 31.

Reductions of avoidance buffers may be implemented in consultation CDFW and/or USFWS.

## BIO-5 Burrowing Owl Pre-construction Surveys, Avoidance, and/or Exclusion

A qualified biologist shall conduct a pre-construction clearance survey prior to ground disturbance activities within all suitable habitat to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to any construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required.

If burrowing owls or active burrows are detected during the pre-construction clearance surveys, avoidance buffers shall be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. If burrowing owls are detected, prior to ground disturbance, coordination with the CDFW by a qualified biologist shall occur to establish the appropriate avoidance buffer distances specific for the project's activities and level of expected disturbance.

If avoidance of burrowing owls is not feasible, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993). The Plan shall be provided to the applicable local CDFW office prior to implementation. A qualified biologist shall coordinate with the CDFW to determine the appropriate exclusion methods (passive or active relocation) for the project to relocate burrowing owls to a suitable offsite location. Relocation of owls can only occur during the non-breeding season.

A report of all pre-construction survey efforts shall be submitted to the San Benito County Resource Management Agency within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include each observed special status animal, the Universal Transverse Mercator (UTM) coordinates and habitat descriptions. If relocation is required, separate reporting as required within the Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall also be submitted to the County Resource Management Agency, Planning and Land Use Division and CDFW.

## BIO-6 Special Status Bats Surveys, Avoidance, and/or Exclusion

A qualified biologist shall conduct a bat roost-habitat assessment and conduct presence/absence surveys for special status pallid bat, western red bat, western mastiff bat, and Townsend's big-eared bat where suitable maternity roosting habitat is present (e.g., buildings, mature trees) during the breeding season (approximately August 1 to October 1). Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. Surveys shall be conducted not more than 15 days prior to initiation of disturbance or construction activities during the bat breeding season.

Areas where bats' maternity roosts are located shall be avoided where feasible. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed under the supervision of the qualified biologist after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement.

Any trees scheduled for removal that the biologist has identified as having potentially suitable bat roost habitat, should be removed using a two-day phased removal method:

- On day one, in the afternoon, limbs and branches should be removed using chainsaws only.
   Limbs with cavities, crevices, and deep bark fissures should be avoided.
- On day two, the rest of the tree should be removed under the direct supervision of the biologist.

A report of survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the surveys to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys, and if maternity roosts are observed and avoided.

## **Significance After Mitigation**

Implementation of mitigation measures BIO-1 through BIO-6 would ensure protection of nesting birds and special-status species that may be present on the site prior to or during construction activities. These measures would reduce impacts to special-status species to a less than significant level.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The project site contains blue oak valley oak woodlands, which is considered a sensitive natural community by CDFW (2019). This community only occurs at the north east corner of the project site, near Lico basin and the remnant creek bed. The blue oak valley oak woodlands on-site are small (2.11 acres) and isolated from other woodlands, therefore provide marginal habitat for wildlife.

The project would require the removal of approximately three valley oaks west of the Lico Basin spillway. The removal of these trees would not have a substantial adverse effect on the forest community in the surrounding area; therefore, impacts to any sensitive natural community would be less significant.

#### LESS THAN SIGNIFICANT IMPACT

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The project has been designed to avoid jurisdictional areas. No project elements are proposed for the Lico Basin. The project would be required to obtain coverage under the County's NPDES permit, which would require a Stormwater Management Plan (SWMP) and BMPs to contain runoff and protect water quality during and after construction. Therefore, impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

d. Would the project 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?

The project site is located adjacent to existing residential development with some agriculture and undeveloped land and does not provide for any substantial movement or nursery habitat. The

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proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species or affect any nursery sites as compared to the current site conditions.

#### LESS THAN SIGNIFICANT IMPACT

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project would remove 67 trees, of which three qualify as heritage trees (two valley oaks and one Peruvian pepper tree). The County Code of Ordinance requires that woodlands be conserved at specific densities based on existing canopy cover. The existing canopy cover on the project site is low (19%). To meet the County requirements, 100% of the canopy would have to be retained. A discretionary permit is therefore required for project since retention of 100% of trees is not feasible. Under the Ordinance, if the project cannot be designed to avoid woodlands on-site, the total acreage and type of habitat, number of trees (including the species and each trees diameter at breast height) and canopy coverage that would be impacted shall be confirmed once the final design of the project is completed and prior to initiation of ground disturbance activities. This information shall be submitted to San Benito County to determine whether a tree pruning/removal permit would be necessary. If a permit is necessary for impacts to woodlands, the applicant would be required to apply for and pay all associated fees for the acquisition of a permit. The fees would be applied to restoration activities that assure no net loss of woodlands habitat value. To avoid significant impacts to coast live oak woodland, compliance with the Ordinance's applicable requirements would be necessary, which would occur as part of project implementation, thus ensuring that impacts in this regard remain less than significant.

#### LESS THAN SIGNIFICANT IMPACT

*f.* Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project site is not within the boundaries of an adopted habitat conservation plan or natural community conservation plan or other approved local, regional, or state habitat conservation plan (CDFW 2019). Therefore, the proposed project would not conflict with adopted habitat conservation plans or natural community conservation plans or other approved local, regional, or state habitat conservation plans. There would be no impact.

#### **NO IMPACT**

# 5 Cultural Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			•	
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			•	
C.	Disturb any human remains, including those interred outside of formal cemeteries?			•	

# Setting

As described below, this analysis is based on a Cultural Resources Report originally prepared for the project site by Rincon in 2016 and additional research and review of records completed by Rincon in 2020.

Analysis in this section is based in part on a search of cultural resource records at the California Historical Resources Information System (CHRIS), Northwest Information Center (NWIC) located at Sonoma State University. This records search was conducted to identify previously completed cultural resources studies and previously recorded cultural resources within a 0.5-mile radius of the project site. The CHRIS search included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. The records search also included a review of all available historic U.S. Geological Survey 7.5- and 15-minute quadrangle maps.

The NWIC records search identified 26 previously conducted cultural resource studies within a 0.5mile radius of the project site. One of the previously conducted surveys explicitly discusses a portion of the current project site but did not identify any cultural resources. Furthermore, no archaeological resources have been previously recorded within the project site boundary. One previously recorded resource (P-36-00316: Highway 25) has been identified within a 0.5-mile radius of the project site.

The California Native American Heritage Commission (NAHC) was contacted and a review of the Sacred Lands File (SLF) requested on August 24, 2016. On September 14, 2016, the NAHC sent a response indicating that the SLF search request failed to indicate the presence of any known cultural resources in the project site.

A Rincon Archaeologist conducted a pedestrian field survey of the project site on September 27, 2016. No new cultural resources were identified in the project site during the survey.

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A subsequent historical resources study was completed by Rincon in February 2020 to identify potential historical resources within the project site (Appendix B). Rincon identified a barn and livestock pen dating from circa 1950 and two ancillary buildings constructed sometime between 1960 and 1974. Research revealed the property did not possess significant historical, cultural, or architectural associations and therefore was not eligible for CRHR listing. As such, the property is not a historical resource as defined by Section 15064.5 of the CEQA Guidelines.

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

As described above, the project contains an agricultural barn and sheds, but these structures were determined be ineligible for listing in the CRHR. They are therefore not historical resources and their demolition would not result in any impacts to historical resources. This impact would be less than significant.

## LESS THAN SIGNIFICANT IMPACT

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

No cultural resources were identified within the project site as a result of the cultural resources records search, NAHC SLF search, or pedestrian survey. Accordingly, there are no known archaeological resources as defined in Section 15064.5 that would be impacted by project activities.

While there are no records of known resources on the project site, the majority of the site has not been excavated or developed, other than for agricultural purposes. It is possible that unknown resources exist on-site below the ground surface. Project construction activities involving excavation or ground disturbance could potentially encounter and damage or destroy yet-identified cultural material or deposits within the project site, if such material or deposits exist. Impacts would be potentially significant if resources are damaged or destroyed. Accordingly, implementation of the following mitigation measure would be required to reduce potential impacts. Impacts would be less than significant with implementation of mitigation.

# **Mitigation Measures**

# CR-1 Unanticipated Discovery of Cultural Resources

If archaeological resources are encountered during ground-disturbing activities, work within 100 feet of the find shall be halted and the find shall be evaluated for significance under CEQA and Section 106 of the National Historic Preservation Act. The evaluation shall be conducted by an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for prehistoric archaeology (National Park Service 1983). If the find is of Native American origin, the County and/or qualified archaeologist shall contact and consult with local Native American(s) on the treatment of the find and a Native American monitor shall be retained for archaeological fieldwork and the remainder of project ground disturbance. The archaeologist may adjust the non-disturbance buffer based on the observed setting such that unanticipated resources are appropriately protected and to allow for evaluation while also allowing work to proceed elsewhere. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and/or Section 106 of the National Historic Preservation Act and cannot be avoided by the project, additional efforts shall be performed to mitigate any significant impacts to cultural resources. Additional efforts may include

but shall not necessarily be limited to preparation of an archaeological treatment plan, testing, methods for preservation in place, and data recovery.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

No cemeteries or archaeological resources containing human remains were identified within the project site as a result of the cultural resources records search, NAHC SLF search, or pedestrian survey. However, the discovery of human remains is always a possibility during ground disturbances, and ground disturbance would be required for construction of the proposed project. Human burials outside of formal cemeteries often occur in prehistoric archaeological contexts. In addition to being potential archaeological resources, human burials have specific provisions for treatment in Section 5097 of the California Public Resources Code. Additionally, the California Health and Safety Code (Sections 7050.5, 7051, and 7054) has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains, and protects them from disturbance, vandalism, or destruction. Public Resources Code Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and establishes the NAHC as the entity to resolve any related disputes. With adherence to existing regulations, impacts would be less than significant. No mitigation is required.

#### LESS THAN SIGNIFICANT IMPACT

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# 6 Energy

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			•	
b.	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			•	

# Setting

Energy use relates directly to environmental quality, since it can adversely affect air quality and can generate GHG emissions that contribute to climate change. Fossil fuels are burned to create electricity that powers residences and commercial/industrial buildings, heats and cools buildings, and powers vehicles. Transportation energy use is related to the fuel efficiency of cars, trucks, and public transportation; choice of different travel modes such as auto, carpool, and public transit; and miles traveled by these modes. Construction and routine operation and maintenance of transportation infrastructure also consume energy.

Energy use is quantified using the British Thermal Unit (BTU). The BTU is the amount of heat needed to raise the temperature of one pound of water by one-degree Fahrenheit. The unit of measure used for natural gas usage is a therm. A therm is equal to 100,000 BTU. Electrical energy is expressed in units of kilowatt hours (kWh), megawatt hours (MWh = 1,000 kWh), gigawatt hours (one million kWh), or terawatt hours (one billion kWh). One kWh is equal to the amount of energy expended by 1,000 watts over the period of an hour.

## Electricity and Natural Gas

In 2018, California used 285,488 gigawatt-hours (GWh) of electricity, of which 31 percent were from renewable resources, including wind, solar photovoltaic (PV), geothermal and biomass (CEC 2019b). California also consumed approximately 12,638 million U.S. therms (MMthm) of natural gas in 2018 (CEC 2019a).

In the County of San Benito, electricity is supplied by Monterey Bay Community Power (MBCP). MBCP is a community choice energy (CCE) agency established to source carbon-free electricity for Monterey, San Benito, Santa Cruz and San Luis Obispo counties and utilizes infrastructure operated by Pacific Gas & Electric (PG&E). MBCP would be the default electricity provider for the project, however, residents could elect to receive electricity from PG&E (MBCP 2019). PG&E would supply natural gas to the project site. Table 7 and Table 8 show the total electricity and natural gas consumption in San Benito County and the state.

Energy Type	San Benito County (GWh)	California (GWh)	Proportion of Statewide Consumption	County per Capita Consumption (kWh)	County per Capita Consumption (MMBtu)
Electricity (MWh)	381	285,488	0.1%	6,116	21

#### Table 7 2018 Annual Electricity Consumption

Notes: Electricity consumption volumes for San Benito County and California are expressed in gigawatt-hours (GWh) while County per capita consumption is expressed in kilowatt-hours (kWh) and millions of Btu (MMBtu).

Sources: CEC 2019b and 2019c

## Table 8 2017 Annual Natural Gas Consumption

Energy Type	San Benito County (million U.S. therms)	California (million U.S. therms)	Proportion of Statewide Consumption	County per Capita Consumption (U.S. therms)	County per Capita Consumption (MMBtu)
Natural Gas	14	12,638	0.1%	225	21

Notes: Natural gas consumption volumes for San Benito County and California are expressed in U.S. Therms while County per capita consumption is expressed in U.S. Therms and millions of Btu (MMBtu).

Source: CEC 2019a

# Petroleum

To reduce statewide vehicle emissions, California requires that all motorists use California Reformulated Gasoline (CaRFG), a cleaner formulation of gasoline that results in lower emissions of ozone, CO and other air pollutants when burned. Californians presently consume over 19 billion gallons of motor vehicle fuels per year (CEC 2019e). Gasoline is the most used transportation fuel in California with 15.1 billion gallons sold in 2015 and is used by light-duty cars, pickup trucks, and sport utility vehicles (CEC 2016a). Diesel is the second most used fuel in California with 4.2 billion gallons sold in 2015 and is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles (CEC 2016b). Both gasoline and diesel are primarily petroleum-based, and their consumption releases greenhouse gas (GHG) emissions, including  $CO_2$  and  $NO_x$ .

In 2017, approximately 40 percent of the state's energy consumption was used for transportation activities (EIA 2018). Though California's population and economy are expected to grow, gasoline demand is projected to decline from roughly 15.8 billion gallons in 2017 to between 12.3 billion and 12.7 billion gallons in 2030, a 20 to 22 percent reduction (CEC 2019f). This decline comes in response to both increasing vehicle electrification and higher fuel economy for new gasoline vehicles (CEC 2019f).

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

# **Construction Energy Demand**

During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site. The project would require site preparation and grading, including hauling material off-site; pavement and asphalt installation; building construction; architectural coating; and landscaping and hardscaping.

The total consumption of gasoline and diesel fuel during project construction was estimated using the assumptions and factors from CalEEMod (Appendix A). Table 9 presents the estimated construction energy consumption, indicating construction equipment, hauling and vendor trips, and worker trips would consume approximately 363,595 gallons of fuel over the project construction period.

Fuel Type	Gallons of Fuel	MMBtu <sup>4</sup>
Diesel Fuel (Construction Equipment) <sup>1</sup>	324,943	41,417
Diesel Fuel (Hauling & Vendor Trips) <sup>2</sup>	12,656	1,613
Other Petroleum Fuel (Worker Trips) <sup>3</sup>	25,997	2,854
Total	363,595	45,884

#### Table 9 Estimated Fuel Consumption During Construction

<sup>1</sup> Fuel demand rate for construction equipment is derived from the total hours of operation, the equipment's horse power, the equipment's load factor, and the equipment's fuel usage per horse power per hour of operation, which are all taken from CalEEMod outputs (see Appendix A), and from compression-ignition engine brake-specific fuel consumptions factors for engines between 0 to 100 horsepower and greater than 100 horsepower (U.S. EPA 2018). Fuel consumed for all construction equipment is assumed to be diesel fuel.

<sup>2</sup> Fuel demand rate for hauling and vendor trips (cut material imports) is derived from hauling and vendor trip number, hauling and vendor trip length, and hauling and vendor vehicle class from "Trips and VMT" Table contained in Section 3.0, *Construction Detail*, of the CalEEMod results (see Appendix A). The fuel economy for hauling and vendor trip vehicles is derived from the United States Department of Transportation (DOT 2018). Fuel consumed for all hauling trucks is assumed to be diesel fuel.

<sup>3</sup> The fuel economy for worker trip vehicles is derived from the U.S. Department of Transportation National Transportation Statistics (24 mpg) (DOT 2018). Fuel consumed for all worker trips is assumed to be gasoline fuel.

<sup>4</sup> CaRFG CA-GREET 2.0 fuel specification of 109,786 Btu/gallon used to identify conversion rate for fuel energy consumption for worker trips specified above (California Air Resources Board [CARB] 2015). Low-sulfur Diesel CA-GREET 2.0 fuel specification of 127,464 Btu/gallon used to identify conversion rate for fuel energy consumption for construction equipment specified above (CARB 2015). Totals may not add up due to rounding.

The construction energy estimates are conservative because the equipment used in each phase of construction was assumed to be operating every day. Not all equipment would be used on every construction day. Construction equipment would be maintained to all applicable standards, and construction activity and associated fuel consumption and energy use would be temporary and typical for construction sites. It is also reasonable to assume contractors would avoid wasteful, inefficient, and unnecessary fuel consumption during construction to reduce construction costs. Therefore, the project would not involve the inefficient, wasteful, and unnecessary use of energy during construction, and the construction-phase impact related to energy consumption would be less than significant.

# **Operational Energy Demand**

Project operation would increase energy demand in the form of gasoline consumption, electricity and natural gas. Increased gasoline consumption would be associated with new trips to and from the site. The estimated of number of daily trips that would be generated by the project (Appendix J) is used to calculate operational gasoline consumption. Table 10 shows the estimated total annual fuel consumption of the project using the estimated VMT and the assumed vehicle fleet mix (Appendix A).

Vehicle Type <sup>1</sup>	Percent of Vehicle Trips <sup>2</sup>	Annual Vehicle Miles Traveled <sup>3</sup>	Average Fuel Economy (miles/gallon)⁴	Total Annual Fuel Consumption (gallons)	Total Fuel Consumption (MMBtu) <sup>5</sup>
Passenger Cars	56.0	2,241,256	24.2	92,614	10,167
Light/Medium Trucks	33.7	1,394,122	17.5	79,664	8,746
Heavy Trucks/Other	9.3	368,166	7.4	49,752	6,341
Motorcycles	0.6	29,956	44	631	69
Total	100.0	4,030,500	-	222,643	25,323

#### Table 10 Estimated Project Annual Transportation Energy Consumption

<sup>1</sup> Vehicle classes provided in CalEEMod do not correspond exactly to vehicle classes in DOT fuel consumption data, except for motorcycles. Therefore, it was assumed that passenger cars correspond to the light-duty, short-base vehicle class, light/medium trucks correspond to the light-duty long-base vehicle class, and heavy trucks/other correspond to the single unit, 2-axle 6-tire or more class.

<sup>2</sup> Percent of vehicle trips from Table 4.4 "Fleet Mix" in CalEEmod output (Appendix A).

<sup>3</sup> Mitigated annual VMT found in Table 4.2 "Trip Summary Information" in Air Quality and Greenhouse Gas Impact Study (Appendix A).

<sup>4</sup> Average Fuel Economy: U.S. Department of Transportation 2018.

<sup>5</sup> CaRFG fuel specification of 109,786 Btu/gallon used to identify conversion rate for fuel energy consumption for vehicle classes specified above (CARB 2015). Totals may not add up due to rounding.

In addition to fuel consumption, operation of the proposed project would consume approximately 1.0 GWh of electricity per year, or less than one percent of total electricity use in San Benito County in 2018 (see Appendix A). Estimated natural gas consumption for the project would be approximately 4,060 MMBtu or 0.043 MMthm per year, which is equivalent to less than one percent of total natural gas use in San Benito County in 2018 (Appendix A).

The project would comply with all standards set in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. California's Green Building Standards Code (CALGreen; California Code of Regulations, Title 24, Part 11) requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2019 Building Energy Efficiency Standards (CBC Title 24, Part 6) requires newly constructed buildings to meet energy performance standards set by the Energy Commission. As the name implies, these standards are specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. The standards are updated every three years and each iteration is more energy efficient than the previous standards. For example, according to the CEC, nonresidential buildings built with the 2019 standards will use about 30 percent less energy due mainly to lighting upgrades, and residential buildings built with the 2019 standards will use about seven percent less energy (CEC 2018). Furthermore, the project would further reduce its use of nonrenewable energy resources as the electricity generated by renewable resources provided by PG&E continues to increase to comply with state requirements through

Senate Bill 100, which requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

In conclusion, construction of the project would be temporary and typical of similar projects, and not result in wasteful use energy. The operation of the project would increase the use of electricity on-site. However, the increase would be in conformance with the latest version of California's Green Building Standards Code and Building Energy Efficiency Standards. In addition, PG&E has sufficient electricity and natural gas supplies to serve the project. Therefore, project operation would not result in wasteful or unnecessary energy consumption.

#### LESS THAN SIGNIFICANT IMPACT

*b.* Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As discussed above, SB 100 mandates 100 percent clean electricity for California by 2045. Because the project would be powered by the existing electricity grid, the project would eventually be powered by renewable energy mandated by SB 100 and would not conflict with this statewide plan. The project would be required to comply with California's Green Building Standards Code and the Building Energy Efficiency Standards, which contain energy efficiency requirements. San Benito County does not have an adopted Climate Action Plan that includes energy reduction strategies and policies. The County also has no renewable energy or energy efficiency plan. However, the County's General Plan contains policies which seek to encourage energy conservation (County of San Benito 2015). Table 11 includes a consistency analysis with policies that are applicable to the proposed project.

Applicable Policies	Consistency
<b>LU-2.1: Sustainable Building Practices.</b> The County shall promote, and where appropriate, require sustainable building practices that incorporate a "whole system" approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.	<b>Consistent</b> The project would comply with the latest Title 24 standards and with the residential mandatory measures of California's Green Building Standards Code.
<b>LU-2.2: Green Sustainable Building Practices.</b> The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).	<b>Consistent</b> The project would comply with the residential mandatory measures of California's Green Building Standards Code, which includes energy conservation measures.
<b>LU-2.3: Energy Conservation Standards for New Construction.</b> The County shall cooperate with the local building industry, utilities, and air district to promote enhanced energy conservation standards for new construction.	<b>Consistent</b> The project would comply with the latest Title 24 standards and California's Green Building Standards Code.

#### Table 11 General Plan Energy Policy Consistency Analysis
As shown in Table 11, the project would not conflict with the applicable policies in the County's General Plan. The County has no renewable energy or energy efficiency plan. Therefore, the project would not conflict with or obstruct a local plan for renewable energy or energy efficiency and impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

# 7 Geology and Soils

			Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
W	bluc	the project:				
a.	Dire sub risk	ectly or indirectly cause potential stantial adverse effects, including the of loss, injury, or death involving:				
	1.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?		•		
	2.	Strong seismic ground shaking?		-		
	3.	Seismic-related ground failure, including liquefaction?			-	
	4.	Landslides?			-	
b.	Res loss	ult in substantial soil erosion or the of topsoil?		-		
C.	Be l is u uns pot land liqu	ocated on a geologic unit or soil that nstable, or that would become table as a result of the project, and entially result in on- or off-site dslide, lateral spreading, subsidence, efaction, or collapse?				
d.	Be in T (19 indi	ocated on expansive soil, as defined able 1-B of the Uniform Building Code 94), creating substantial direct or rect risks to life or property?		-		
e.	Hav sup alte whe disp	re soils incapable of adequately porting the use of septic tanks or ernative wastewater disposal systems ere sewers are not available for the posal of wastewater?				
f.	Dire pale geo	ectly or indirectly destroy a unique eontological resource or site or unique logic feature?		•		

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Several major geologic features traverse San Benito County, including the San Andreas Fault Zone, a principal active fault identified by the Alquist-Priolo Earthquake Fault Zoning Act. The fault is a right lateral strike slip fault and runs the length of the county. The fault has been active in relatively recent history, such as the Loma Prieta Earthquake that caused substantial damage in California in 1989. In addition to the San Andreas Fault, there are also a series of smaller fault zones in the county, including the Calaveras, Sargent, Paicines, Bear Valley, Zayante-Vergeles, and Quien-Sabe Faults. The San Andreas and Calaveras Faults have the highest earthquake probability within the county and their location in proximity to the project site is shown in Figure 9 (Appendix E). However, a major earthquake in the San Francisco Bay Area to the north could also have significant direct impacts in the county including seismic shaking, liquefaction, and ground rupture.

The project site lies approximately four miles northeast from the San Andreas Fault in the southern portion of the Hollister Valley (State of California 1974). The local site geology has been shaped predominantly by deformation along the Calaveras fault, with linear fault-bounded pressure ridges exposing Plio-Plesitocene San Benito Gravels elevated above the surrounding Pleistocene and Holocene alluvium (Appendix E).

Three traces of the Calaveras fault lie south of Hollister. The three traces comprise of the West Branch Calaveras fault, located approximately 0.5 mile southwest of the project site, and the East Branch Calaveras fault. The eastern trace of the East Branch Calaveras Fault is mapped on-site, near the western boundary, as shown in Figure 10.As such, the project site is within an Alquist-Priolo Earthquake Fault Zone and surface rupture is a potential hazard to the proposed development. Within this proximity to faults, a rupture could present risks of loss, injury, or death. Therefore, impacts would be potentially significant and mitigation is required.

## **Mitigation Measures**

## GEO-1 Fault Setback

All structures shall be placed no less than 25 feet away from the defined East Branch Calaveras Fault, as shown relative to the project site in Figure 10. This buffer would be consistent with recommendations in a fault line exploration survey published by ENGEO in September 2015. In addition, lifeline utilities – such as fire protection water lines – shall be situated to avoid crossing the active fault trace where possible, or provided with shutoff valves at fault crossing.

## Significance After Mitigation

Implementation of Mitigation Measure GEO-1 reduce impacts to less than significant.

## LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED





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## Figure 10 Calaveras Fault



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Fig X Fau

- a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?
- d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

The East Branch Calaveras Fault zone could create substantial ground shaking if a seismic event occurred along that fault. Similarly, a strong seismic event on any other fault system in the region has the potential to create considerable levels of ground shaking throughout the City of Hollister and surrounding areas of the county, including the project site. While the project site could be subject to unusual levels of ground shaking, all new structures would be required to comply with all applicable provisions of the CBC.

According to the Geotechnical Engineering Report (Appendix F), on-site soils are mixtures of lean and fat clays, silts, sands, and gravels. The plasticity index of the soils on site have high expansion potential. Expansive soils tend to swell with increases in soil moisture and shrink as the soil moisture decreases. The volume changes that the soils undergo in this cyclical pattern can stress and damage foundations, exterior flatwork, and other improvements.

Mandatory compliance with the CBC would reduce the potential for structural damage and risk during a seismic event. However, construction of residences, retaining walls or project roadways on expandable soils could compromise the structural integrity of these project components. Compromised structural integrity could result in increased damage or risk during seismic shaking. Therefore, impacts would be potentially significant. Accordingly, compliance with Mitigation Measure GEO-3 would be required.

## **Mitigation Measure**

## GEO-3 Adherence to Geotechnical Report

Prior to the issuance of the first building permit, the developer shall submit building and improvement plans for review and approval by San Benito County that confirm compliance with all recommendations included in the Geotechnical Engineering Report prepared by Earth Systems in 2019 (Appendix F). These recommendations include, but are not limited to, the following:

- The soil in the building areas and in areas to receive exterior flatwork and other improvements shall be removed (over-excavated) to minimum depths of one foot below existing grade, or one foot below the planned building pad elevations, whichever is deeper. The over-excavated areas shall extend a minimum of five feet beyond the planned building foundation perimeters, and two feet beyond the edges of exterior flatwork and other improvements.
- Slopes above keyways, as well as any surfaces steeper than 10 percent to receive fill, shall be cut to create benches. The benches shall be a minimum of six feet wide and shall be bottomed into firm native soil. Other slopes steeper than 10 percent to receive fill shall be benched in a similar manner.
- Residential structures shall be supported by post-tensioned slab or structural mat foundations designed to resist soil expansion and contraction. Post-tensioned slabs shall be designed in accordance with the provisions of the current edition of the CBC and the recommendations of the Post-Tensioning Institute.
- Exterior concrete flatwork shall have a minimum thickness of four full inches and shall be reinforced as directed by the architect/engineer. Due to the soil expansion potential, exterior flatwork shall be cast on a minimum eight-inch layer of compacted, non-expansive material such

as clean sand or aggregate base. Prior to placement of the non-expansive material, the soil surface in the flatwork area shall be at or above optimum moisture content, and no desiccation cracks should be present.

 Retaining walls shall be supported by conventional spread footings. The footings shall have minimum depths of 30 inches below lowest adjacent grade and shall be placed in firm native soil or compacted engineered fill. The footing reinforcement shall be specified by the design engineer.

## **Significance After Mitigation**

Implementation of Mitigation Measure GEO-3 would require compliance with all recommendation in the Geotechnical Engineering Report. Therefore, with implementation of mitigation, impacts would be reduced to less than significant.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Liquefaction is a process whereby soil is temporarily transformed to fluid form during intense and prolonged ground shaking or because of a sudden shock or strain. Liquefaction typically occurs in areas where the groundwater is less than 30 feet from the surface and where the soils are composed of poorly consolidated fine to medium sand (Appendix F).

The project site is in a zone designated with low relative liquefaction susceptibility per the project's Geotechnical Engineering Report (Appendix F). According to the Geotechnical Engineering Report prepared for the project, the project site is in an area having very low liquefaction potential, and potentially liquefiable soils were not encountered during soil borings for the Geotechnical Engineering Report (see Appendix F). Therefore, the proposed project would not be in an area prone to seismic-related ground failure, including liquefaction. Impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The project site is not located in a zone designated with landslide potential (DOC 2019). The topography of the site is relatively flat with gentle slopes within the area to be developed ranging from between two percent and 13 percent, with an exception at the existing drainage basin near the northeast corner and the center of the site, where slopes are steeper. Development within this steeper drainage area would be avoided. In addition, the project would be required to be constructed in accordance with CBC standards. Compliance with the CBC and the gentle slopes of the site would prevent substantial risk of landslides. Therefore, impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

#### b. Would the project result in substantial soil erosion or the loss of topsoil?

The site would be graded and excavated, with maximum cuts of approximately 12 to 20 feet in the center portion of the site, and less cut and fill in other portions of the site. Approximately 231,423 cubic yards of materials would be cut and approximately 263,498 cubic yards of fill would be used, including approximately 32,000 cubic yards of imported soil.

The project would be required to comply with the State National Pollutant Discharge Elimination System (NPDES) General Permit (Order No. 2010-0014-DWQ), and the Central Coast Post-Construction Stormwater Requirements (Resolution No. R3-20130-0032) during construction and operation of the project. Both the NPDES General Permit and the Post Construction Stormwater Requirements are administered by the Central Coast Regional Water Quality Control Board (CCRWQCB). In compliance with the General Permit, the project applicant must develop and implement a Storm Water Pollution Prevention Plan (SWPPP) during project construction activities. The SWPPP includes best management practices, specific to the site and project, that must be implemented to prevent soil erosion and siltation of streams. Examples of best management practices typical of most SWPPPs include silt fencing and covering stockpiles of topsoil. With implementation of the SWPPP and its associated best management practices, topsoil would be retained on site and the potential for erosion and soil loss would be minimized during construction.

Post-construction requirements set by the CCRWQCB include site design to reduce runoff, water quality treatment through the use of low impact development (LID) treatment systems, and runoff retention through the use of LID (Resolution No. 2013-0032). The project applicant would be required to submit the appropriate documentation of compliance with all the post construction requirements to the CCRWQCB. Additionally, the project would include planting vegetation and landscaping. The root systems of plants would help to hold soils intact and would also slow the speed of overland flows of runoff, allowing for increased infiltration.

Pursuant to compliance with the above-referenced regulations, impacts related to soil erosion and the loss of topsoil would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

The project site is not located in any mapped areas of slope instability or liquefaction susceptibility. The site overlays Holocene and Pleistocene alluvium comprised of unconsolidated to semiconsolidated sand, gravel, silt and clay. Pilo-Pleistocene and San Benito Gravels also underlie the site and are comprised of poorly bedded sandy gravels with cobbles and moderately well bedded and commonly cross-bedded gravelly sands with some silt. Due to the fine-grained nature of the site soils, there is a potential for the soils to become unstable during grading (Appendix F). However, Mitigation Measure GEO-3 would require compliance with all recommendations contained in the Geotechnical Engineering Report, including those pertinent to potentially unstable soils. Furthermore, the project would be required to be constructed in accordance with CBC standards, which contain provisions pertinent to project sites with geologic instability, including landslides, lateral spreading, subsidence, liquefaction or collapse. Impacts would be less than significant with mitigation incorporated.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The project would be served by Sunnyslope County Water District; therefore, for the project would not involve the use of septic tanks or any other alternative wastewater disposal systems. There would be no impact.

#### **NO IMPACT**

*f.* Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The paleontological sensitivity of the geologic units that underlie the project site was evaluated using the results of a paleontological locality search and review of existing information in the scientific literature concerning known fossils within those geologic units. Fossil collections records from the University of California Museum of Paleontology (UCMP) online database were reviewed, which contain known fossil localities in San Benito County (2019). In addition, a request for a list of known fossil localities from the project site and immediate vicinity (i.e., localities recorded on the United States Geological Survey Hollister, 7.5-minute topographic quadrangle) was submitted to the Natural History Museum of Los Angeles County (NHMLAC).

Following the literature review and museum record search, a paleontological sensitivity classification was assigned to the geologic units within the project site. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units. The Society of Vertebrate Paleontology (SVP) has developed a system for assessing paleontological sensitivity and describes sedimentary rock units as having high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources (SVP 2010). This system is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present.

The project site is situated within the Hollister Valley in the Coast Range geomorphic province. The project site is bounded by the Gabilan Mountains to the west and the south (Hollister Hills), the Santa Clara Valley to the north, and the Quien Sabe Range to the east (California Geological Survey 2002; Norris and Webb 1990). According to published geologic mapping by Dibblee and Minch (2006), the project site is underlain by three geologic units: Younger Quaternary (Holocene) alluvium (Qa), Older Quaternary (Pleistocene) alluvium (Qoa), and Pliocene-Pleistocene Santa Clara Formation (QTs). Holocene alluvial fan deposits, mapped along the northern project boundary, generally consist of unconsolidated to moderately consolidated pebble gravel, sand and clay. Pleistocene alluvial sediments, mapped throughout most of the project site, are composed of slightly-indurated, poorly-sorted, gravel to fine-grained sand. The Santa Clara Formation, mapped in the elevated terrain of the southwestern project site, is a regionally-extensive package of Pliocene to Pleistocene fluvial and lacustrine deposits. These deposits consist of weakly-lithified, gray-brown pebble gravels (conglomerate) and sandstone but may also contain interbeds of marly clays and lignite (Branner et al. 1909; Cummings 1968; Dibblee 1966).

A search of the paleontological locality records at the NHMLAC resulted in no previously recorded fossil localities on the project site; however, a vertebrate locality was reported east-northeast of the project site within Pleistocene alluvium. According to the NHMLAC, LACM 7254 rendered a fossil specimen of elephantoid (Proboscidea) just northeast of Chowchilla (Approximately 65 miles

northeast from the project site); the depth of recovery was not reported (McLeod 2019). A supplemental review of the museum records maintained in the UCMP online collections database did not indicate any vertebrate fossil localities have been documented within the project site; however, at least eight vertebrate localities, which produced vertebrate fossil specimens of Pleistocene age, were reported elsewhere in San Benito County (UCMP 2019). The closest fossil locality, V6965, yielded a scapular fragment associated with Proboscidean (Elephas) remains approximately two miles west of the project site (UCMP 2019). In addition, V2408 and V2409 produced various fossil fragments of horse (Equus) remains, approximately 20 miles from the project site. Although the UCMP does not report any vertebrate localities within the Santa Clara Formation in San Benito County, five localities were recorded in the neighboring county (Santa Clara County), which yielded specimens of camelid (Camelidae), horse (*Equus*), bison (*Bison latifrons*), and bony fish (Osteichthyes) from these Pliocene to Pleistocene deposits.

Intact Holocene deposits in the project site are too young to preserve significant paleontological resources and are determined to have a low paleontological resource potential according to SVP standards (SVP 2010). However, Holocene alluvial sediments may grade downward into older deposits of late Pleistocene age (Qoa) that could preserve significant fossil remains at moderate or unknown depths. Accurately assessing the boundaries between younger and older units is generally not possible without site-specific stratigraphic data, some form of radiometric dating or fossil analysis. Given the proximity of the project site to the Gabilan Mountains and the prevalence of Pleistocene sediments mapped at the surface within the general vicinity of the project site, it is estimated that the transition would likely occur at about five feet below ground surface. Pleistocene deposits have a well-documented record of abundant and diverse vertebrate fauna throughout California, including San Benito County (UCMP 2019); therefore, Quaternary (Pleistocene) age alluvium is assigned a high paleontological resource potential. The Santa Clara Formation has also previously yielded vertebrate fossils. As well, its upper beds are nearly equivalent in age and lithology to other fossiliferous deposits in the region that have rendered significant vertebrate fossil remains, including mammals, birds, and fish. Therefore, the Santa Clara Formation is also assigned a high paleontological sensitivity (Adam et al. 1982; Sorg and McLaughlin 1975; Savage 1951; UCMP 2019; McLeod 2019).

As currently proposed, project ground disturbance would include cuts of approximately 12 to 20 feet in the center portion of the site. Because the project site is partially undeveloped and underlain by geologic units with a high paleontological sensitivity, paleontological resources may be encountered during ground-disturbing activities associated with project construction (e.g., grading, excavation, or any other activity that disturbs the surface of the site). Construction activities may result in the destruction, damage, or loss of undiscovered scientifically-important paleontological resources. Therefore, impacts to paleontological resources would be potentially significant. Implementation of Mitigation Measure GEO-4 during project construction would reduce potential impacts related to paleontological resources to a less than significant level by providing for the recovery, identification, and curation of previously unrecovered fossils.

## **Mitigation Measure**

## GEO-4 Paleontological Resources Monitoring

Prior to the commencement of project construction or ground disturbing activities, a Qualified Paleontologist shall be retained to conduct paleontological monitoring during ground-disturbing activities (including, but not limited to site preparation, grading, excavation, and trenching) of previously undisturbed geologic units determined to have a high paleontological sensitivity. The Qualified Paleontologist shall have at least a master's degree or equivalent work experience in paleontology, shall have knowledge of the local paleontology, and shall be familiar with paleontological procedures and techniques.

Full-time monitoring shall be conducted for all excavations within undisturbed project areas underlain by Qoa and QTs and any excavations exceeding five feet below ground surface within undisturbed areas underlain by Qa. Monitoring shall be supervised by the Qualified Paleontologist and shall be conducted by a qualified paleontological monitor, defined as an individual who meets the minimum qualifications per standards set forth by the SVP (2010), which includes a B.S. or B.A. degree in geology or paleontology with one year of monitoring experience and knowledge of collection and salvage of paleontological resources.

The duration and timing of the monitoring shall be determined by the Qualified Paleontologist. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend reducing monitoring to periodic spot-checking or may recommend that monitoring cease entirely. Monitoring shall be reinstated if any new ground disturbances of previously undisturbed areas are required, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time.

If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert construction equipment around the find until it is assessed for scientific significance and collected. Once salvaged, significant fossils shall be prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the UCMP). Curation fees are the responsibility of the project owner.

A final report shall be prepared describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the City. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.

## **Significance After Mitigation**

Implementation of Mitigation Measure GEO-4 would require paleontological resources monitoring in the event of resource discovery and would reduce impacts to a less than significant level.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

## 8 Greenhouse Gas Emissions

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## Setting

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC 2014), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (95 percent or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-20<sup>th</sup> century (IPCC 2014).

GHGs are gases that absorb and re-emit infrared radiation in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide ( $CO_2$ ), methane ( $CH_4$ ), nitrous oxide ( $N_2O$ ), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride ( $SF_6$ ). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases,  $CO_2$  and  $CH_4$  are emitted in the greatest quantities from human activities. Emissions of  $CO_2$  are largely by-products of fossil fuel combustion, whereas  $CH_4$  results from off-gassing associated with agricultural practices and landfills. Observations of  $CO_2$  concentrations, globally averaged temperature, and sea level rise are generally well within the range of the extent of the earlier IPCC projections. The recently observed increases in  $CH_4$  and  $N_2O$  concentrations are smaller than those assumed in the scenarios in the previous assessments. Each IPCC assessment has used new projections of future climate change that have become more detailed as the models have become more advanced.

Man-made GHGs, many of which have greater heat-absorption potential than  $CO_2$ , include fluorinated gases and SF<sub>6</sub> (CalEPA 2006). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale, generally 100 years. Because GHGs absorb different amounts of heat, a common reference gas,  $CO_2$ , is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as carbon dioxide equivalent ( $CO_2e$ ), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane  $CH_4$  has a GWP of 25, meaning its global warming effect is 25 times greater than  $CO_2$  on a molecule per molecule basis (IPCC 2007).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHGs, Earth's surface would be about 34° C cooler (CalEPA 2006). However, emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21<sup>st</sup> century than were observed during the 20<sup>th</sup> century. Some of the potential impacts in California of global warming may include loss of snowpack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CalEPA 2010). While these potential impacts identify the possible effects of climate change at a global and potentially statewide level, in general, scientific modeling tools are currently unable to predict what impacts would occur locally.

CEQA Guidelines provide regulatory direction for the analysis and mitigation of GHG emissions appearing in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. The MBARD, as the regional air agency for the North Central Coast Air Basin, has air-permitting authority in San Benito County. In February 2008, MBARD issued revised adopted guidance for assessing and reducing the impacts of project-specific air quality emissions: CEQA Air Quality Guidelines. This document included a reserved section to address project-specific GHG emissions: Climate Change and Assessment of Project Impacts from Greenhouse Gases. To date, the MBARD has not adopted guidance for GHG emissions inventory, or established significance thresholds for GHG emissions.

## 2035 County General Plan

The San Benito County 2035 General Plan contains numerous policies aimed at reducing GHG emissions, and several goals and policies that provide indirect co-benefits of reducing GHG emissions (San Benito County 2015). The Plan's Land Use Element, Circulation Element, Public Facilities and Services Element, and Health and Safety Element provide goals, policies and objectives related to GHG emissions that are applicable to this project. These goals, policies and plans generally pertain to sustainable development, energy efficiency and GHG emissions reductions and are listed in Table 19.

## **Methodology and Significance Thresholds**

Most individual projects do not generate sufficient GHG emissions to create significant projectspecific environment effects. However, the environmental effects of a project's GHG emissions can contribute incrementally to cumulative environmental effects that are significant, contributing to climate change, even if an individual project's environmental effects are limited (CEQA Guidelines Section 15064[h][1]). The issue of a project's environmental effects and contribution towards climate change typically involves an analysis of whether or not a project's contribution towards climate change is cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines Section 15064[h][1]).

## Regional Reduction Plan Threshold

According to the CEQA Guidelines and guidance provided in the California Air Pollution Control Officers Association (CAPCOA) white paper *CEQA & Climate Change*, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds or consistency with a regional GHG reduction plan (such as a Climate Action Plan). The County has not yet adopted a Climate Action Plan that can be used to evaluate the significance of project-level emissions. Additionally, MBARD has not provided quantitative thresholds that a lead agency within the NCCAB may use to evaluate GHG impacts associated with land use projects.

In the absence of local guidance, MBARD encourages lead agencies to consider a variety of metrics for evaluating GHG emissions and related mitigation measures as they best apply to the specific project (MBARD 2017). Starting in 2012, MBARD recommended potentially using the GHG thresholds for land use projects adopted by the adjacent San Luis Obispo Air Pollution Control District (SLOAPCD). The SLOAPCD *CEQA Air Quality Handbook* includes a bright-line threshold and an efficiency threshold. However, SLOAPCD designed its thresholds to achieve consistency with the statewide 2020 GHG reduction target set by AB 32 and has not yet updated the thresholds to achieve consistency with the statewide 2030 GHG reduction target set by SB 32 (SLOAPCD 2012).

Based on the current schedule, the project would be completed by 2025. Because the project's emissions would occur primarily in the years after 2020, to evaluate the project's impact and consistency with post-2020 statewide emissions targets, a locally appropriate project-specific efficiency threshold was developed as described below.

## Project-Specific Efficiency Threshold

Efficiency thresholds are quantitative thresholds based on a measurement of GHG efficiency for a given project, regardless of the amount of mass emissions. Efficiency thresholds identify the emission level below which new development would not interfere with attainment of statewide GHG reduction targets. A project that attains such an efficiency target, with or without mitigation, would result in less than significant GHG emissions (AEP 2016). A locally appropriate 2030 project-specific threshold is derived from the California Air Resources Board (CARB)'s recommendations in the 2017 Climate Change Scoping Plan Update.

The State has codified a target of reducing emissions to 40 percent below 1990 emissions levels by 2030 (SB 32) and has developed the 2017 Climate Change Scoping Plan Update to demonstrate how the State will achieve the 2030 target and make substantial progress toward the 2050 goal of an 80 percent reduction in 1990 GHG emission levels set by EO S-3-05. In EO B-55-18, which identifies a

new goal of carbon neutrality by 2045 and supersedes the goal established by EO S-3-05, CARB has been tasked with including a pathway toward the EO B-55-18 carbon neutrality goal in the next Scoping Plan update.

With the release of the 2017 Climate Change Scoping Plan Update, CARB recognized the need to balance population growth with emissions reductions and in doing so, provided a new local plan level methodology for target setting that provides consistency with state GHG reduction goals using per capita efficiency thresholds. A project-specific efficiency threshold can be calculated by dividing statewide GHG emissions by the sum of statewide jobs and residents. However, not all statewide emission sources would be impacted by the proposed land use (e.g., agriculture and industrial). Accordingly, consistent with the concerns raised in the *Golden Door Properties v. County of San Diego* (2018) and *Center for Biological Diversity v. California Department of Fish and Wildlife* ("Newhall Ranch" case, 2015) decisions regarding the correlation between state and local conditions, the 2030 statewide inventory target was modified with substantial evidence provided to establish a locally appropriate, evidence-based, residential project-specific threshold consistent with the SB 32 target.

To develop the project-specific efficiency threshold, land use areas in the San Benito County General Plan were first evaluated to determine emissions sectors that are present and would be directly affected by potential land-use changes. A description of major sources of emissions that are included in the 2017 State Scoping Plan emissions sectors and representative sources in the County of San Benito are shown in Table 12 and Table 13.

According to the County's General Plan Land Use Map, agricultural lands exist within the County; however, Agricultural Sector source emissions as specified in the Scoping Plan (i.e., enteric fermentation, crop residue burning, and manure management) do not occur substantially on these agricultural lands and would not be directly impacted by the proposed land uses. Similarly, the Industrial Sector source emissions as specified in the Scoping Plan (i.e., oil, gas, and hydrogen production; refineries; general fuel use; and mining operations) do not occur substantially on industrial lands and would not be directly impacted by the proposed land uses.<sup>5</sup> Therefore, the Agricultural and Industrial Emissions Sectors were removed from the State 2030 emissions forecast to retain a more conservative locally appropriate target. Secondly, Cap and Trade emissions reductions occur independent of any local jurisdictional land use decisions and were also excluded from the locally appropriate target.

After removing Agricultural, Industrial and Cap and Trade emissions, the remaining emissions sectors with sources within the County of San Benito planning area were then summed to create a locally appropriate emissions total for a residential project in San Benito County. This locally appropriate emissions total was divided by the statewide 2030 service person population to determine a locally appropriate, project-level threshold of 3.2 MT of CO<sub>2</sub>e per service population that is consistent with SB 32 targets, as shown in Table 12 and Table 13.

<sup>&</sup>lt;sup>5</sup> Light and general industrial land uses are present in Monterey; however, these land uses are considered part of the Commercial sector rather than the Industrial sector for the purposes of the 2017 Scoping Plan.

	2030 State Emissions Target	Locally	Project	
GHG Emissions Sector <sup>1</sup>	(MMT) <sup>1</sup>	Appropriate <sup>2</sup>	Specific	Major Sources <sup>3</sup>
Residential and Commercial	38	Yes	Yes	Natural gas end uses, including space and water heating of buildings
Electric Power	53	Yes	Yes	Electricity uses, including lighting, appliances, machinery and heating
High Global Warming Potential	11	Yes	Yes	Sulfur hexafluoride (SF <sub>6</sub> ) from power stations, HFCs from refrigerants and air conditioning <sup>4</sup>
Recycling and Waste	8	Yes	Yes	Waste generated by residential, commercial, and other facilities
Transportation	103	Yes	Yes	Passenger, heavy duty, and other vehicle emissions
Industrial	83	No	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations do not occur substantially within the County
Agriculture	24	No	No	Enteric fermentation, crop residue burning, and manure management do not occur substantially within the County
Cap and Trade Reductions	-60	No	No	Reductions from facilities emitting more than 10,000 MT CO2e per year <sup>6</sup>
Scoping Plan Target (All Sectors)	260	Νο	No	All emissions sectors
Locally Inapplicable Sector (Industrial)	-83	No	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations <sup>5</sup>
Locally Inapplicable Sector (Agriculture)	-24	No	No	Enteric fermentation, crop residue burning, and manure management <sup>5</sup>
Locally Inapplicable Sector (Cap and Trade)	60	No	No	Reductions from facilities emitting more than 10,000 MT CO <sub>2</sub> e per year <sup>6</sup>
2030 Locally Applicable Emissions Sectors	213	Yes	Yes	Emissions applicable to the local planning area

MMT = million metric tons

<sup>1</sup>All State targets in MMT CO<sub>2</sub>e. See the 2017 Climate Change Scoping Plan, page 31 for sector details (CARB 2017).

<sup>2</sup> Locally appropriate is defined as having significant emissions in Scoping Plan Categorization categories within the San Benito County General Plan land use areas.

<sup>3</sup> See CARB GHG Emissions Inventory Scoping Plan Categorization for details, available at:

https://www.arb.ca.gov/cc/inventory/data/data.htm

 $^{4}$  SF<sub>6</sub> is used primarily as an insulator in electrical substations while HFCs can be found in many residential and commercial refrigeration and air conditioning units. HFCs are in the process of being phased out through 2036 in most developed countries.

<sup>5</sup> The majority of this sector is not applicable to the local planning area, and any potential applicable subsectors cannot be disaggregated due to CARB accounting methods. Therefore, the entire sector has been removed to ensure a more conservative target.

<sup>6</sup> Cap and Trade is excluded as reductions will occur independent of local project land use decisions and are therefore not locally appropriate.

Threshold Source	Threshold Determination Variable	Threshold
California 2017 Climate Change Scoping Plan	California 2030 Population (persons) <sup>1</sup>	43,939,333
	California 2030 Employment Projection (persons) <sup>2</sup>	23,459,500
	Service Population (persons)	67,398,833
Locally Appropriate Project Threshold	2030 Locally Appropriate Emissions Sectors (MT of CO <sub>2</sub> e)	213,000,000 <sup>3</sup>
	2030 California Service Population (persons)	67,398,833
	2030 Service Person Target (MT of $CO_2e$ per Service Person)	3.24

Table 13 3B 32 Locally Appropriate Project-specific Infestion	Table 13	SB 32 Locally	Appropriate	Project-Specifi	c Threshold
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<sup>1</sup> California Department of Finance 2019. State Population Projections. Available at:

http://www.dof.ca.gov/Forecasting/Demographics/Projections/

<sup>2</sup> Average of employment range projections under implementation scenario. See CARB 2017 Climate Change Scoping Plan Update, page 55 (CARB 2017).

<sup>3</sup> See Table 12

<sup>4</sup> Total of 3.16 has been rounded up per Scoping Plan general methodology. Lead agencies may determine this threshold in consistence with Scoping Plan and State GHG reduction goals as they deem appropriate, as noted in the Climate Change Scoping Plan (page 102, CARB 2017).

While State and regional regulators of energy and transportation systems, along with the State's Cap and Trade program, are designed to be set at limits to achieve most of the reductions needed to hit the State's long-term targets, local governments can do their fair share toward meeting the State's targets by siting and approving projects that accommodate planned population growth and projects that are GHG-efficient. The AEP Climate Change Committee recommends that CEQA GHG analyses evaluate project emissions in light of the trajectory of state climate change legislation and assess their "substantial progress" toward achieving long-term reduction targets identified in available plans, legislation, or EOs (AEP 2016). Consistent with AEP Climate Change Committee recommendations, GHG impacts are analyzed in terms of whether the anticipated development would impede "substantial progress" toward meeting the reduction goal identified in SB 32 and EO B-55-18. As SB 32 is considered an interim target toward meeting the 2045 State goal, consistency with SB 32 would be considered contributing substantial progress toward meeting the State's longterm 2045 goals. Avoiding interference with, and making substantial progress toward, these longterm State targets is important because these targets have been set at levels that achieve California's fair share of international emissions reduction targets intended to stabilize global climate change effects and avoid the adverse environmental consequences, as noted in the Scoping Plan (CARB 2017).

Furthermore, as discussed below, this report also contains an analysis of how the project complies with other regulations or requirements adopted to implement a statewide, regional or local plan for the reduction or mitigation of greenhouse gas emissions. For this project, the most directly applicable adopted regulatory plans to reduce GHG emissions are AMBAG's 2040 MTP/ SCS, the AB 32-, SB 32-, and EO B-55-18-consistent 2017 State Scoping Plan and the County General Plan.

## **Construction Emissions**

The regional construction emissions associated with development of the proposed project were calculated using the CalEEMod version 2016.3.2 by using project specific data inputs provided by the applicant for the type and size of proposed land uses, including the types and number of pieces of equipment that would be used during the construction phase and off-site vehicle trips that would

result from project construction. The proposed project would utilize typical demolition and construction equipment including but not limited to compactors, cranes, crawler tractors, dozers, excavators, forklifts, graders, loaders, rollers, scrapers, signal boards, tractors and trenchers. CalEEMod is based on parameters including the duration of construction activity, area of disturbance, and anticipated equipment used during construction. It is assumed that all of the construction equipment used would be diesel-powered.

In addition, as stated in Section 9, *Description of Project*, the site would be graded and excavated, with maximum cuts of approximately 12 to 20 feet in the center portion of the site, and less cut and fill in other portions of the site. Approximately 231,423 cubic yards of materials would be cut and approximately 263,498 cubic yards of fill would be used, including approximately 32,000 cubic yards of imported soil.

This analysis assumes that demolition of the existing on-site structures, grading, and construction of the proposed residences and related improvements on the project site would begin in August 2020. Based on construction scheduling information provided by the project applicant, construction would occur in four phases over five years and complete buildout would occur by 2024. For the purposes of this analysis, it is assumed that construction would end in October 2024.

## **Operational Emissions**

Operational emissions of the project were also calculated using CalEEMod version 2016.3.2. CalEEMod estimates GHG emissions from energy use by multiplying average rates of residential and non-residential energy consumption by the quantities of residential units and non-residential square footage entered in the land use module to obtain total projected energy use. This value is then multiplied by electricity and natural gas GHG emission factors applicable to the project location and utility provider.

Building energy use is typically divided into energy consumed by the built environment and energy consumed by uses that are independent of the building, such as plug-in appliances. Non-building energy use, or "plug-in energy use," can be further subdivided by specific end-use (refrigeration, cooking, office equipment, etc.). Emissions attributed to energy use include emissions from natural gas consumption for lighting as well as space and water heating. In California, Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting.

Because project construction would begin in August 2020, the project would be constructed in accordance with the 2019 Building Energy Efficiency Standards. Therefore, the energy reductions achieved via compliance with the 2019 Building Energy Efficiency Standards were included in CalEEMod for the proposed residential land uses.

Furthermore, in accordance with Section 150.1(b)14 of the 2019 Building Energy Efficiency Standards, the project would be required to install PV systems on all residences equal to the expected electricity usage. As such, the project would be required to include a PV system of 181 kilowatts (kW) to offset energy use. Assuming that the average PV system generates approximately 1,800 kilowatt-hours (kWh) per kW per year, the 181 kW PV system would generate approximately 326,421 kilowatt-hours of electricity per year. Therefore, the energy reduction achieved by the requisite on-site PV system was included in CalEEMod as "mitigation" for the project's energy use emissions, which is a term of art for the modeling input and is not equivalent to mitigation measures that may apply to the CEQA impact analysis.

As mentioned in Section 6, *Energy*, the project would be served by MBCP, however project residents could elect to receive power from PG&E. Therefore, PG&E's energy intensity factors (i.e., the

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amount of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O per kilowatt-hour) were used to conservatively calculate GHG emissions. As of 2009, PG&E procured 14.1 percent of its electricity from renewable sources. (CPUC 2011). Per SB 100, the statewide RPS Program requires electricity providers to increase procurement from eligible renewable energy sources to 33 percent by 2020 and 44 percent by 2024. The default PG&E energy intensity factors included in CalEEMod are based on data from 2009. Therefore, the 2009 intensity factor of 641 pounds per megawatt hour (MWh) for CO<sub>2</sub>e was used to calculate energy intensity in 2030 in compliance with the RPS Program. This 2030 energy factor was included in CalEEMod for the proposed project scenario. PG&E energy intensity factors that include this reduction are shown in Table 14.

	2009 (lbs/MWh)1	2030 (lbs/MWh) <sup>1,2</sup>	
Percent Procurement	14	60	
Carbon dioxide (CO <sub>2</sub> )	641.35	298.30	
Methane (CH <sub>4</sub> )	0.029	0.013	
Nitrous Oxide (N <sub>2</sub> O)	0.006	0.003	

#### Table 14 PG&E Energy Intensity Factors

CalEEMod was also used to calculate emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating. The landscaping equipment emission values were derived from the 2011 Off-Road Equipment Inventory Model. Additionally, the project would include 149 natural gas-powered fireplaces, which were modeled for operational GHG emissions.

To calculate the GHG emissions generated by solid waste disposal, the total volume of solid waste was calculated using waste disposal rates identified by the California Department of Resources Recycling and Recovery (CalRecycle). According to a CalRecycle report to the Legislature, as of 2013 California had achieved a statewide 50 percent diversion of solid waste from landfills through "reduce/recycle/compost" programs. AB 341 mandates that 75 percent of the solid waste generated be reduced, recycled, or composted by 2020. However, because the waste hauler for the proposed development does not have published diversion rates, compliance with this mandate cannot be determined. Conservatively, only the 50 percent solid waste diversion rate was included in the model for both project scenarios.

The indoor and outdoor water use consumption data for each land use subtype comes from the Pacific Institute's *Waste Not, Want Not: The Potential for Urban Water Conservation in California* (2003) (CAPCOA 2017). Based on that report, a percentage of total water consumption was dedicated to landscape irrigation, which is used to determine outdoor water use. Wastewater generation was similarly based on a reported percentage of total indoor water use.

In order to account for mandatory compliance with CalGreen, a 20 percent reduction in indoor water use was included in the water consumption calculations for the proposed project. In addition to water reductions associated with building code compliance and project design features, as described in Section 9, *Project Description*, of the Initial Study, the GHG emissions from the energy used to transport the water for the proposed project scenario account for compliance with the RPS.

For mobile sources,  $CO_2$  and  $CH_4$  emissions from vehicle trips to and from the project site were quantified using in CalEEMod. Vehicle emissions are calculated based on the vehicle type and the trip rate for each land use. Trip generation rates were sourced from the Transportation Impact

Study prepared for the project by Keith Higgins, Traffic Engineer (Appendix J). The vehicle emission factors and fleet mix used in CalEEMod are derived from CARB's Emission Factors 2011 model, which includes GHG reductions achieved by implementation of Pavley I (Clean Car Standards) and the Low Carbon Fuel Standard and are thus considered in the calculation of standards for project emissions. Because CalEEMod does not calculate N<sub>2</sub>O emissions from mobile sources, N<sub>2</sub>O emissions were quantified using guidance from CARB (2019b, 2019c).

## **Impact Analysis**

a. Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

The project's proposed construction activities, energy use, daily operational activities, and mobile sources (traffic) would generate GHG emissions. Project-related construction emissions are confined to a relatively short period of time in relation to the overall life of the proposed project. Therefore, construction-related GHG emissions were amortized over a 30-year period to determine the annual construction-related GHG emissions over the life of the project. As shown in Table 15, project construction would result in an average of approximately 110.6 MT of CO<sub>2</sub>e per year.

Year	Project Emissions MT/yr CO <sub>2</sub> e		
Total	3,318		
Total Amortized over 30 Years	110.6		
See Appendix A for CalEEMod worksheets.			

#### Table 15 Estimated Construction GHG Emissions

Table 16 summarizes the long-term operational GHG emissions generated by the project from area sources, energy use, solid waste, water use, and mobile sources combined with construction GHG emissions. As shown therein, the project would generate approximately 2,233 MT of CO<sub>2</sub>e per year or 4.9 MT of CO<sub>2</sub>e per service person per year. These emissions would exceed the 3.2 MT project-specific GHG threshold and impacts related to GHG emissions would be significant. Mitigation Measure GHG-1 would be required to reduce impacts to a less than significant level.

#### Table 16 Combined Annual Emissions of Greenhouse Gases

Project Emissions (MT of CO₂e per year)
108.8
120.6
365.9
94.6
23.8
1,499.0
20.3
2,233
453
4.9
3.2
Yes

See Appendix A for CalEEMod worksheets and N<sub>2</sub>O mobile calculations.

Values are rounded to the nearest tenth.

<sup>1</sup> Service population based on DOF estimate of average household size for San Benito County (DOF 2019).

## **Mitigation Measure**

#### GHG-1 GHG Emissions Reduction Plan

The project developer shall prepare and implement a plan to reduce operational GHG emissions through implementation of one or more of the following measures:

- a. Prior to final map approval, the project applicant shall develop a project Greenhouse Gas Reduction Program (GGRP) that reduces annual GHG emissions from the project by a minimum of 783.4 MT CO<sub>2</sub>e per year, which would reduce emissions per service person to 3.2 MT CO<sub>2</sub>e per person per year, over the operational life of the project, or by an amount determined through further analysis of project GHG emissions at the time of GGRP preparation. The plan shall be implemented on-site by the project applicant and may include, but not be limited to, the following components:
  - 1. Installation of additional renewable energy facilities (e.g., solar photovoltaics) beyond what is required by CBC to further offset project emissions
  - 2. Construction of residences that achieve energy and water efficiencies beyond those specified in the California Code of Regulations, Title 24 requirements
  - 3. Implementation of energy efficient building design exceeding California Building Code requirements
  - 4. Installation of energy-efficient equipment and appliances exceeding California Green Building Code standards
  - 5. Installation of outdoor water conservation and recycling features, such as smart irrigation controllers and reclaimed water usage

- 6. Installation of low-flow bathroom and kitchen fixtures and fittings
- 7. Installation of light emitting diode (LED) lights
- 8. Provision of incentives and outreach for future residents to promote alternative transportation and transit use
- 9. Promotion of alternative fuel vehicles
- 10. Increased provision of EV charging parking spaces beyond required
- 11. Implementation of carbon sequestration measures

OR

b. If GHG emissions cannot be reduced through implementation of the GGRP, the project applicant shall purchase carbon offsets to reduce GHG emissions below threshold levels. Carbon offsets shall be purchased from a validated source<sup>6</sup> to offset annual GHG emissions or to offset onetime carbon stock GHG emissions.

**Plan Requirements and Timing:** The GGRP shall be submitted by the project developer and reviewed and approved by the Resource Management Agency as being in compliance with this measure prior to final map approval. Applicable elements of the approved GGRP shall be reflected on all project site plans prior to building permit approval. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets shall be approved by RMA staff prior to building permit approval.

**Monitoring:** Condition compliance shall monitor and verify implementation of measures included in the GGRP to ensure implementation of mitigation measures included in the plan.

## **Significance After Mitigation**

Implementation of Mitigation Measure GHG-1 would reduce the project's GHG emissions to 3.2 MT CO<sub>2</sub>e per service population per year, or less, which would not exceed the locally appropriate, project-specific GHG threshold. Therefore, with Mitigation Measure GHG-1, the project's GHG emissions would be not impede substantial progress toward meeting the State's 2030 target and the 2045 GHG carbon neutrality goal, and impacts related to GHG emissions would be reduced to a less than significant level.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

b. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As mentioned above, San Benito County has not adapted a communitywide CAP or other CEQAcompliant GHG reduction plan. Therefore, the regional GHG reduction policies and regulations most applicable to the project are those found in AMBAG's 2040 MTP/SCS, the 2017 State Scoping Plan, and the County General Plan.

<sup>&</sup>lt;sup>6</sup> Validated sources are carbon offset sources that follow approved protocols and use third-party verification. At this time, appropriate offset providers include only those that have been validated using the protocols of the Climate Action Registry, the Gold Standard, or the Clean Development Mechanism (CDM) of the Kyoto Protocol. Credits from other sources will not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CDM standards.

## Consistency with the AMBAG 2040 MTP/SCS

AMBAG adopted an updated MTP/SCS, *Moving Forward Monterey Bay 2040*, in June 2018. AMBAG prepares a long-range transportation plan every four years consistent with state and federal laws. The MTP/SCS is reflective of legislation SB 375 described in the *Regulatory Setting* above, to focus land use development around high-quality transit corridors as a means to reduce passenger vehicle GHG emissions. Table 17 below describes the project's consistency with the RTP/SCS six central goals.

Policy	Consistency		
Access and Mobility. Provide convenient, accessible, and reliable travel options while maximizing productivity for all people and goods in the region	<b>Consistent</b> The project would include interior roadways, sidewalks and walking paths to provide vehicle and pedestrian access to residences. The site is located approximately 1.3 miles south of the nearest bus stop for the San Benito County Express Red Line at the Valley View and Westward stop in the City of Hollister, and about 1.1 miles south of the Target bus stop for the Red and Green Lines in the City of Hollister. The project site is not located near any transit centers or railways. As described in Section 17, <i>Transportation</i> , the project would not substantially affect the local transportation system. Therefore, the project would not interfere with local and regional mobility.		
Environment. Promote environmental sustainability and protect the natural environment.	<b>Consistent</b> The project would include open spaces interspersed around the project site. These green spaces would serve to reduce a heat island effect and sequester carbon. The project would be located on a currently vacant lot zoned RR and would not involve removal of sensitive or rare species. The project would include several sustainable design features, including those required by Title 24 and CalGreen standards. Rooftop solar systems would be installed on each residence.		
<b>Healthy Communities</b> . Protect the health of our residents; foster efficient development patterns that optimize travel, housing, and employment choices and encourage active transportation.	<b>Consistent</b> The project would provide 149 single family housing units. The project is located approximately 1.3 miles south of the nearest bus stop for the San Benito County Express Red Line at the Valley View and Westward stop in the City of Hollister, and about 1.1 miles south of the Target bus stop for the Red and Green Lines in the City of Hollister. The project is not located near any transit centers or railways. The project would include interior roadways, sidewalks and walking paths to provide vehicle and pedestrian access to residences and surrounding neighborhoods. Therefore, the project would provide additional housing in an efficient use of land currently vacant land.		
System Preservation and Safety. Preserve and ensure a sustainable and safe regional transportation system.	<b>Consistent</b> The project is located approximately 1.3 miles south of the nearest bus stop for the San Benito County Express Red Line at the Valley View and Westward stop in the City of Hollister, and about 1.1 miles south of the Target bus stop for the Red and Green Lines in the City of Hollister. As described in Section 17, <i>Transportation</i> , the project would not substantially affect the local transportation system. In addition, each residential garage would be configured to accommodate electric vehicle charging stations, potentially allowing for additional reduction of mobile source GHG emissions. Collectively, the project would not interfere with the safety or sustainability of the regional transportation system.		
Source: AMBAG 2017, 2018.			

#### Table 17 Project Consistency with the AMBAG 2040 MTP/SCS

## Consistency with the 2017 State Scoping Plan, SB 32 and EO B-55-18

In 2016, SB 32 codified the state's target of reducing GHG emissions by 40 percent below 1990 levels by 2030, and CARB published the 2017 Climate Change Scoping Plan to demonstrate a pathway toward achieving this target. Table 18 summarizes the project's consistency with applicable strategies contained in the 2017 Climate Change Scoping Plan. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets. As discussed in Table 18, the project would be consistent with all applicable actions and strategies of the 2017 Climate Change Scoping Plan.

Measure	Responsible Party(ies)	Project Consistency
Senate Bill (SB) 100 Following on the 2030 requirements of SB 350 below, SB 100 increases the electricity requirement to 100% carbon-neutral by 2045. This may include renewable energy and a mix of other sources including hydropower. It also increases the renewable energy procurement mix for electricity providers to 50 percent by 2025 and 60 percent by 2030.	CPUC, CEC, CARB	<b>Consistent</b> The project's utility provider, PG&E, is required to generate electricity that would increase renewable energy to 50 percent by 2025 and 60 percent by 2030, and to utilize 100 percent fossil-free energy resources by 2045. As PG&E would provide electricity service to the project site, by 2045 the project would use electricity consistent with the requirements of SB 100. In addition, rooftop solar systems would be installed on each residence, reducing the project's dependence on electricity generated by non-renewable sources.
<ul> <li>Implement Mobile Source strategy (Cleaner Technology and Fuels)</li> <li>At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025</li> <li>At least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030</li> <li>Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Cars regulations</li> <li>Medium-and heavy-duty GHG Phase 2</li> <li>Innovative Clean Transit: Transition to a suite of to-be- determined innovative clean transit options. Assumed 20</li> </ul>	CARB, CalSTA, SGC, CalTrans CEC, OPR, local agencies	CARB approved the Advanced Clean Cars Program in 2012, which establishes an emissions control program for model year 2017 through 2025. Standards under the Advanced Clean Cars Program will apply to all passenger and light-duty trucks used by residents and guests of the project. The Program also requires automobile manufacturers to produce an increasing number of zero emission vehicles in 2018 through 2025 model years. Extension of the Advanced Clean Cars program has not yet been adopted, but it is expected that measures will be introduced to increase GHG stringency on light-duty automobiles and continues adding zero-emission and plug-in vehicles through 2030. Each residential garage would be configured to accommodate electric vehicle charging stations. CARB is also developing the Innovative Clean Transit measure to encourage purchase of advanced technology buses such as alternative fueled or battery powered buses. This would allow fleets to phase in cleaner technology in the near future. CARB is also in the progent of doubles and progents.
percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the		also in the process of developing proposals for new approaches and strategies to achieve zero emission trucks under the Advanced Clean Local Trucks (Last Mile Delivery) Program. GHG emissions from project-related vehicle trips would be reduced by implementation of standards under the Advanced Clean Cars Program, which would reduce CO <sub>2</sub> emissions from passenger vehicles by approximately 34 percent below model year 2016 levels by model year 2025. Project-related mobile source emissions shown in Table 15 do not include this additional 34 percent reduction because CalEEMod does not

## Table 18 Consistency with 2017 Scoping Plan

	Responsible	
<ul> <li>Measure         <ul> <li>optional heavy-duty low-NOx standard</li> </ul> </li> <li>Last Mile Delivery: New regulation that would result in the use of low NOx or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030</li> <li>Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document "Potential VMT Reduction</li> </ul>	Party(ies)	Project Consistency yet account for this regulation. Although the Innovative Clean Transit and Advanced Clean Local Truck Programs have not yet been established, project-related GHG emissions would be further reduced once these measures have been adopted.
Increase Stringency of SB 375 Sustainable Communities Strategy (2035 Targets)	CARB	<b>Consistent</b> Under SB 375, CARB sets regional targets for GHG emission reductions from passenger vehicle use. In 2010, CARB established targets for 2020 and 2035 for each region. As required under SB 375, the CARB is required to update regional GHG emissions targets every eight years. On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. AMBAG was assigned targets of a three percent reduction in GHGs from transportation sources by 2020 and a six percent reduction in GHGs from transportation sources by 2035. The project would include features that would support the reduction of GHG emissions from passenger vehicle use. Each residential garage would be configured to accommodate electric vehicle charging stations. In addition, rooftop solar systems would be installed on each residence, allowing for the charging of electric vehicle using renewable energy. These features would promote GHG reduction and compliance with regional GHG reduction targets set by AMBAG.

Measure	Responsible Party(ies)	Project Consistency	
Transportation Facilities By 2019, adjust performance measures used to select and design transportation facilities. Harmonize project performance with emissions reductions, and increase competitiveness of transit and active transportation modes (e.g., via guideline documents, funding programs, project selection, etc.).	CalSTA and SGC, OPR, CARB, GoBiz, IBank, DOF, CTC, Caltrans	<b>Not Applicable</b> The project would not involve construction of transportation facilities.	
<ul> <li>Implement California Sustainable</li> <li>Freight Action Plan</li> <li>Improve freight system efficiency</li> <li>Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near- zero emission freight vehicles and equipment powered by renewable energy by 2030</li> </ul>	CARB	<b>Not Applicable</b> The project land uses would not include freight transportation or warehousing. Therefore, the project would not interfere or impede the implementation of the Sustainable Freight Action Plan.	
Low Carbon Fuel Standard Adopt a Low Carbon Fuel Standard with a CI reduction of 18 percent	CARB	Not Applicable This regulatory program applies to fuel suppliers, not directly to land use development. GHG emissions from fuels combusted during project-related vehicle trips would be required to comply with LCFS. The current LCFS, adopted in 2007, requires a reduction of at least 10 percent in the carbon intensity (Cl) of California's transportation fuels by 2020. In January 2019, CARB amended the LCFS regulation to strengthen the LCFS targets through 2030.	
Implement the Short-Lived Climate Pollutant Strategy by 2030CARB, CalRecycle,• 40 percent reduction in methane and hydrofluorocarbon emissions below 2013 levelsCDFA, SWRCB, local air districts• 50 percent reduction in black carbon emissions below 2013 levelsLocal stricts		Consistent Senate Bill 605 (SB 605), adopted in 2014, directs CARB to develop a comprehensive Short-Lived Climate Pollutant (SLCP) strategy. Senate Bill 1383, adopted in 2016, requires CARB to set statewide 2030 emission reduction targets of 40 percent for methane and hydrofluorocarbons and 50 percent black carbon emissions below 2013 levels. The project would comply with the CARB SLCP Reduction Strategy, which limits the use of hydrofluorocarbons for residential refrigeration uses.	
<b>Organic Waste Landfill Reduction</b> By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383	CARB, CalRecycle, CDFA, SWRCB, local air districts	<b>Not Applicable</b> This strategy calls on regulators to reduce GHG emissions from landfills and is not applicable to a development project. Under SB 1383, the California Department of Resources Recycling and Recovery (CalRecycle) is responsible for achieving a 50 percent reduction in the level of statewide disposal of organic waste from the 2014 level by 2020 and a 75-percent reduction by 2025. As of March 2019, CalRecycle held a public hearing and is reviewing draft regulatory language. Adoption of the regulations to achieve SB 1383 targets is expected by fall 2019.	

Measure	Responsible Party(ies)	Project Consistency
Implement the post-2020 Cap-and- Trade Program with Declining Annual Caps	CARB	Not Applicable This applies to State regulators and is not applicable to a development project. The current Cap-and-Trade Program would end on December 31, 2020. Assembly Bill 398 (AB 398) was enacted in 2017 to extend and clarify the role of the state's Cap-and-Trade Program from January 1, 2021, through December 31, 2030. As part of AB 398, refinements were made to the Cap-and-Trade Program to establish updated protocols and allocation of proceeds to reduce GHG emissions.
<ul> <li>Integrated Natural and Working Lands Implementation Plan</li> <li>By 2018, develop Integrated Natural and Working Lands Implementation</li> <li>Plan to secure California's land base as a net carbon sink:</li> <li>Protect land from conversion through conservation easements and other incentives</li> <li>Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity</li> <li>Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments</li> <li>Establish scenario projections to serve as the foundation for the Implementation Plan</li> </ul>	CNRA and departments within, CDFA, CaIEPA, CARB	Not Applicable This applies to State regulators and is not applicable to a development project. This regulatory program applies to Natural and Working Lands, not directly related to development of the project. However, the project would not interfere or impede implementation of the Integrated Natural and Working Lands Implementation Plan.
Establish a Carbon Accounting Framework for Natural and Working Lands as Described in SB 859 by 2018	CARB	<b>Not Applicable</b> This applies to State regulators and is not applicable to a development project. This regulatory program applies to Natural and Working Lands, not directly related to development of the project. However, the project would not interfere or impede implementation of the Integrated Natural and Working Lands Implementation Plan.
Implement Forest Carbon Plan	CNRA, CAL FIRE, CaIEPA and departments within	<b>Not Applicable</b> This applies to State regulators and is not applicable to a development project. This regulatory program applies to state and federal forest land, not directly related to development of the project. However, the project would not interfere or impede implementation of the Forest Carbon Plan.
Identify and Expand Funding and Financing Mechanisms to Support GHG Reductions Across all Sectors	State Agencies and Local Agencies 2017	Not Applicable This applies to State regulators and is not applicable to a development project. Funding and financing mechanisms are the responsibility of the state and local agencies. The project would not conflict with funding and financing mechanisms to support GHG reductions.

## Consistency with the San Benito County General Plan

As noted above, the San Benito County 2035 General Plan contains numerous policies aimed at reducing GHG emissions, as well as several goals and policies that provide indirect co-benefits of reducing GHG emissions. Table 19 indicates the project's consistency with San Benito County General Plan elements, goals and policies pertaining greenhouse gases.

### Table 19 Project Consistency with the 2035 County General Plan

Policy	Consistency
LU-1.2 Sustainable Development Patterns	Consistent
The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use; and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill development, unincorporated communities, and the New Community Study Areas. The County recognizes that the New Community Study Areas comprise locations that can promote such sustainable development. <b>LU-2.7 Sustainable Location Factor</b> The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.	The project is located on a currently vacant property in unincorporated San Benito County. The project would develop 149 new single-family units on the 49.9-acre property, efficiently using the land in a manner that would accommodate an estimated 453 residents (DOF 2019). The project site is near the City of Hollister, approximately 0.5 mile from the southern city limit. This location would reduce the distances that residents at the project site would need to travel to access commercial services, such as shopping or dining, entertainment and educational opportunities. In addition, the clustering of residential development would enhance opportunities for carpooling, increasing the potential to reduce per person commute VMT. The project is located approximately 1.3 miles south of the nearest bus stop for the San Benito County Express Red Line at the Valley View and Westward stop in the City of Hollister, and about 1.1 miles south of the Target bus stop for the Red and Green Lines in the City of Hollister. In addition, the project would create sidewalks and pathways within the residential subdivision to accommodate pedestrians and cyclists.
LU-2.1 Sustainable Building Practices	Consistent
The County shall promote and where appropriate require	The project would comply with all standards set forth

The County shall promote, and where appropriate, require sustainable building practices that incorporate a "whole system" approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.

#### LU-2.2 Green Sustainable Building Practices

The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).

#### HS-5.7. Greenhouse Gas Emission Reductions

The County shall promote greenhouse gas emission reductions by supporting carbon efficient farming methods (e.g., methane capture systems, no-till farming, crop rotation, cover cropping); supporting the installation of renewable energy technologies; and protecting grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to urban uses.

The project would comply with all standards set forth in the CBC Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. Furthermore, in accordance with the 2019 California Green Building Standards for residential developments, low-rise residences (three stories or less) are required to install on-site photovoltaic arrays that provide energy equal to the amount expected to be consumed by residences. The project would include rooftop solar systems capable of generating electricity equal to the amount expected to be consumed by residences. All residential garages would be constructed with the necessary components to support charging of electric vehicles, further reducing the consumption of nonrenewable resources.

Although the project would result in the conversion of farmland, Mitigation Measure AG-1 would require permanent conservation of off-site agricultural land.

Policy	Consistency
PFS-7.5 Waste Diversion	Consistent
The County shall require waste reduction, recycling, composting, and waste separation to reduce the volume and toxicity of solid wastes sent to landfill facilities and to meet or exceed State waste diversion requirements of 50 percent.	The project would be required to contract with a waste hauler than complies with SB 1383, requiring a 50 percent reduction in disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025, as well as AB 341 increasing the waste recycling goal to 75 percent statewide by 2020. By contracting with a compliant waste hauling service, the project would exceed 50 percent waste diversion upon operation.
PFS-8.7 Renewable Energy Grid-Connections	Consistent
The County shall coordinate with public utility providers to design their facilities so that private and public onsite renewable energy facilities (e.g., solar, wind, biomass, geothermal) can connect to the larger electricity grid.	In accordance with the 2019 California Green Building Standards for residential developments, the project would include rooftop solar systems capable of generating electricity equal to the amount expected to be consumed by residences. The proposed project would connect with the regional electricity grid, allowing excess electricity generated by rooftop solar systems to feed into the grid and be utilized elsewhere.
HS-5.8. GHG Reduction Targets	Consistent with Mitigation
The County shall strive to reduce greenhouse gas (GHG) emissions by 15 percent below 2010 levels by 2020, and establish a long-term goal to reduce GHG emissions by 80 percent below 1990 levels by 2050.	By achieving consistency with the 2017 Scoping Plan per capita GHG threshold with mitigation incorporated (see Section 8, <i>Greenhouse Gas Emissions</i> , above) the project would demonstrate consistency with the statewide 2030 emissions reduction target per SB 32 and consistency with efforts to achieve carbon neutrality by 2045 per EO B-55-18. As discussed above, the project would be compliant with this project- specific Scoping Plan-based threshold.
Source: AMBAG 2017 San Benito County 2015	

In summary, the plan consistency analysis provided above demonstrates that the project complies with or exceeds the plans, policies, regulations and GHG reduction actions/strategies outlined in AMBAG's 2040 MTP/SCS, the 2017 State Scoping Plan and the San Benito County General Plan. Consistency with the above plans, policies, regulations and GHG reduction actions/strategies would reduce the project's incremental contribution of GHG emissions. Therefore, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHG emissions. Impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

# 9 Hazards and Hazardous Materials

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	uld the project:				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			•	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
C.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?				
d.	Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
e.	For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				•
f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				

## **Regulatory Setting**

As a department of the California Environmental Protection Agency, the Department of Toxic Substances Control (DTSC) is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of Resource Conservation and Recovery Act and the California Health and Safety Code. DTSC also administers the California Hazardous Waste Control Law to regulate hazardous wastes.

Government Code Section 65962.5 requires the DTSC, the State Department of Health Services, the SWRCB, and the California Department of Resources, Recycling, and Recovery (CalRecycle) to compile and annually update lists of hazardous waste sites and land designated as hazardous waste sites throughout the state. The Secretary for Environmental Protection with CalEPA consolidates the information submitted by these agencies into a master list, referred to as the Cortese List. The Cortese List is distributed to each city and county where sites on the lists are located. The Cortese List is used by the State, local agencies, and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by DTSC, SWRCB, and CalRecycle.

If any soil is excavated from a site containing hazardous materials, it is considered a hazardous waste if it exceeds specific criteria in Title 22 of the CCR. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed, or if certain other soil disturbing activities would occur. Even if soil or groundwater at a contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking jurisdiction.

## **Impact Analysis**

- a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

## Construction

The project would result in the construction and operation of a new residential development. Small quantities of potentially hazardous materials such as fuels, lubricants, and solvents would be used during construction of the project. The transport of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risk associated with the transport hazardous materials. Construction activities that involve hazardous materials would be required to transport such materials along roadways designated for that purpose in the County, thereby limiting risk of upset during transportation.

The project site has historically been used for agriculture. The northwest portion of the site was used to grow orchards from at least 1939 and February 2018 (Appendix G). Other site areas have been used for cattle grazing and to grow dryland crops since at least 1939. Based on prior site-specific analysis, trace levels of the pesticides dichlorodiphenyldichloroethylene (DDE) and dieldrin are present on the site (Engeo 2014). However, the levels are below Regional Water Quality Control Board Environmental Screening Levels (ESLs) for direct human exposure in residential settings.

Although arsenic levels exceeded its ESL, the levels are within the range found to naturally occur in this region of California (Duvergé 2011). As such, prior use of the site for agricultural purposes does not constitute a Recognized Environmental Condition (REC) at the site and site grading would not result in upset and release of hazardous materials into the environment.

The northern project site contains a barn and sheds that would be demolished as part of the proposed project. The structures were constructed between 1959 and 1974 and may contain lead-based paint (LBP) and asbestos-containing materials. Prior to demolition, an LBP and asbestos-containing building material survey would be conducted per regulations as set forth by the Asbestos National Emission Standards for Hazardous Air Pollutants Section 61.145 and the USEPA Toxic Substances Control Act Compliance Monitoring Program (USEPA 2019). Demolition of these structures could expose and/or release these contaminants which could result in health hazard impacts to workers if not remediated prior to construction activities. However, existing regulatory requirements would ensure that if such materials are disturbed during demolition, they would be handled and disposed in a manner that protects public and environmental health and safety. Therefore, upon compliance with all existing regulations, construction related impacts would be less than significant

## Operation

Operationally, residential developments would not typically involve the use or storage of large quantities of hazardous materials, other than those used for typical household and landscape activities and vehicular operation. The minimal amounts of household hazardous wastes on-site would not create a significant hazard to the public or the environment. This impact would therefore be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

No schools are located within 0.25 mile of the project site. The nearest existing schools are Ladd Lane Elementary School and Hollister Montessori School, both located approximately 0.5 mile to the north of the project site. The project involves the construction of 149 single family residences. Residential uses do not typically emit or involve the handling of hazardous materials. Therefore, the project would not emit hazardous emissions or handle hazardous materials within 0.25 mile of a school. There would be no impact.

#### **NO IMPACT**

d. Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project site it not on a list compiled pursuant to Government Code 95962.5 (EnviroStor 2020, GeoTracker 2020, & Appendix G). According to the Phase I ESA, based on the types, status of listing, and relative elevation from the subject site, none of the identified facilities have the potential to impact the site nor indicate the likelihood for the presence of RECs at the site (Appendix G). Furthermore, there are no sites within one mile with known per or poly fluorinated alkyl substances (PFAS) contamination (SWRQB 2019). Therefore, no impact would occur.

#### **NO IMPACT**

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The proposed project is not located within a public airport land use plan area or within two miles of a public airport. The nearest public airport the City of Hollister Municipal Airport, located approximately 4.5 miles to the northeast of the project site. Therefore, no impact would occur.

#### **NO IMPACT**

*f.* Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The proposed project would not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Access to the project would be provided via three connections to existing roadways. These access points and interior roadways would be accessible by emergency vehicles and the project would not alter off-site emergency routes or transportation facilities. Therefore, impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The proposed project is in a Local Responsibility Area in a non-wildland/non-urban zone (CALFIRE 2007). The project site is near moderate to high severity fire zones. The nearest Very High Fire Hazard Severity Zone (VHFHSZ) is located approximately 3.5 miles to the west (CAL FIRE 2007). As discussed in more detail in Section 20, *Wildfire*, large tracts of wildland fuels, such as forest or brushland, do not occur on-site or nearby.

The project would be developed in accordance with State and County fire standards and regulations such as the County's Subdivision Ordinance (XIII), which provides standards for roadway widths, turn arounds, defensible space measures such as setbacks, the height of street signs and addresses to increase visibility for quick accessibility, and general water standards for fire hydrants to ensure adequate fire protection water delivery systems are available. The project would not substantially expose people or structures to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

# 10 Hydrology and Water Quality

			Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould t	he project:				
a.	Viol was othe or g	ate any water quality standards or te discharge requirements or erwise substantially degrade surface round water quality?				
b.	Subs supp grou proj grou	stantially decrease groundwater olies or interfere substantially with undwater recharge such that the ect may impede sustainable undwater management of the basin?				
C.	Subs patt thro stre imp wou	stantially alter the existing drainage tern of the site or area, including bugh the alteration of the course of a am or river or through the addition of ervious surfaces, in a manner which Ild:				
	(i)	Result in substantial erosion or siltation on- or off-site;				
	(ii)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
	(iii)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			•	
	(iv)	Impede or redirect flood flows?			-	
d.	In flo risk inur	ood hazard, tsunami, or seiche zones, release of pollutants due to project ndation?				•
e.	Con of a sust plan	flict with or obstruct implementation water quality control plan or ainable groundwater management 1?				
	P.01					

## Setting

The project site is primarily undeveloped and was previously used as ranchland and orchard. Most of the site is covered in permeable surfaces. A former orchard was previously removed, and three agricultural structures are located at the northwestern portion of the site. A single-family residence is located the northern portion of the site, near Enterprise Road.

The project site is located approximately 0.5-mile northwest of the San Benito River, in the Pajaro Subbasin of the Central California Coastal Watershed (HUC 8-18060002). The site is in the jurisdiction of the Central Coast Regional Water Quality Control Board (RWQCB). Central Coast RWQCB Resolution R3-2013-0032, adopted July 2013, approved post-construction stormwater management requirements for development projects in the Central Coast. Regulated projects include all new development or redevelopment projects that create and/or replace 2,500 square feet or more of impervious surfaces.

On February 27, 2020, a Drainage Study was prepared for the project site to summarize the existing flooding conditions under the FEMA flood hazard maps and determine which alternatives could be implemented to remove the existing flooding from the Lico South site (Appendix H). The existing Lico South site has an existing FEMA Special Flood Hazard designation of Zone AE. The flood hazard is depicted in the FEMA Flood Insurance Rate Map (FIRM) for San Benito County, on Panel 185D, map 060267. This designation was concluded from a previous study submitted to FEMA in 2016 which incorporated the Enterprise sedimentation and drainage basin (Enterprise Basin) and the existing sedimentation and drainage basin within the Lico South property (Lico Basin).

The highest elevations on the project site area in the southern portion, with the northern portion generally being the lowest area on-site. Therefore, stormwater generally flows north across the site, toward Enterprise Road. The Enterprise Basin and the Lico Basin each route waters from approximately 4.2 square miles of upstream watershed. Water flows into the Lico Basin through the Oak Canyon Court storm drain line and into the Enterprise Basin through a 72-inch reinforced concrete drainage pipe under Enterprise Road. An existing spillway on the Lico Basin allows water to spill overland when the water surface in the basin reaches maximum capacity. Figure 11 shows the Lico Basin and spillway. The current configuration of drainage facilities yields the 100-year flood zone designation. There is also an existing spill over the Enterprise Basin spillway during the 100-year, 24-hour storm event; however, the flood depth on average does not exceed one foot in depth and is not included on the FEMA flood maps.

The project site overlies the North San Benito Subbasin of the Gilroy-Hollister Valley Groundwater Basin. The North San Benito Subbasin is designated as a "Medium" priority basin under the Sustainable Groundwater Management Act (SGMA). The San Benito County Water District is the authorized Groundwater Sustainability Agency (GSA) for the North San Benito Subbasin. The North San Benito County Groundwater Sustainability Plan (GSP) is scheduled to be finalized in 2021.

## Figure 11 Lico Basin and Spillway


# a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The project would increase impermeable surfaces on the site via construction of single family residences, driveways, and roadways. The increase in impermeable surfaces would increase stormwater runoff from the project site compared to existing conditions. Stormwater from the project site would be directed to onsite detention ponds located at the northeastern and southwestern portions of the site, and then to an existing Enterprise Drainage Basin via a 72-inch drainage pipe at the northeast corner of the project site, as shown on Sheet 2 of the Tentative Subdivision Map (TSM)plans (San Benito County Engineering and Surveying, Inc. 2019).

As discussed, runoff from the project site would be collected by the existing Lico Basin located at the northeastern corner of the site and the Enterprise Basin located to the north of the project site, across Enterprise Road. Flows from the Lico Basin are routed to the Enterprise Basin through a 72inch drainage pipe with capacity to accommodate runoff from the project. The 72-inch drainage pipe conveys flows from the Enterprise Basin, down Enterprise Road to the west, picking up flows along the way and is upsized to an 84-inch drainage pipe before discharging into the San Benito River. The current configuration of drainage facilities yields the 100-year flood zone designation because flooding can overflow the existing Lico Basin spillway and flow overland. To alleviate existing flood hazards, the Drainage Study (Appendix H) identifies five alternative systems. The project would implement Alternative 1, which would involve the installation of a second 72-inch drainage pipe to convey water from the Lico Basin, under Enterprise Road and into the Enterprise Basin. The additional drainage pipe would be installed subsurface following the alignment of the project's interior roadway system adjacent to the Lico Basin. It would cross underneath Enterprise Road before reaching Enterprise Basin. The additional drainage pipe would double the capacity of flow from Lico Basin to Enterprise Basin. This would facilitate more discharge to Enterprise Basin, eliminating the potential for overflow into the Lico Basin spillway and resultant flooding on the project site (Appendix H).

The project construction and operation would also be required to adhere to local requirements for site drainage established by San Benito County and SSCWD. Pursuant to per Chapter 23.31 of the San Benito County Code, the project would be required to submit a Drainage Study detailing the drainage design of the project site upon project review and approval by the County. The project would also be required to comply with SSCWD Ordinance 79, which prohibits the installation of new self-regenerating water softeners (SSCWD 2017). The intent of this regulation is to limit water pollution associated with water softeners, which release wastewater with a high salt concentration during operation. In addition to the County of San Benito rules and regulations, the project would be required to comply with the Central Coast Post-Construction Stormwater Requirements (Resolution No. R3-20130-0032). These requirements include site design to reduce runoff, water quality treatment through the use of low impact development (LID), and runoff retention. The project permittee is required to submit the appropriate documentation of compliance with all the post construction requirements to the Central Coast RWQCB.

Required compliance with County and Central Coast RWQCB requirements would reduce the potential for the project to degrade the quality of surface or groundwater. Development of the project would not result in substantial additional stormwater runoff to neighboring properties and would not degrade the quality of stormwater runoff from the site with adherence to existing regulations. Potential impacts associated with operation of the proposed project to stormwater runoff and water quality would be less than significant.

- b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As discussed in Section 19, *Utilities and Service* Systems, the project would increase water demand by approximately 21.5 million gallons per year, or approximately 66 acre-feet per year (AFY). The project's water demands would be served by Sunnyslope County Water District (SSCWD). Water supplied by the Central Valley Project (CVP) is the primary water source utilized by SSCWD, with groundwater from the Gilroy-Hollister Valley Groundwater Basin serving as a supplemental source. The SSCWD has issued a Letter of Intent to Provide Water and Sanitary Service (Will Serve Letter) for the proposed project, stating that sufficient water supplies and infrastructure are available (Appendix K). As shown in Table 32 in Section 19, *Utilities and Service Systems*, SSCWD projects available supplies to be equal to demand through 2035 in normal climatic conditions and in multiple dry year scenarios. As discussed in Section 14, *Population and Housing*, the proposed project would not introduce an unplanned increase in population, and therefore the project's water supply needs are considered in the supply/demand estimates in the UWMP. Therefore, the project would not substantially deplete groundwater resources via water demand.

The project site overlies the North San Benito Subbasin of the Gilroy-Hollister Valley Groundwater Basin. Implementation of the project would increase impermeable surfaces on the project site, which would incrementally decrease infiltration to groundwater on the project site. Major inflows to groundwater in the region include deep percolation from rainfall, return flow from urban and agricultural uses, recharge of reclaimed water, stream percolation (both natural and managed through reservoir and CVP releases), and subsurface inflow from adjacent groundwater basins (SSCWD 2016). As discussed under item (a), stormwater from the project site would be directed from Lico Basin to Enterprise Basin via the existing drainage pipe and proposed additional drainage pipe (Appendix H). Once conveyed to Enterprise Basin, the discharged stormwater would be able to infiltrate to the underlying groundwater basin. Therefore, while implementation of the project would incrementally decrease infiltration on the project site, stormwater runoff would be able to infiltrate to groundwater through the proposed stormwater runoff infrastructure. Impacts to groundwater recharge would be less than significant.

Because the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin, the proposed project would not conflict with or obstruct implementation of the North San Benito County GSP.

As discussed under item (a), the proposed project would not degrade surface or groundwater quality. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or groundwater management plan. Impacts would be less than significant.

- c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?
- c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

## Construction

Project construction would involve substantial excavation and would result in changes to the existing drainage patterns of the project site. As discussed under item (a), the proposed project would be required to create and implement a SWPPP, which would include best management practices. The SWPPP would include measures to retain stormwater on site, which would minimize erosion, siltation, and polluted runoff. With regulatory compliance, potential construction impacts associated with stormwater runoff would be less than significant.

## Operation

The project would involve the construction of 149 new single-family homes on a predominantly undeveloped site. This would result in an increase of impermeable surfaces and changes to the existing drainage pattern of the project site. Much of the project site is currently pervious surface that allows precipitation to infiltrate the ground surface, reducing the volume of stormwater runoff that discharges from the site. Precipitation that does not infiltrate the ground surface flows north across the site toward Lico Basin or the downstream spillway area below Lico Basin. As described under item (a), the exiting 72-inch drainage pipe discharges runoff into Enterprise Basin. However, during more substantial precipitation events, runoff can exceed the drainage capacity of the existing pipe, resulting in discharges downstream from Lico Basin into the spillway area.

The proposed project would increase the amount of impervious surface on the project site with the addition of paved roads, residential structures, sidewalks, and driveways. The increased impervious surface would result in an incremental decrease in the area available for stormwater infiltration. Therefore, the proposed project would increase the amount of potential stormwater runoff discharged to Lico Basin. As discussed under item (a), the proposed project would involve installation of a second 72-inch drainage pipe from Lico Basin to Enterprise Basin to alleviate overflows from Lico Basin into the spillway area. Installation of an additional drainage pipe would eliminate the potential for flooding on the project site (Appendix H). However, because more runoff would discharge to Enterprise Basin, the floodplain elevation associated with Enterprise Basin may increase. The floodplain at Enterprise Basin surrounds the basin only, and there is no spillway with

overland flooding associated with Enterprise Basin (Appendix H). Enterprise Basin is not included on the FIRM. Although conveying more runoff into Enterprise Basin would redirect flood flows, impacts related to on- and off- site would be less than significant.

As discussed in the *Project Description*, the applicant would submit an application for a LOMR to modify the Special Flood Hazard Area designation of Zone AE and remove it from the project site prior to project occupancy. Implementation of the project would be contingent upon this removal.

Stormwater runoff from the project site is characterized under item (a). The project would construct stormwater runoff infrastructure to eliminate flooding on the project site. With proposed drainage improvements, the project would not exceed the capacity of the planned stormwater drainage system or result in flooding on- or off-site.

As discussed under item (a), the project would be subject to the Central Coast Post-Construction Stormwater Requirements and would implement BMPs to reduce pollutant discharges and minimize stormwater runoff volumes. BMPs may include LID measures such as bioswales and permeable pavement, which would minimize erosion and sedimentation on the project site and minimize polluted runoff. Specific BMPs and their respective components are subject to the approval of the RWQCB, which will review and approve of all features of the required BMPs. With compliance, impacts related to erosion, sedimentation, and polluted runoff would be less than significant.

Implementation of a detention pond or underground storage facility to capture stormwater and eliminate flooding would result in changes to flood patterns on the project site. However, as discussed in the *Project Description*, the applicant would apply for a LOMR to modify and remove the Special Flood Hazard Area designation of Zone AE on the project site. Implementation of the project would be contingent upon LOMR approval. Additionally, the proposed changes to flood patterns would not exacerbate flood risks on- or off-site. Therefore, this impact would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The project site is located approximately 20 miles from the coast of the Pacific Ocean. The risk of a tsunami is negligible due to the distance from the Pacific Ocean. The nearest body of water that could potentially experience a seiche event is the San Justo Reservoir, which is located approximately 3.0 miles west of the project site. Due to varying terrain and extensive distance between the San Justo Reservoir and the project site, a seiche in the reservoir would not affect the project site. The project site is predominantly undeveloped and generally sloping towards the north but is away from crests and very steep ridges. Therefore, the project site is in a low hazard area for tsunami, seiche, and mudflow. No impact would occur.

#### **NO IMPACT**

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# 11 Land Use and Planning

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Physically divide an established community?				
b.	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			•	

#### a. Would the project physically divide an established community?

The project would not physically divide an established community. Existing residential subdivisions are located in close proximity to the project site, however, they would not be divided or become inaccessible as a result of the project. Additionally, proposed internal streets would connect to existing streets in established communities, providing both a roadway and pedestrian connection through the project site. No impact related to the physical division of an established community would occur.

#### **NO IMPACT**

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

As discussed in Section 6, *General Plan Designation*, and Section 7, *Zoning*, the project site is currently designated RM under the San Benito County 2035 General Plan (San Benito County 2015) and zoned RR (San Benito County 2019). The project would require a zone change to R-1. The 2035 General Plan allows a density of up to 20 single family residential dwelling units per acre in RM areas. Therefore, the necessary zone change would be consistent with the site's designation under the 2035 General Plan.

Table 20 lists applicable policies related to land use and planning from the 2035 General Plan and discusses the project's consistency.

Policy	Consistency
<b>Policy LU-1.1: Countywide Development</b> The County shall focus future development in areas around cities where infrastructure and public services are available, within existing unincorporated communities, and within a limited number of new communities, provided they meet the requirements of goal section LU-7 and demonstrate a fiscally neutral or positive impact on the County and any special districts that provide services to the project.	<b>Consistent</b> The project would occur in the vicinity of existing residential developments where infrastructure and public services are available.
Policy LU-1.10: Development Site Suitability The County shall encourage specific development sites to avoid natural and manmade hazards, including, but not limited to, active seismic faults, landslides, slopes greater than 30 percent, and floodplains. Development sites shall also be on soil suitable for building and maintaining well and septic systems (i.e., avoid impervious soils, high percolation or high groundwater areas, and provide setbacks from creeks). The County shall require adequate mitigation for any development located on environmentally sensitive lands (e.g., wetlands, erodible soil, archaeological resources, important plant and animal communities).	<b>Consistent with Mitigation</b> Although unstable soils and a potential for fault surface rupture exist at the project site, implementation of Mitigation Measures GEO-1 through GEO-3 would reduce seismic impacts to a less than significant level (refer to Section 7, <i>Geology and Soils</i> ). Potential for landslides at the project site is low and the slope is less than 30 percent. The project would not involve septic tanks. Furthermore, implementation of Mitigation Measures BIO-1 through BIO-6 and CR-1 would reduce impacts to biological and cultural resources to a less than significant level (refer to Sections 3 and 4, <i>Biological Resources and</i> <i>Cultural Resources</i> ).
<b>Policy LU-4.2 Urban Residential Development</b> The County shall ensure new urban residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.	<b>Consistent</b> The project would involve urban residential development in an area where there are existing public facilities and services in the vicinity. The project is just south of the City of Hollister and would include roadways, sidewalks and pathways to facilitate transportation.

#### Table 20 Project Consistency with General Plan Policies

The project would be consistent with the applicable land use policies of the 2035 General Plan.

As described in Section 3, Air Quality, the project would not conflict with the current AQMP, which MBARD adopted to provide a strategy for the attainment of state and federal air quality standards. Additionally, as described in Section 10, Hydrology and Water Quality, the project would not conflict with adopted water quality standards or policies. Because the project would be consistent with applicable 2035 General Plan policies and other plans in the region adopted to avoid or reduce environmental impacts, impacts would be less than significant.

# 12 Mineral Resources

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			•	
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land	_	_	_	_
	use plan?				

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

Various mineral resources and ongoing mining operations are present in San Benito County and in the vicinity of the project site. The project site falls within a Mineral Resource Zone 3 (MRZ-3) as classified by the California Department of Conservation (Stinson et al. 1982). An MRZ-3 designation indicates that while mineral deposits are present, their significance cannot be evaluated based on available data (Stinson et al. 1982). According to the San Benito County General Plan Natural and Cultural Resources Element, the County shall protect areas classified Mineral Resource Area Zone 2 (MRZ-2; indicates significant mineral deposits) or Scientific Zone (SZ; indicates unique or rare geologic occurrences) from premature development incompatible with mining (San Benito County 2015). The proposed project would not involve resource extraction, and the project site is adjacent to existing urban development and does not fall within an MRZ-2 or SZ. Therefore, the project would not result in the loss of availability of a known mineral resource or locally important mineral resource recovery site. Impacts would be less than significant.

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# 13 Noise

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
W	ould the project result in:				
a.	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		-		
b.	Generation of excessive groundborne vibration or groundborne noise levels?			•	
c.	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive				

# **Overview of Sound Measurement**

noise levels?

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (Caltrans 2013).

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz and less sensitive to frequencies around and below 100 Hertz (Kinsler, et. al. 1999). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; dividing the energy in half would result in a 3 dB decrease (Crocker 2007).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not "sound twice as loud" as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible (8 times the sound energy); and that an increase (or decrease) of 10 dBA sounds twice (half) as loud ([10.5x the sound energy] Crocker 2007).

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line, the path the sound will travel, site conditions, and obstructions). Noise levels from a point source typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance (e.g., construction, industrial machinery, ventilation units). Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013a). The propagation of noise is also affected by the intervening ground, known as ground absorption. A hard site, such as a parking lot or smooth body of water, receives no additional ground attenuation and the changes in noise levels with distance (drop-off rate) result from simply the geometric spreading of the source. An additional ground attenuation value of 1.5 dBA per doubling of distance applies to a soft site (e.g., soft dirt, grass, or scattered bushes and trees) (Caltrans 2013a). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this "shielding" depends on the size of the object and the frequencies of the noise levels. Natural terrain features such as hills and dense woods, and man-made features such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). Structures can substantially reduce exposure to noise as well. The FHWA's guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The impact of noise is not a function of loudness alone. The time of day when noise occurs and the duration of the noise are also important factors of project noise impact. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. One of the most frequently used noise metrics is the equivalent noise level  $(L_{eq})$ ; it considers both duration and sound power level.  $L_{eq}$  is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over time. Typically,  $L_{eq}$  is summed over a one-hour period.  $L_{max}$  is the highest root mean squared (RMS) sound pressure level within the sampling period, and  $L_{min}$  is the lowest RMS sound pressure level within the measuring period (Crocker 2007).

Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level ( $L_{dn}$ ), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. It is also measured using CNEL, which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013a). Noise levels described by  $L_{dn}$  and CNEL usually differ by about 1 dBA. The relationship between the peak-hour  $L_{eq}$  value and the  $L_{dn}$ /CNEL depends on the distribution of traffic during the day, evening, and night. Quiet suburban areas typically have CNEL noise levels in the range of 40 to 50 dBA, while areas near arterial streets are in the 50 to 60-plus CNEL range. Normal conversational levels are in the 60 to 65-dBA  $L_{eq}$  range; ambient noise levels greater than 65 dBA  $L_{eq}$  can interrupt conversations (FTA 2018).

According to Caltrans, for traffic noise  $L_{dn}$  is approximately equal to the peak hour traffic  $L_{eq}$  (Caltrans 2013a). Caltrans' general rule is that  $L_{dn}$  is within at least 2 dBA of the peak hour traffic  $L_{eq}$  (Caltrans 2013a).

# Vibration

Groundborne vibration of concern in environmental analysis consists of the oscillatory waves that move from a source through the ground to adjacent structures. The number of cycles per second of oscillation makes up the vibration frequency, described in terms of Hz. The frequency of a vibrating object describes how rapidly it oscillates. The normal frequency range of most groundborne vibration that can be felt by the human body starts from a low frequency of less than 1 Hz and goes to a high of about 200 Hz (Crocker 2007).

While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings, such as from nearby construction activities, may cause windows, items on shelves, and pictures on walls to rattle. Vibration of building components can also take the form of an audible low-frequency rumbling noise, referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hz), or when foundations or utilities, such as sewer and water pipes, physically connect the structure and the vibration source (Federal Transit Administration [FTA] 2018). Although groundborne vibration is sometimes noticeable in outdoor environments, it is almost never annoying to people who are outdoors. The primary concern from vibration is that it can be intrusive and annoying to building occupants and vibration-sensitive land uses.

Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations diminish much more rapidly than low frequencies, so low frequencies tend to dominate the spectrum at large distances from the source. Discontinuities in the soil strata can also cause diffractions or channeling effects that affect the propagation of vibration over long distances (Caltrans 2013b). When a building is impacted by vibration, a ground-to-foundation coupling loss will usually reduce the overall vibration level. However, under rare circumstances, the ground-to-foundation coupling may actually amplify the vibration level due to structural resonances of the floors and walls.

Vibration amplitudes are usually expressed in peak particle velocity (PPV) or RMS vibration velocity. The PPV and RMS velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. PPV is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings (Caltrans 2013b).

# **Sensitive Receivers**

As stated in the County's Health and Safety Element, noise-sensitive land uses include residential development, transient lodging, hospitals, nursing homes, schools, and day care centers (County of San Benito 2015). Noise-sensitive land uses near the project site consist of residences. The distances measured from the boundary of the project site to usable outdoor space such as front yards of the residences are:

- Thirteen single-family residences approximately 10 feet from the eastern property line, on Oak Canyon Court, Oak Creek Drive, and Quail Ridge Way;
- One single-family residence located approximately 55 feet south of the southern property line, at the end of Georges Drive;
- Three single-family residences located between approximately 45 and 150 feet west of the western property line, on an access road south of Enterprise Road;

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- One single-family residence located about 10 feet from the northern edge of the project site, on the south side of Enterprise Road; and
- One single-family residence located about 65 feet northeast of the project site, on the north side of Enterprise Road.

## **Project Noise Setting**

The most common source of noise in the project site vicinity is vehicular traffic from SR 25 and Enterprise Road. To characterize ambient sound levels at and near the project site, two 20-minute sound level measurements were conducted on October 23, 2019. Short-Term Measurement (ST) 1 was taken off Enterprise Road to capture noise levels on the project site near Enterprise Road and SR 25. ST2 was taken within the project site near the southern border to capture ambient noise levels on the project site in an area far from the nearby roadways.

Figure 12 shows the noise measurement locations, Table 21 summarizes the results of the noise measurements, and Table 22 summarizes the vehicle composition of ST2. Detailed sound level measurement data are included in Appendix I.

Measurement Location	Measurement Location	Sample Times	Approximate Distance to Primary Noise Source	Leq (dBA)	Lmin (dBA)	Lmax (dBA)			
ST1	Southern center of project site	11:43 – 11:58 a.m.	1,250 feet to centerline of Enterprise Road	49	42	66			
ST2	Off Enterprise Road near northeastern boundary of project	12:20 – 12:35 p.m.	35 feet to centerline of Enterprise Road	59	44	75			
See Figure 12for noise measurement locations.									
Detailed sound leve	etailed sound level measurement data are included in Appendix I.								

#### Table 21 Project Vicinity Sound Level Monitoring Results

#### Table 22 Sound Level Monitoring Traffic Counts

Measurement	Roadway	Traffic	Autos	Medium Trucks	Heavy Trucks		
2	Enterprise Road	15-minute count	13	0	0		
		One-hour Equivalent	52	0	0		
Detailed sound level measurement data are included in Appendix I.							



Figure 12 Noise Measurement Locations

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## **Regulatory Framework**

#### General Plan

The County's Health and Safety Element establishes noise standards for different land uses and contains policies that address aircraft noise, ground transportation-related noise, industrial noise, and construction-related noise. The element's non-transportation noise level performance standards for residential uses (new or existing) are provided in Table 23.

# Table 23San Benito County Health and Safety Element Non-Transportation Noise LevelPerformance Standards for Noise-Sensitive Uses

Noise Level Descriptor	7:00 a.m. to 10:00 p.m.	10:00 p.m. to 7:00 a.m.			
dBA L <sub>eq</sub> (1-hour)	45	35			
L <sub>max</sub>	70	65			
Note: These standards apply to new or existing residential areas affected by new or existing non-transportation sources.					

Source: Table 9-1 of the San Benito County Health and Safety Element

For transportation noise to residential uses, Table 9-2 of the Health and Safety Element sets a normally acceptable exterior noise standard of 65 dBA  $L_{dn}$ . In addition, Policy HS-8.9 states that the interior noise standard for single-family dwellings is 45 dBA  $L_{dn}$ .

Policy HS-8.3 addresses construction noise, and states that "the County shall control the operation of construction equipment at specific sound intensities and frequencies during daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. No construction shall be allowed on Sundays or federal holidays." In addition, Policy HS-8.12 requires Construction Noise Control Plans for projects constructed within 500 feet of sensitive receivers. These plans are to "consider the following available controls in order to reduce construction noise levels as low as practical":

- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists;
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;
- Notify all abutting land uses of the construction schedule in writing; and
- Designate a "disturbance coordinator" (e.g., contractor foreman or authorized representative) who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

#### County Code

Section 19.39.030 of the San Benito County Code lists maximum permissible sound levels in the County. The section states:

- No person shall operate, or permit to be operated, on private property any source of sound in such a manner as to create:
  - A sound pressure level which exceeds the limits set forth for the receiving land use category in Table 24 which may be measured at or within the real property boundary of the receiving land use, or its vertical extension;
  - A sound pressure level which exceeds the limits set forth for the receiving land use category in Table 24 for more than 15 minutes in 60 minutes which may be measured at or within the real property boundary of the receiving land use, or its vertical extension; or
  - An equivalent A-weighted sound level that exceeds the limits set forth for the receiving land use category in Table 24 which may be measured at or within the real property boundary of the receiving land use or its vertical extension.
  - A sound level that exceeds the ambient sound level by 5 dB which may be measured at or within the real property boundary of the receiving land use or its vertical extension.

Land Use Designation	Noise Level Limit (dBA)7:00 a.m. to 10:00 p.m.	Noise Level Limit (dBA) 10:00 p.m. to 7:00 a.m.
Ag Rangeland Ag Productive Rural	45	35
Rural Transitional Rural Residential	45	35
Single-Family (R1) Residential Multiple (RM)  Planned Unit Development	50	40
Commercial (C-1) Commercial (C-2)	65	55
Controlled Manufacturing (CM) Light Industrial (M-1) Heavy Industrial (M-2)	70	60
Source: Section 19.39.030 of the San Benito	County code	

#### Table 24 San Benito County Code Maximum Sound Level Standards

Section 19.39.051 exempts temporary construction, demolition or maintenance of structures between the hours of 7:00 a.m. and 7:00 p.m., except Sundays and federal holidays from the standards in Table 24. Although construction activity is exempt from the noise standards shown above, for purposes of this analysis, the FTA Transit Noise and Vibration Impact Assessment (FTA 2018) criteria will be used. The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction. For residential uses, the daytime noise threshold is 80 dBA L<sub>eq</sub> for an 8-hour period.

## Methodology

#### Construction Noise

Construction noise was estimated using the FHWA Roadway Construction Noise Model (RCNM) (FTA 2006). RCNM predicts construction noise levels for a variety of construction operations based on empirical data and the application of acoustical propagation formulas. Using RCNM, construction noise levels were estimated at noise sensitive receivers near the project site. RCNM provides reference noise levels for standard construction equipment, with an attenuation of 6 dBA per doubling of distance for stationary equipment.

Variation in power imposes additional complexity in characterizing the noise source level from construction equipment. Power variation is accounted for by describing the noise at a reference distance from the equipment operating at full power and adjusting it based on the duty cycle of the activity to determine the  $L_{eq}$  of the operation (FTA 2018). Each phase of construction has a specific equipment mix, depending on the work to be accomplished during that phase. Each phase also has its own noise characteristics; some will have higher continuous noise levels than others, and some have high-impact noise levels.

Construction noise would typically be higher during the heavier periods of initial construction (i.e., site preparation and grading work) and would be lower during the later construction phases (i.e., interior building construction). Typical heavy construction equipment during project grading and site preparation would include dozers, loaders, graders, and excavators. It is assumed that diesel engines would power all construction equipment. Construction equipment would not all operate at the same time or location. In addition, construction equipment would not be in constant use during the 8-hour operating day. A dozer and loader were analyzed together for construction noise impacts due to their likelihood of being used in conjunction with one another and therefore a conservative scenario for the greatest noise generation during construction. Using RCNM to estimate noise associated with a dozer and loader, noise levels are calculated to be 79.6 dBA L<sub>eq</sub> at a reference distance of 50 feet (RCNM calculations are included in Appendix I).

#### Groundborne Vibration

Thresholds used for the vibration analysis include a threshold for structure damage and a threshold for human annoyance. The threshold for structure damage is from Caltrans' *Transportation and Construction Vibration Guidance Manual* (Caltrans 2013b), which lists 0.2 PPV in/sec at residential structures as the limit that would prevent structural damage regardless of building construction type. The threshold for human annoyance is from the FTA *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018). This document provides a vibration level threshold at which transient vibration sources (such as construction equipment) are considered to be distinctly perceptible as 0.24 PPV in/sec.

Although groundborne vibration is sometimes noticeable in outdoor environments, groundborne vibration is almost never annoying to people who are outdoors; therefore, the vibration level threshold for human perception is assessed at occupied structures (FTA 2018). Therefore, all vibration impacts are assessed at the structure of an affected property.

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

## Construction

The nearest noise-sensitive receivers to project construction would include the single-family residences located 10 feet from the eastern boundary of the project site. Over the course of a typical construction day, construction equipment would be located as close as 10 feet to the nearest residences on Oak Canyon Court, Oak Creek Drive, and Quail Ridge Way. As the equipment would move throughout the site during a normal construction day (e.g., from between 10 feet to several hundred feet from the property line), a reasonable estimate of the average distance during a day of the equipment to the nearest residences would be 50 feet for the purposes of estimating a typical noise level that sensitive receptors would experience. At 50 feet, a dozer and an excavator would generate a noise level of 79.6 dBA  $L_{eq}$  (RCNM calculations are included in Appendix I). This would be below the FTA daytime threshold of 80 dBA  $L_{eq}$  for an 8-hour period. Additionally, because construction activities would occur within 500 feet of sensitive receptors, preparation and implementation of a Noise Control Plan would be required pursuant to Policy HS-8.3 of the 2035 General Plan. The plan includes measures to reduce construction noise, such as requiring mufflers on all construction equipment and preventing equipment from idling when not in use. However, as demonstrated in the RCNM calculations, even without noise reduction measures, project construction equipment noise would not exceed applicable FTA daytime thresholds.

According to the CalEEMod outputs for air quality and GHG emissions (Appendix A), the grading phase of project construction would generate the greatest number of construction related vehicle trips, with a total of 4,000 hauling trips that would occur over the estimated length of the grading phase (104 days). Up to 39 hauling trips per day would occur, assuming that hauling trips would be spread evenly over 104 days. In addition, 20 worker trips would occur each day of the grading phase. Therefore, the grading phase would involve up to 59 daily trips. Assuming that all worker trips would occur during the AM and PM peak hour and the hauling trips would be spread evenly throughout the 10-hour workday, up to 24 peak hour trips would occur during the grading phase

According to the project's TIA (Appendix J), Enterprise Road between SR 25 and Southside Road experiences 144 trips in the PM peak hour (compared to 132 trips in the AM peak hour) under existing conditions. The addition of up to 24 peak hour project construction trips would result in an increase of approximately 16 percent and 18 percent during the AM and PM peak hours respectively. Generally, a doubling of traffic would result in a 3 dBA increase, which is considered barely perceptible to humans and would be considered a significant noise increase. However, the estimated increase in traffic during construction would be much lower than a doubling of traffic, and the subsequent noise increase from project construction traffic would not be perceptible, even when combined with on-site equipment noise during construction. Therefore, impacts from construction would be less than significant.

# Operational

As a residential development, noises generated by operation of the proposed project would be typical and consistent with neighborhood uses, such as lawnmowers or the sounds of children playing outdoors. The primary source of operational noise would be from the vehicle trips generated by the project. Vehicle noise would generally be closest to the existing residential receptors along Enterprise Road, because vehicle trips coming and going from the project site would

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travel on Enterprise Road past existing residences. Noise measurement location ST2 is along Enterprise Road and represents ambient noise levels at residences located along the roadway. As shown in Table 21, existing noise levels at ST2 are 59 dBA  $L_{eq}$ . However, this measurement was collected between 12:20 and 12:35 pm, when traffic is typically less than peak hours in the morning and evenings. Therefore, during either the AM or PM peak hour, when more trips occur on Enterprise Road, existing noise levels are likely slightly greater than 59 dBA  $L_{eq}$ .

According to the TIA prepared for the project (see Appendix J), the proposed project would generate 12 AM peak hour trips and 17 PM peak hour trips on the segment of Enterprise Street between SR 25 and Southside Road. Currently there are 144 trips in the PM peak hour and 132 trips in the AM peak hour on this roadway segment. Generally, a doubling of traffic volume results in a 3 dBA increase, which is considered barely perceptible to humans. The 12 AM peak hour and 17 PM peak hour trips of the project would be an 8 percent to 10 percent increase of traffic, and well below a doubling of traffic. The resultant noise increase of project trips on Enterprise Road would be approximately 0.2 to 0.4 dBA. Therefore, traffic noise at residential receptors along Enterprise Road would remain below the County's 65 dBA L<sub>dn</sub> exterior land use noise compatibility level. Trips generated by project operation would not result in perceptible increases in traffic noise levels.

Other projects proposed in the area would also generate vehicle trips and contribute to a cumulative noise increase in roadways in the area. The project TIA provides the AM and PM peak hour vehicle trip generation for the cumulative plus project scenario, which is a scenario in which the proposed project is operational, as well as other projects in the vicinity that are planned. According to the TIA, there would be 197 AM peak hour trips and 232 PM peak hour trips on Enterprise Road under the cumulative plus project scenario. There would be 1,148 AM peak hour trips and 1,470 PM peak hour trips on SR 25 under this scenario.

Using the FHWA's Traffic Noise Prediction Model (RD-77-108), and assuming typical vehicle composition percentages of 94 percent autos, 4 percent medium trucks, and 2 percent heavy trucks, with a 30 miles per hour (mph) speed limit on Enterprise Road and 55 mph on SR 25, the noise level from Enterprise Road at the nearest existing residential receptors would be approximately 60.1 dBA L<sub>dn</sub> and the noise level from SR 25 to the nearest project residences would be approximately 62.7 dBA L<sub>dn</sub>. The combined noise level would be 64.6 dBA L<sub>dn</sub>. This would not exceed the County's 65 dBA L<sub>dn</sub> exterior land use noise compatibility level. Therefore, impacts would be less than significant for exterior noise.

The FHWA's guidelines indicate that modern building construction generally provides an exterior-tointerior noise level reduction of 20 to 35 dBA with closed windows. Therefore, interior noise levels would be expected to be 44.6 dBA  $L_{dn}$  or lower, and would therefore not exceed the interior noise threshold. Impacts would be less than significant.

#### Stationary Noise

The primary stationary noise generator from the project would site would be heating, ventilation, and air conditioning (HVAC) units. Specific planning data for the future HVAC systems are not available at this stage of project design; however, analysis using a typical to larger-sized residential condenser provides a reasonable basis for analysis. The unit used in this analysis is a Carrier 38HDR060 split system condenser (see Appendix I for manufacturer's specifications). The manufacturer's noise data lists the unit as having a sound power level of 72 dBA.

A Carrier 38HDR060 split system with a sound power level of 72 dBA would generate a noise level of approximately 57 dBA at a distance of 7 feet. The HVAC units would likely be located on the ground

adjacent to the residential buildings, with one HVAC unit per building, typical of single-family residential construction. Exact locations of the residences and HVAC units are unknown at this stage of planning. For this analysis, it was assumed that HVAC units would be located approximately 20 feet from the adjacent property lines of the residences to the east, the residence next to the northern portion of the project site, and the residences to the south. With attenuation at this distance, this would result in a noise level of approximately 48 dBA at these property lines. These noise levels would be above the County Health and Safety Element and County Code daytime and nighttime noise limits of 45 dBA Leg from 7:00 a.m. to 10:00 p.m. and 35 dBA Leg from 10:00 p.m. to 7:00 a.m. Noise levels from these HVAC units would exceed 35 dBA  $L_{eq}$  if within 65 feet of the nearest residential property lines. The project's proposed lots and potential HVAC units would be located of 125 feet from the property lines to the west; at this distance, noise levels would be approximately 32 dBA. These noise levels would be below the County Health and Safety Element and County Code daytime and nighttime noise limits. Because noise levels at residences to the east, south, and north of the project site would exceed County noise limits, impacts would be potentially significant, and mitigation would be required. With implementation of Mitigation Measure NOI-1, impacts would be reduced to less than significant.

### **Mitigation Measures**

#### NOI-1 HVAC Noise Reduction

Appropriate noise reduction measures shall be implemented for HVAC noise from project residences located adjacent to the eastern, southern, and northern property lines to ensure compliance with the County Health and Safety Element and County Code daytime and nighttime noise limits of 45 dBA L<sub>eq</sub> from 7:00 a.m. to 10:00 p.m. and 35 dBA L<sub>eq</sub> from 10:00 p.m. to 7:00 a.m. Methods for ensuring compliant noise levels may include, but not be limited to, the following:

- Place the HVAC units (with a sound power level of 72 dBA or less) at least 65 feet from the property line of off-site residences
- Place a three-sided, minimum 4-foot tall sound wall around the HVAC units (with a sound power level of 72 dBA or less) if used within 65 feet from the property line of off-site residences. The sound walls shall be constructed of a material with a minimum weight of two pounds per square foot with no gaps of perforations. The sound walls may be constructed of, but are not limited to, masonry block, concrete panels, .0125-inch thick steel sheets, 1.5-inch wood fencing, or .25-inch glass panels. If wood is used as the primary barrier component, the fence boards must overlap or be of "tongue and groove" construction with a joining compound between the boards to ensure there would be gaps or holes in the fence
- Use an HVAC unit with a sound power level of 58 dBA or less

If another method is to be used for HVAC noise compliance with the County limits, a qualified acoustician shall review the proposed method to verify that attenuation measures would reduce HVAC noise levels to below County limits.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

*b.* Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be required for project construction. The greatest anticipated source of vibration during general project construction activities would be from a dozer, which would be used during site preparation and grading activities and may be used within 20 feet of the nearest off-site residential structures to the south (the equipment would approach approximately 10 feet to the property line, and the nearest house is set back approximately 10 feet from the property line). A dozer would create approximately 0.089 in/sec PPV at 25 feet (Caltrans 2013b). This would equal a vibration level of 0.11 in/sec PPV at a distance of 20 feet.<sup>7</sup> This would be lower than what is considered a distinctly perceptible impact for humans of 0.24 in/sec PPV, and the structural damage impact to residential structures of 0.2 in/sec PPV. Therefore, although a dozer may be perceptible to nearby human receptors, temporary impacts associated with the dozer (and other potential equipment) would be less than significant.

Because the project is residential, it would not include any substantial vibration sources associated with operation. Therefore, operational vibration impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

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

The project site is located approximately 4.4 miles south of Hollister Airport, a public airport, and 4.1 miles southeast of Christensen Ranch Airport, a private airstrip. The project site is not located within the Hollister Airport noise contours (Airport Land Use Commission [ALUC] 2012). Christensen Ranch Airport does not have an Airport Land Use Compatibility Plan that defines noise contours; it is a minor use private airstrip with one runway and aircraft noise associated with the airstrip would be negligible at the project site. Therefore, no impacts would occur from a public airport or private airstrip.

#### **NO IMPACT**

<sup>&</sup>lt;sup>7</sup> PPVEquipment = PPVRef (25/D)<sup>n</sup> (in/sec), PPVRef = reference PPV at 25 feet, D = distance ,and n = 1.1

# 14 Population and Housing

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				
b.	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

According to the California Department of Finance (DOF), the population of San Benito County was 62,296 as of January 1, 2019, with 20,066 in unincorporated areas of the County (2019). Population in unincorporated areas of San Benito County is forecasted to grow to 20,360 by 2020 and 22,745 by 2025, per population forecasts published by the Association of Monterey Bay Area Governments (AMBAG 2018).

The proposed project would involve the construction of 149 residential units. The average number of persons per household is 3.04 in unincorporated San Benito County (DOF 2019). Assuming household size in this proposed development would reflect that of the County, this project would accommodate approximately 453 residents.<sup>8</sup> As such, the project would result in an incremental increase in population. However, the anticipated increase represents a portion of the population increase projected by AMBAG between 2020 and 2025, the timeframe during which the proposed project would likely be constructed. Therefore, the project would not induce substantial unplanned population growth and impacts would be less than significant

#### LESS THAN SIGNIFICANT IMPACT

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project would not involve the demolition of residences and would result in the construction of 149 new residential units. There would be no impact to existing housing units and no population would be displaced.

#### NO IMPACT

<sup>&</sup>lt;sup>8</sup> Calculation: 149 residential units times 3.04 = 452.9.

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# 15 Public Services

			Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a.	Wo adv the gov nev faci cau in o rati per pub	uld the project result in substantial rerse physical impacts associated with provision of new or physically altered rernmental facilities, or the need for v or physically altered governmental lities, the construction of which could se significant environmental impacts, order to maintain acceptable service os, response times or other formance objectives for any of the plic services:				
	1	Fire protection?				
	2	Police protection?			-	
	3	Schools?			-	
	4	Parks?			-	
	5	Other public facilities?			-	

# a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The City of Hollister Fire Department provides fire and emergency medical services to the unincorporated San Benito County where the project site is located, and the cities of Hollister and San Juan Bautista. Hollister Fire Department operates a total of four stations; three located in Hollister (Fire Station 1,2, and 3) and one located in San Juan Bautista (Fire Station 4).

Hollister Fire Department Fire Station 2 is approximately 0.28 mile north of the project site, at 2240 Valley View Road. The project site is in the existing service area of the Hollister Fire Department and project construction would be required to comply with applicable Fire Code standards. The three Hollister stations are staffed with three personnel each shift – a Fire Captain, a Fire Engineer, and a Fire fighter. There is also one Battalion Chief each shift working out of Station 1. As a result, there would be ten total personnel each shift. The estimated response time to the project site is generally less than four minutes, depending on the severity of the emergency, location of responders, and staff availability (Valdivia 2020).

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The project would generate new population and associated demand for services; however, the increase would be incremental and within the growth projections for San Benito County (San Benito County Housing Element 2016). The addition of an estimated 453 residents would not require new facilities to be built as a result of project implementation. The Hollister Fire Department imposes an impact fee that would be collected when the project building permits are issued to maintain acceptable service ratios and response times as described in PFS-13.7 of the San Benito County General Plan.

Furthermore, the project would be required to incorporate safety and security features, including fire sprinklers, alarm systems, and adequate access for emergency vehicles as pursuant to Policy PFS-13.9 of the San Benito County General Plan. Compliance with these requirements would potentially lessen the demand for fire protection services at the project site, as compliance with these requirements can prevent fires from spreading and would help facilitate early responses and access to the site of the fire. Therefore, the proposed project would not necessitate new or altered fire protection facilities, and impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The San Benito County Sheriff's Department provides police protection services to unincorporated San Benito County, including the project site. The Department is located at 2301 Technology Parkway in the City of Hollister and is approximately 4.7 miles northeast of the project site. The Department currently has 12 patrol cars (Thompson 2020). The Department has six Sergeants, four of which are assigned to patrol, one assigned to patrol, one assigned to the courthouse. The County is typically divided into four beats but due to low staffing of the Department, the beat system is not currently used. Patrol is typically staffed with one Sergeant and two Deputies and operates 168 hours per week. The Department does not have established goals for response times. The average response time to a top priority call was 14 minutes and 30 seconds in 2018 (San Benito County Sheriff's Office 2018).

The proposed project would generate a population of 453 residents. Because the site does contain housing, these residents would increase the demand for police services at the project site. The population increase would be incremental and is within the growth projections provided in the San Benito County General Plan. According to the Sheriff's Department, the addition of 453 residents would impact the level of service the Department is currently providing to the community and may strain current Department resources (Thompson 2020). However, the Department mainly receives funding from the County, which is derived from property taxes, sales tax revenue, and user fees. In addition, San Benito County Code Title 5 (Finance), Chapter 5.01 (County Fees), Article IX (Capital Improvement Impact Fees) establishes development impact fees requiring that new development provide a fair share contribution toward the provision of police protection services. The proposed project would be subject to development impact fees and would therefore pay the fair share cost of the demand for services. Therefore, the project would not necessitate new or altered police facilities and impacts would be less than significant.

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The project would be served by the Hollister School District and the San Benito County High School District. The Hollister School District serves a student population of about 5,500 students. There are five elementary schools that serve students in grades kindergarten through fifth, one school that serves kindergarten through eighth, two middle schools that serve sixth through eighth, a Dual Language Academy (grades kindergarten through sixth, Spanish/English) and an Accelerated Achievement Academy (grades fourth through eighth) (Hollister School District 2019). The San Benito High School District has two high schools, San Benito High School and San Andreas Continuation High School, which serve grades ninth through twelfth. The San Benito High School District serves a population of about 3,108 students (Education Data Partnership 2019).

Project residents would likely attend the following schools (NCES 2020):

- Ladd Lane Elementary, located approximately 0.6 miles northwest of the project site; 659 students were enrolled as of the 2018-2019 school year (California Department of Education 2019a)
- Rancho San Justo Middle School, located approximately 1.5 miles northwest of the project site; 911 students were enrolled as of the 2018-2019 school year (California Department of Education 2019b)
- San Benito High School, located approximately 1.67 miles northwest of the project site; 3,005 students were enrolled as of the 2018-2019 school year (California Department of Education 2019c)

The need for new school facilities is typically associated with a population increase that generates an increase in enrollment large enough to cause new schools to be constructed. The proposed project would involve an increase in the number of residential units in the County. For informational purposes, the estimates are provided for the potential increase in the student population associated with the project. Using a student yield factor of 0.375 students per dwelling unit for kindergarten through eighth grade students, the proposed project would generate approximately 56 new elementary aged students in the Hollister School District (San Benito County 2015). Using a Student Yield Factor of 0.25 students per dwelling unit for High School Districts, the proposed project would generate approximately 38 new high school aged students in the San Benito High School District (Tennenbaum 2020).

While the proposed project would increase the number of students, it would not do so to the extent that new school facilities would be required, as the increase would be incremental. Furthermore, a school impact fee is collected for each residential unit that is constructed. As stated in California Government Code Section 65996, payment of school impact fees is deemed to constitute full and complete mitigation for potential impacts to schools caused by development. Therefore, impacts related to the need for new school facilities as a result of implementing the proposed project would be less than significant.

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, public facilities, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Refer to Item 16, Recreation, for a discussion of impacts to parks and recreational facilities.

#### LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The City of Hollister operates a community center, offering a meeting space and recreation programs to the community. The San Benito County Free Library is located at 470 5<sup>th</sup> Street, approximately 2.3 miles northwest of the project site. Although the project would result in a population increase within the county and potential increase in usage of these facilities, this increase would be incremental and within the growth projections provided in the San Benito County General Plan. The project would not result in the need for new or expanded government facilities. Therefore, impacts would be less than significant.

# 16 Recreation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			•	
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			•	

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

A variety of parks, trails and other recreational facilities operated by local, regional and federal entities exist in San Benito County. Recreational facilities nearest the project site include Ridgemark Park, Quail Hollow Park, Valley View Park, Rancho San Justo Sports Complex and Veterans Memorial Park. Ridgemark, Quail Hollow and Valley Parks are small facilities, approximately 3 acres or less, and are located in nearby residential subdivisions within one mile of the project site. These parks consist of basic recreational features such as grassy fields and basketball courts. Rancho San Justo Sports Complex, approximately 12 acres in size, is located approximately 1.4 miles north and contains two baseball/softball diamonds, a soccer/football field and six basketball courts. Veterans Memorial Park, approximately 31 acres in size, is located approximately 1.4 miles north, adjacent to Sunnyslope Elementary School. Facilities include seven baseball/softball diamonds, four soccer/football fields and a skate park (City of Hollister 2014).

The San Benito County General Plan establishes a park ratio standard in unincorporated communities of five acres of recreation area per 1,000 persons (San Benito County 2015). As described in Section 14, Population and Housing, the project would result in an incremental increase in the County's population. As a result, recreational facilities in the vicinity of the project would likely see increased use. However, the anticipated population growth is within the range of projected growth in San Benito County. The potential increase in use of recreational facilities is not expected to be substantial enough to cause their accelerated physical deterioration.

As a condition of approval, the project would also be required to comply with San Benito County Code Section 23.15.008 (Dedication of Parkland), which requires the provision of space within a subdivision for parks and recreational space at a ratio of 0.015 acre per single family swelling unit. In lieu of providing a sufficient amount of parkland, the applicant would be required to pay a fee equal to the land value of the portion of the park or recreational facilities required to serve the needs of the residents of the proposed subdivision.

To comply with County regulations, the area along the southwestern boundary would remain as undeveloped open space and a walking trail would be added in this area under the project. No other public recreational facilities are proposed as a part of this project. Impacts of the open space area and trail are evaluated as part of the proposed project throughout this Initial Study. Therefore, impacts related to recreation would be less than significant.

# 17 Transportation

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				
b.	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				•
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?				
d.	Result in inadequate emergency access?			•	

# Setting

This section is based on a Transportation Impact Analysis (TIA) prepared for the project (Keith Higgins Traffic Engineer [KHTE] 2019). The TIA is included in Appendix J and contains existing project circulation conditions, estimated project trip generation and potential impacts to existing traffic circulation.

The TIA assesses project impacts using congestion-based metrics and determines potential impacts to level of service (LOS), a qualitative measure that describes operational conditions within a traffic stream. Section 15064.3 of the CEQA Guidelines replaces congestion-based metrics, such as auto delay and LOS, with vehicle miles travelled (VMT) as the basis for determining significant impacts, unless the CEQA Guidelines provide specific exceptions. Section 15064.3(c) states that a lead agency may elect to apply the provisions of Section 15064.3 at its discretion prior to July 1, 2020, at which time it shall apply statewide. The County, nor AMBAG have adopted VMT thresholds at this time and the County has elected not to apply CEQA Guidelines Section 15064.3 for the proposed project. Impacts are assessed using County LOS standards.

## Existing Traffic Conditions

Existing traffic conditions were evaluated at selected study intersections during the AM peak hour (7:00 to 9:00 AM) and PM peak hour (4:00 to 6:00 PM) on a typical weekday. The following nine study intersections were selected by KHTE, in consultation with the County based on project location and design and local travel patterns:

- Ridgemark Drive Fairview Road & Airline Highway (SR 25)
- Enterprise Road & Airline Highway (SR 25)

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- Southside Road & Enterprise Road
- Airline Highway (SR 25) & Union Road
- Southside Road & Union Road
- San Benito Street & Union Road
- Union Road Mitchell Road & SR 156
- Airline Highway (SR 25)-Pinnacles National Park Highway (SR 25)/Tres Pinos Road-Sunnyslope Road
- San Benito Street & Nash Road

Traffic at the study intersections were quantified through the determination of level of service (LOS), a qualitative measure describing operational conditions within a traffic stream. LOS has letter designations ranging from A to F, representing progressively worsening traffic operations. The LOS at each study intersection was determined based on 2000 Highway Capacity Manual (HCM) and 2010 HCM methodology. Table 25, below, shows the maintaining agency with jurisdiction over each intersection, the LOS standard for each intersection, and the intersection control.

#### Table 25 Study Intersections and Study Roadway Segments LOS Standard

Intersection	Maintaining Agency	LOS Standard	Intersection Control
Ridgemark Drive-Fairview Road & Airline Highway (SR 25)	Caltrans	D	All-Way Stop
Enterprise Road & Airline Highway (SR 25)	Caltrans	D/D	Two-Way Stop
Southside Road & Enterprise Road	San Benito County	D	One-Way Stop
Airline Highway (SR 25) & Union Road	Caltrans	D	Signal
Southside Road & Union Road	San Benito County	D	Signal
San Benito Street & Union Road	Caltrans	D	Signal
Union Road-Mitchell Road & SR 156	Caltrans	D	Signal
Airline Highway (SR 25)-Pinnacles National Park Hwy. (SR 25) & Tres Pinos Road-Sunnyslope Road	Caltrans	С	Signal
San Benito Street & Nash Road	City of Hollister	C	Signal
Source: KHTE 2019, Appendix J			

The Existing Conditions scenario provides an evaluation of current operation based on existing traffic volumes. The existing LOS at the study intersections is summarized in Table 26 below. The Airline Highway (SR 25) and Union Road intersection operates unacceptably at LOS E (AM) under the Existing Conditions scenario. All other study intersections operate acceptable under the Existing Conditions scenario.

Study Intersection	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS
Ridgemark Drive-Fairview Road & Airline Highway (SR 25)	12.8	В	11.4	В
Enterprise Road & Airline Highway (SR 25)	15.8	С	18.1	С
Southside Road & Enterprise Road	10.8	В	9.4	А
Airline Highway (SR 25) & Union Road	67.3	E	50.2	D
Southside Road & Union Road	20.7	С	25.6	С
San Benito Street & Union Road	16.6	В	14.3	В
Union Road-Mitchell Road & SR 156	53.4	D	50.0	D
Airline Highway (SR 25)-Pinnacles National Park Hwy. (SR 25) & Tres Pinos Road-Sunnyslope Road	26.9	С	22.5	C
San Benito Street & Nash Road	33.4	С	28.3	С

#### Table 26 Existing Peak Hour Intersection Level of Service

Delay is measured in average seconds per vehicle; LOS – Level of Service; results for worst approaches to side street and all-way stopcontrolled intersections are indicated in this table. Unacceptable LOS is denoted using **bold** text

#### Pedestrian Network

There are no sidewalks on either side of Enterprise Road along the project frontage, nor to the west of the project site. The closest sidewalk is located on the south side of Enterprise Road between the eastern boundary of the project site and Airline Highway (SR 25). This connects to sidewalks within the adjacent Oak Creek and Quail Hollow subdivision. There are also segments of sidewalk provided along the residences fronting the north side of Enterprise Road east of the project site and SR 25.

Sidewalks exist on the streets in the City of Hollister including Nash Road, San Benito Street, Sunnyslope Road and Tres Pinos Road, but they do not extend to the project site.

There are no marked crosswalks at intersections near the project site.

#### **Bicycle Network**

According to the San Benito County Bicycle and Pedestrian Master Plan (San Benito County Council of Governments 2009), Class II bicycle facilities are located on the following roadways in the vicinity of the project site: Southside Road (between Carousel Drive and south of County Labor Camp Road, both directions), Sunnyslope Road SR 25 and Memorial Drive and between Cerra Vista Drive and Fairview Road, both directions), and Union Road (between SR 25 and Calistoga Drive, both directions).

#### Transit Service

Fixed route bus service is provided by San Benito County Local Transportation Authority (LTA) in San Benito County. It provides three lines in Hollister, plus intra-county service to Gilroy via San Juan Bautista, Dial-a-Ride and Paratransit services. No bus service is provided in the immediate project vicinity. The nearest bus stop is located on Sunrise Drive east of SR 25.

# Study Methodology

The TIA evaluates potential impacts to motor vehicle, bicycle, pedestrian, and transit circulation. The analysis of motor vehicle circulation on roadways is based on a comparison of AM and PM peak hour traffic conditions at study intersections under Existing Conditions (see Table 26) and under Existing Plus Project Conditions. The Existing Plus Project Conditions are the traffic conditions that would exist when traffic generated by the project is added to the existing traffic. Additionally, a comparison of AM and PM peak hour traffic conditions under Background Conditions and Background Plus Project Conditions is evaluated to determine roadway circulation impacts. The Background Conditions scenario reflects estimated traffic growth from projects throughout the study area, including San Benito County projects in the immediate area and approved residential and commercial projects in the City of Hollister. Background development includes 2,600 dwelling units, which will take approximately 10 years to be completed and occupied.

As shown in Table 25, the study intersections are under the jurisdictions of San Benito County, the City of Hollister, and Caltrans. Thus, the following thresholds were used to evaluate whether the Existing Plus Project Conditions or Background Plus Project Conditions would result in significant impacts based on LOS at the study intersections based on the applicable jurisdictional agency.

#### Caltrans

Caltrans considers an impact to be significant on a roadway segment when project traffic causes that roadway segment to degrade to LOS D or worse.

An impact at a signalized study intersection under Caltrans jurisdiction and located in the City of Hollister is defined as: if an intersection operated at a LOS A, B, or C pre-project and degrades to LOS D, E, or F due to the addition of project traffic. For intersections already operating at LOS D, E, or F, a significant impact would occur if the addition of project trips causes the overall intersection delay to increase by more than 1.0 second.

The significance criteria of San Benito County, below, is applied to intersections under Caltrans jurisdiction located in unincorporated San Benito County.

## San Benito County

The overall standard for congestion levels in San Benito County is LOS D. LOS D is also considered the maximum acceptable level of service for side-street operations at one and two-way stop-controlled intersections.

A significant impact would occur at an all-way stop-controlled intersection if an intersection operating at LOS A, B, C or D degrades to LOS E or F due to the addition of project trips. Also, for intersections already operating at LOS E or F, a significant impact would occur if the addition of project trips causes the intersection to increase by more than 4.0 seconds.

A significant impact for a one-way or two-way stop-controlled intersection would occur if side-street operations at an intersection operating at LOS A, B, C, or D degrades to LOS F due to the addition of the project trips and the traffic volumes with the addition of project trips are sufficiently high enough to satisfy the peak hour traffic signal warrant adopted by Caltrans in its Manual of Uniform Traffic Control Devices (CA MUTCD). For intersections with side-street operations already at E or F, a significant impact would occur if the project adds at least one trip to the intersection and the traffic volumes with the addition of project trips are sufficiently high enough to satisfy the peak hour traffic trips are sufficiently high enough to satisfy the peak hour traffic signal warrant adopted by the CA MUTCD.

#### City of Hollister

The overall standard for congestion levels in the City of Hollister is LOS C.

A significant impact would occur if an intersection operating at LOS A, B or C degrades to LOS D, E or F due to the addition of trips. Also, for intersections already operating at LOS D, E or F, a significant impact would occur if the addition of trips causes the intersection delay to increase by more than 5.0 seconds.

#### Trip Generation

The anticipated trip generation for the proposed project was estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 10<sup>th</sup> Edition, 2017. ITE land use code 210 (Single-Family Dwelling Units) was used to estimate the project trip generation for the proposed 149 single-family units. The study intersections were analyzed using the *2010 and 2000 Highway Capacity Manual* methodologies. Intersection traffic operations were evaluated using the *Synchro* (Version 10) traffic analysis software (Appendix J).

#### Impact Assessment

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

As shown in Table 27, the project would be expected to generate 1,407 trips daily, including 110 during the AM peak hour and 148 during the PM peak hour.

Land Use	Weekday Peak Hour AM	Weekday Peak Hour PM	Total Daily Trips
ITE 210: Single-Family Dwelling Unit	110	148	1,407
Total	110	148	1,407
Source: Keith Higgins 2019 (see Appendix J)			

#### Table 27 Estimated Project Vehicle Trip Generation

Table 28, below, shows the complete results of the LOS analysis under the Existing Plus Project Conditions at each study intersection during the AM and PM peak hours. As shown therein, the majority of the study intersections would continue to operate at acceptable LOS under the Existing Plus Project scenario. The intersection of Airline Highway (SR 25) and Union Road currently operates and would continue to operate unacceptably at LOS E during the AM peak hour under Existing Conditions and Existing Plus Project Conditions. However, as shown in the table, the length of delay at this intersection under Existing Plus Project Conditions would not change compared to Existing Conditions. Because delay would not increase, impacts at this intersection would be less than significant in accordance with Caltrans significance thresholds.

Under Existing Plus Project Conditions, the intersection of Union Road-Mitchell Road and SR 156 would operate unacceptably at LOS E during AM peak hour. Project trips would increase delay at this intersection by approximately 1.9 seconds. Because LOS would decline to unacceptable LOS E as a result of project trips, impacts would be potentially significant at this intersection in accordance with Caltrans significance thresholds. Impacts at all other study intersections would be less than significant under Existing Plus Project Conditions.

	Existing Conditions	Existing Conditions	Existing Conditions	Existing Conditions	Existing plus Project	Existing plus Project	Existing plus Project	Existing plus Project
Study Intersection	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS
Ridgemark Drive-Fairview Road & Airline Highway (SR 25)	12.8	В	11.4	В	12.9	В	11.5	В
Enterprise Road & Airline Highway (SR 25)	15.8/13.6	C/B	18.1/13.1	C/B	15.3/13.8	C/B	17.9/13.4	C/B
Southside Road & Enterprise Road	10.8	В	9.4	А	11.6	В	9.8	А
Airline Highway (SR 25) & Union Road	67.3	E	50.2	D	67.3	E	50.7	D
Southside Road & Union Road	20.7	С	25.6	С	21.3	С	34.7	С
San Benito Street & Union Road	16.6	В	14.3	В	17.1	В	14.5	В
Union Road-Mitchell Road & SR 156	53.4	D	50.0	D	55.3	E	51.3	D
Airline Highway (SR 25)-Pinnacles National Park Hwy. (SR 25) & Tres Pinos Road-Sunnyslope Road	26.9	С	22.5	C	26.9	С	22.5	С
San Benito Street & Nash Road	33.4	С	28.3	С	33.4	С	28.4	С

#### Table 28 Existing Plus Project Peak Hour Intersection Levels of Service

Delay is measured in average seconds per vehicle; LOS – Level of Service; results for worst approaches to side street and all-way stopcontrolled intersections are indicated in this table. Unacceptable LOS is denoted using bold text.

The LOS and traffic delay conditions under the Background Conditions and Background Plus Project Conditions are shown in Table 29, below. As shown therein, the following three intersections would operate acceptably during the AM and PM peak hours under Background Plus Project Conditions: Ridgemark Drive-Fairview Road and Airline Highway (SR 25); Southside Road and Enterprise Road; and, San Benito Street and Union Road. Therefore, impacts to these intersections would be less than significant.

	Back- ground Conditions	Back- ground Conditions	Back- ground Conditions	Back- ground Conditions	Back- ground plus Project	Back- ground plus Project	Back- ground plus Project	Back- ground plus Project
Study Intersection	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS
Ridgemark Drive- Fairview Road & Airline Highway (SR 25)	15.7	C	13.9	В	15.9	С	14.0	В
Enterprise Road & Airline Highway (SR 25)	24.6/17.7	c/c	<b>38.5</b> /19.8	E/C	23.7/17.3	c/c	<b>38.5</b> /20.7	E/C
Southside Road & Enterprise Road	12.9	В	12.1	В	14.3	В	13.0	В
Airline Highway (SR 25) & Union Road	142.5	F	158.2	F	142.0	F	158.3	F
Southside Road & Union Road	31.9	С	97.3	F	35.1	D	117.6	F
San Benito Street & Union Road	22.7	С	17.1	В	23.7	С	17.5	В
Union Road-Mitchell Road & SR 156	114.4	F	118.0	F	118.9	F	120.9	F
Airline Highway (SR 25)-Pinnacles National Park Hwy. (SR 25) & Tres Pinos Road- Sunnyslope Road	38.0	D	54.1	D	38.0	D	58.7	E
San Benito Street & Nash Road	56.6	E	65.3	E	56.4	E	65.0	E

#### Table 29 Background Plus Project Peak Hour Intersection Levels of Service

Delay is measured in average seconds per vehicle; LOS – Level of Service; results for worst approaches to side street and all-way stopcontrolled intersections are indicated in this table. Unacceptable LOS is denoted using bold text.

As shown in Table 29, the intersection of Enterprise Road and Airline Highway (SR 25) would operate unacceptably at LOS E during the PM peak hour under both Background Conditions and Background Plus Project Conditions. As shown in the table, traffic delay time at this intersection would be the same under both the Background Conditions and Background Plus Project Conditions. However, because this intersection is controlled by a two-way stop and is in San Benito County, significance also depends on whether the project generates vehicle trips warranting a signal. According to the TIA, the proposed project would generate 17 trips during the PM peak hour and would exceed the Caltrans peak hour signal warrant. Therefore, impacts to the intersection of Enterprise Road and Airline Highway (SR 25) would be potentially significant.

The intersection of Airline Highway (SR 25) and Union Road would operate unacceptably at LOS F during the AM peak hour and PM peak hour under both Background Conditions and Background Plus Project Conditions. This intersection is under Caltrans jurisdiction, and therefore, for impacts to be significant, traffic delay must increase by at least one second. As shown in Table 29, the project would not increase traffic delay during the AM peak hour and delay would increase by 0.1 second
during the PM peak hour. Therefore, impacts at this intersection would be less than significant. Likewise, impacts to the intersection of San Benito Street and Nash Road would be less than significant because the project would not further worsen LOS or result in lengthier delay times.

The vehicle delays expected at the remaining three intersections operating unacceptably under Background Plus Project Conditions would be considered a significant impact because traffic delay would increase and exceed applicable significant thresholds. These intersections include Southside Road and Union Road; Union Road-Mitchell Road and SR 156; and, Airline Highway (SR 25)-Pinnacles National Park Hwy. (SR 25) and Tres Pinos Road-Sunnyslope Road.

In summary, the proposed project would result in potentially significant impacts to the following four intersections under either Existing Plus Project or Background Plus Project Conditions, or both:

- Enterprise Road and Airline Highway (SR 25)
- Southside Road and Union Road
- Union Road-Mitchell Road and SR 156
- Airline Highway (SR 25)-Pinnacles National Park Hwy. (SR 25) and Tres Pinos Road-Sunnyslope Road

Because the proposed project would result in potentially significant impacts to circulation at roadway intersections, implementation of the following mitigation measures would be required.

# **Mitigation Measures**

# TRA-1 Transportation Impact Mitigation Fee

Pursuant to General Plan Policy C-1.5, the project applicant shall pay the appropriate amount toward the San Benito County Regional Transportation Impact Mitigation Fee, as calculated by either the County or the Council of San Benito County Governments (COG) based on project characteristics. The COG administers the San Benito County Regional Transportation Impact Mitigation Fee. The fee funds construction of traffic improvements on the regional roadway system throughout northern San Benito County, including the following improvements to the intersections significantly impacted by proposed project trips:

# ENTERPRISE ROAD AND AIRLINE HIGHWAY (SR 25)

- Signalizing the intersection
- Adding a second eastbound Airline Highway (SR 25) through lane and a second westbound Airline Highway (SR 25) through lane

# Southside Road and Union Road

 Adding a second eastbound Union Road through lane and a second westbound Union Road through lane

# UNION ROAD-MITCHELL ROAD AND SR 156 INTERSECTION

- Adding a second eastbound SR 156 through lane and a second westbound SR 156 through lane
- Widening and restriping northbound Union Road as two left turn lanes and one shared through/right turn lane

- Restriping southbound Mitchell Road as one left turn lane and one shared through/right turn lane
- Adding a westbound SR 156 right turn lane
- Converting the north/south (Union Road and Mitchell Road) left turn phasing to protected phasing

The construction of these improvements is planned to be completed by 2022.

# TRA-2 Signal Optimization

The project applicant shall obtain in writing from Caltrans, a statement that Caltrans will optimize the signal timing at the intersection of Airline Highway (SR 25)-Pinnacles National Park Highway (SR 25) and Tres Pinos Road-Sunnyslope Road to better balance the lengths of the green times for all of the signal phases, including potential lengthening of the overall cycle length. The project applicant shall provide the written statement to the County as proof that Caltrans will optimize the signal as part of its typical signal operations maintenance schedule. Additionally, the applicant shall provide to the County a written statement from Caltrans that the optimization has been completed.

# TRA-3 Southside Road Widening

The project applicant shall widen Southside Road at Enterprise Road to add a southbound left-turn lane. Alternatively, in consultation with the County, and Caltrans as applicable, the project applicant shall convert the Southside Road and Enterprise Road intersection into an all-way stop-controlled intersection.

# **Significance After Mitigation**

As shown in Table 30 and Table 31, with implementation of these mitigation measures, intersection operation impacts would be reduced to less than significant.

	Existing Conditions	Existing Conditions	Existing Conditions	Existing Conditions	Existing plus Project Miti- gated	Existing plus Project Miti- gated	Existing plus Project Miti- gated	Existing plus Project Miti- gated
Study Intersection	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS
Ridgemark Drive-Fairview Road & Airline Highway (SR 25)	12.8	В	11.4	В	12.9	В	11.5	В
Enterprise Road & Airline Highway (SR 25)	15.8/13.6	C/B	18.1/13.1	C/B	15.3/13.8	C/B	17.9/13.4	C/B
Southside Road & Enterprise Road	10.8	В	9.4	A	11.6	В	9.8	А
Airline Highway (SR 25) & Union Road	67.3	E	50.2	D	67.3	E	50.7	D
Southside Road & Union Road	20.7	С	25.6	С	21.3	С	34.7	С
San Benito Street & Union Road	16.6	В	14.3	В	17.1	В	14.5	В
Union Road-Mitchell Road & SR 156	53.4	D	50.0	D	16.8	В	20.0	В
Airline Highway (SR 25)- Pinnacles National Park Hwy. (SR 25) & Tres Pinos Road-Sunnyslope Road	26.9	С	22.5	С	26.9	С	22.5	С
San Benito Street & Nash Road	33.4	С	28.3	С	33.4	С	28.4	С

# Table 30 Existing Plus Project Mitigated Peak Hour Intersection Levels of Service

Delay is measured in average seconds per vehicle; LOS – Level of Service; results for worst approaches to side street and all-way stopcontrolled intersections are indicated in this table. Unacceptable LOS is denoted using bold text.

	Back- ground Conditions	Back- ground Conditions	Back- ground Conditions	Back- ground Conditions	Back- ground plus Project	Back- ground plus Project	Back- ground plus Project	Back- ground plus Project
Study Intersection	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS	AM Peak Delay	AM Peak LOS	PM Peak Delay	PM Peak LOS
Ridgemark Drive- Fairview Road & Airline Highway (SR 25)	15.7	С	13.9	В	15.9	С	14.0	В
Enterprise Road & Airline Highway (SR 25)	24.6/17.7	C/C	<b>38.5</b> /19.8	E/C	9.7	А	10.8	В
Southside Road & Enterprise Road	12.9	В	12.1	В	14.3	В	13.0	В
Airline Highway (SR 25) & Union Road	142.5	F	158.2	F	142.0	F	158.3	F
Southside Road & Union Road	31.9	С	97.3	F	20.7	С	26.6	С
San Benito Street & Union Road	22.7	С	17.1	В	23.7	С	17.5	В
Union Road-Mitchell Road & SR 156	114.4	F	118.0	F	22.9	С	30.8	С
Airline Highway (SR 25)-Pinnacles National Park Hwy. (SR 25) & Tres Pinos Road- Sunnyslope Road	38.0	D	54.1	D	32.2	С	31.7	C
San Benito Street & Nash Road	56.6	E	65.3	E	56.4	E	65.0	E

### Table 31 Background Plus Project Mitigated Peak Hour Intersection Levels of Service

Delay is measured in average seconds per vehicle; LOS – Level of Service; Unacceptable LOS is denoted using bold text.

Implementation of Mitigation Measure TRA-3 would require widening of Southside Road at Enterprise Road. Potential impacts of this road widening would be minor. The vicinity of the widening area at Southside Road and Enterprise Road is substantially disturbed in its existing condition, with the paved two-lane roadway, gravel shoulder, traffic signage, utility infrastructure and one residence present in the vicinity of the intersection. Widening of the roadway would not result in additional environmental impacts. Therefore, residual impacts associated with Mitigation Measure TRA-3 would be less than significant.

# Pedestrian, Bicycle and Transit Circulation

The project would construct a sidewalk along the Enterprise Road frontage. The lack of sidewalks near the project site, combined with no sidewalk connections to the City of Hollister, would result in minimal generation of pedestrian traffic from the project site. The impact to pedestrian circulation would be less than significant.

The project is anticipated to generate minimal bicycle traffic (Appendix J). The project would construct roadway improvements along Enterprise Road including pavement widening that would be able to accommodate a future Class II bike lane. The impact to bicycle circulation would be less than significant.

Traffic delay caused by vehicle trips generated by the project would have the potential to also increase the delay time of transit buses at these intersections. However, as described above, implementation of mitigation would reduce impacts to circulation at roadway intersections to less than significant. Therefore, transit vehicles would not experience significant delays at intersections as a result of traffic generated by the proposed project. The population increase generated by the proposed project could increase ridership on public transit. However, increased ridership would not be an adverse environmental impact.

The project impact to pedestrian, bicycle and transit demands would be less than significant. Impacts to roadway facilities would be less than significant with implementation of mitigation.

# LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

*b.* Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Section 15064.3 of the CEQA Guidelines replace congestion-based metrics, such as auto delay and LOS, with VMT as the basis for determining significant impacts, unless the CEQA Guidelines provide specific exceptions. Section 15064.3(c) states that a lead agency may elect to apply the provisions of Section 15064.3 at its discretion prior to July 20, 2020, at which time it shall apply statewide. The County has elected not to apply CEQA Guidelines Section 15064.3 for the proposed project, and instead assessed impacts using LOS, above. Therefore, there would be no impact related to conflicts or inconsistencies with CEQA Guidelines Section 15064.3.A qualitative discussion of the project generated VMT is provided for informational purposes.

Project residents would likely use personal vehicles to travel to and from the project site when commuting for work, taking children to school, conducting errands and for the purpose other activities. The project site is situated among other residential subdivisions and is approximately 0.5 mile from the City of Hollister. Workplaces, schools, recreational areas, gathering places and various businesses are present within a two-mile radius of the project site. Given the location of these community features relative to the project site, it is reasonable to assume that a substantial portion of vehicle trips to and from the project site would be short distance and would generate minimal VMT.

A portion of trips generated by the project would likely be longer distance, such as work commutes that would require driving outside of the City of Hollister. Such trips would generate more substantial VMT. However, as discussed in Section 14, Population and Housing, the project would not induce population growth that would exceed AMBAG projections. As such, the increase in population and VMT associated with project site would be incremental in nature. Furthermore, as discussed in Section 3, Air Quality, impacts to air quality associated with project operation (including vehicle trips) would be less than significant. As discussed in Section 8, Greenhouse Gas Emissions, project operation (including vehicle trips) would not generate GHG emissions that in exceedance of the locally appropriate, project-specific threshold with mitigation incorporated. Therefore, impacts related to VMT associated with the project would be less than significant.

#### **NO IMPACT**

# c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Intersections, roadways, sidewalks, and driveways would be designed and constructed in accordance with San Benito County Municipal Code (per Municipal Code Chapters 23.29 and 23.25.009) and Caltrans standards when applicable. Circulation within the project site would adequately serve the projected traffic demand. The proposed roundabout at the easterly boundary of the site would discourage higher travel speeds for cut-through traffic from the adjacent Oak Creek and Quail Hollow residents. The roundabout would have signs to indicate the circulation pattern around it and include either a mountable apron or mountable island to accommodate the wider turn radii of typical delivery and moving trucks.

The TIA evaluates both of the proposed access points for the project site on Enterprise Road for sight distance deficiencies using Caltrans sight distance standards. At both access points, the available sight distance would exceed the minimum standard, and there would be no sight distance deficiencies unless project landscaping or signage are located to close the access points. Landscape features, such as vegetation, retaining walls, or signage could reduce sight distance at the access point, thus resulting in potential safety risks and significant impacts. Implementation of the following mitigation measure would be required.

# **Mitigation Measures**

# TRA-4 Roadside Setbacks

All fences, retaining walls, sound walls, entry signs and vegetation over three feet in height above the pavement elevation at both access points to Enterprise Road shall be located no closer than 15 feet from the shoulder edge line on Enterprise Road.

# **Significance After Mitigation**

Implementation of Mitigation Measure TRA-4 would reduce impacts related to sight distance deficiencies to a less than significant level.

#### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

#### d. Would the project result in inadequate emergency access?

The proposed project would not involve the development of structures that could potentially impair implementation of or physically interfere with emergency access. Access to the project would be provided via three connections to existing roadways. These access points and interior roadways would be accessible by emergency vehicles and the project would not alter off-site emergency routes or transportation facilities. Therefore, impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

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# 18 Tribal Cultural Resources

	Less than Significant		
Potential	ly with	Less than	
Significar	nt Mitigation	Significant	
Impact	Incorporated	Impact	No Impact

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:



PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is:

- 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

The County prepared and mailed letters to Native American individuals and tribal organizations in accordance with AB 52 on January 10, 2020. The County did not receive responses from individuals and organizations contacted.

- a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
- b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

No cultural resources listed on or eligible for listing on the CRHR or a local register were identified within the project site as a result of the cultural resources records search, SLF search, Native American scoping, and pedestrian survey. However, there is always potential to uncover buried archaeological and tribal cultural resources during ground disturbing activities, which could potentially be considered tribal cultural resources eligible for listing in the CRHR or a local register or be considered tribal cultural resources. Should project construction activities encounter and damage or destroy a tribal cultural resource or resources, impacts would be potentially significant. Implementation of Mitigation Measure TCR-1 would be required and would reduce impacts to less than significant.

# **Mitigation Measure**

# TCR-1 Inadvertent Discoveries During Construction

In the event that archaeological resources of Native American origin are identified during project construction, the qualified archaeologist shall consult with the project proponent and the County to begin Native American consultation procedures. As part of this process, it may be determined that archaeological monitoring may be required; a Native American monitor may also be required in addition to the archaeologist.

# Significance After Mitigation

Implementation of Mitigation Measure TCR-1 would reduce impacts related to tribal cultural resources to a less than significant level.

# LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

# 19 Utilities and Service Systems

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Wo	ould the project:				
a.	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			-	
b.	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				
C.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
d.	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				
e.	Comply with federal, state, and local management and reduction statutes and				

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Water and sewer service for the project would be provided by the Sunnyslope County Water District (SSCWD). Project stormwater drainage would be collected by the existing Lico Basin located at the northeastern corner of the site and the Enterprise Basin located to the north of the project site, across Enterprise Road. Wastewater would flow to a new lift station located at the northwest corner of the project site. A force main would move wastewater from the new lift station to the south edge of the project site, where it would connect to the SSCWD system in Ridgemark to the east of the

regulations related to solid waste?

site. A sewer lift station and force main for the Oak Creek development east of the property would need to be relocated to the project site. Utility connections would be provided in an underground joint trench within the roadways. Potential environmental effects associated with construction of these facilities have been analyzed throughout this IS-MND. Specifically, impacts from construction would include dust generation and other construction-related emissions, erosion and potential downstream water pollution, and noise. These impacts are addressed in Section 3, *Air Quality*; Section 8, *Greenhouse Gas Emissions*; Section 10, *Hydrology and Water Quality*; and, Section 13, *Noise*. Ground disturbance associated with these facilities is further addressed in Section 4, *Biological Resources*; Section 5, *Cultural Resources*; and, Section 18 *Tribal Cultural Resources*. As described in these sections, impacts related to these resources and impact. Accordingly, the construction and installation of project utilities would result in less than significant impacts.

### LESS THAN SIGNIFICANT IMPACT

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

SSCWD supplies water for the Hollister Urban Area (HUA), which is an approximately 20 square mile area comprising the City of Hollister and some surrounding County land, including the project site. The water supply in the HUA consists of groundwater and imported water. SSCWD is responsible for managing groundwater and surface water in the County and would also serve as the water purveyor for the project. Additionally, SSCWD is the imported water wholesaler from the Central Valley Project (CVP) to the HUA (SSCWD 2016). The CVP is a multi-purpose federal water management program that includes water distribution to numerous California counties, including San Benito County (United States Bureau of Reclamation 2017).

SSCWD prepared its 2015 Urban Water Management Plan (UWMP) in 2016 to help guide the area's future water management efforts (SSCWD 2016). The UWMP estimated the HUA service population at 41,922 as of 2015, with projected increases to 49,422 by 2020 and 57,871 by 2025.

Estimated water demand for the proposed project is shown in Table 32, based on an estimated 453 new residents and the UWMP's estimate of per capita water use of 105 gallons per capita daily (gpcd). The project would require approximately 21,545,945 gallons per year, or 66.13 acre-feet per year (AFY).

# Table 32 Estimated Project Water Demand

Residents	Per Capita Water Demand (gpcd) <sup>1</sup>	Total Project Water Demand (gallons per day)	Total Project Water Demand (gallons per year)
453	105	47,565	21,546,945
<sup>1</sup> Source: SSCWD 2016 UWMP			

The California Urban Water Management Planning Act requires that each water supplier provide an assessment of the reliability of its water supply during normal, dry, and multiple dry years. Table 33 shows SSCWD's assessment for a potential multiple-dry year period, estimating supply and demand during the years 2020, 2025, 2030, and 2035.

	2020	2025	2030	2035			
First Year							
Total Demand (AFY)	6,296	7,078	8,013	8,629			
Total Supply	6,296	7,078	8,013	8,629			
Difference	0	0	0	0			
Second Year							
Total Demand (AFY)	5,549	6,285	6,716	7,715			
Total Supply	5,549	6,285	6,716	7,715			
Difference	0	0	0	0			
Third Year							
Total Demand	5,549	6,285	6,716	7,715			
Total Supply	5,549	6,285	6,716	7,715			
Difference	0	0	0	0			
Source: SSCWD 2016 UWMP	Source: SSCWD 2016 UWMP						

Table 33 Multiple Dry Years Water Supply and Demand

As shown above in Table 33, available supply is expected to be equal to the demand for the multiple-dry year scenarios assessed through 2035. Water demand is anticipated to increase 2,333 AFY from 6,296 in 2020 to 8,629 in 2035. As discussed in Section 14, *Population and Housing*, the proposed project would not introduce an unplanned increase in population, and therefore the project's water supply needs are considered in the supply/demand estimates in the UWMP. Therefore, the project's population and associated water demand increase has been accounted for in the UWMP.

The SSCWD has issued a Letter of Intent to Provide Water and Sanitary Service (Will Serve Letter) for the proposed project, stating that sufficient water supplies and infrastructure are available (Appendix K). Demand for water created by the project would not require new water supply entitlements or require the relocation or construction of water supply facilities beyond those already considered in the UWMP. Adequate water supply facilities would be available to serve the project for the reasonably foreseeable future, and the project's water system would connect to existing water supply infrastructure. Water supply impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Sanitary sewer service would be provided by SSCWD, which operates the Ridgemark Wastewater Treatment Plant (Ridgemark WWTP). The Ridgemark WWTP has a capacity of 0.35 million gallons per day (mgd) and treats approximately 0.18 mgd, leaving an available capcity of approximately 0.17 mgd (City of Hollister, San Benito County Water District, and Sunnyslope County Water District 2017). The Hollister Urban Area Water and Wastewater Master Plan update projects wastewater treatment demand to increase to 0.24 mgd by 2030. Development of the proposed project would generate wastewater effluent. Based on the San Benito County Code wastewater generation rate of 249 gallons per dwelling unit per day, the proposed 149 single-family residences would generate approximately 37,101 gallons per day of wastewater, or 0.037 mgd. This demand would amount to approximately 22 percent of the available daily capacity at the Ridgemark WWTP.

Other development projects in the area have been approved but not yet constructed. These projects will also increase demand at the Ridgemark WWTP. However, the Will Serve Letter for the project, described above, states that SSCWD intends to provide sanitary sewer service for the project and that the Ridgemark WWTP has sufficient capacity to serve the proposed development. Therefore, the project would be served by a wastewater treatment plant with sufficient capacity, and impacts related to wastewater treatment would be less than significant.

The Will Serve Letter (Appendix K) stipulates that the project developer is responsible for entering into a Facilities and Service Agreement with SSCWD to dictate specific terms and conditions of water and wastewater service.

The proposed project would be served by a wastewater treatment plant with adequate capacity for its wastewater effluent in addition to other existing and planned treatment demand. Impacts would be less than significant.

# LESS THAN SIGNIFICANT IMPACT

- d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

To comply with the California Integrated Waste Management Act of 1989 (AB 939), the County must divert at least 50 percent of its solid waste from landfills. In addition, Assembly Bill 341 (AB 341) sets a statewide 75 percent recycling goal by 2020. AB 341 also requires businesses generating more than four cubic yards of solid waste to recycle and requires owners of multi-family housing with five or more units to provide recycling for their tenants.

Per Section 15.01.046 of the San Benito Code of Ordinances, in order to obtain a building permit a project applicant must submit a solid waste diversion plan for approval by the San Benito County Integrated Waste Management Department. The solid waste diversion plan is required to divert a minimum of 50 percent of construction or demolition waste.

The San Benito County Integrated Waste Management Department is responsible for oversight of landfill operations and the County's refuse/recycling contract. The County contracts with Recology for collection of solid waste, which is hauled to the John Smith Road Landfill. The John Smith Road Landfill is owned by the County and operated by Waste Connections, Inc. The landfill is permitted to receive a maximum throughput of 1,000 tons per day. The landfill has remaining capacity of 3,499,000 cubic yards an estimated closure date of 2032 (California Department of Resources Recycling and Recovery [CalRecycle] 2018a). Average daily throughput is estimated at 500 to 900 tons per day (CalRecycle 2018a).

Based on CalRecyle estimates, Californians generate approximately 4.7 pounds of solid waste per day (CalRecycle 2016). As described in Section 14, *Population and Housing*, the project would provide housing for approximately 453 new residents. Therefore, the project would generate

approximately 2,129 pounds, or 1.07 tons, of solid waste per day.<sup>9</sup> Assuming a minimum of 50 percent diversion from landfills in accordance with AB 939, the project would send approximately 1,065 pounds per day, or 0.5 ton, to the John Smith Road Landfill.<sup>10</sup> This represents approximately one half of one percent of the landfill's available daily capacity. Therefore, the project would be served by a landfill with sufficient available capacity and would comply with applicable regulations related to solid waste. Impacts would be less than significant.

#### LESS THAN SIGNIFICANT IMPACT

<sup>&</sup>lt;sup>9</sup> Calculation: 453 residents times 4.7 pounds per day = 2,129 pounds per day

<sup>&</sup>lt;sup>10</sup> Calculation: 2,129 pounds divided by 2 = 1,065 pounds

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# 20 Wildfire

	Less than Significant		
Potentia	lly with	Less than	
Significa	nt Mitigation	Significant	
Impact	Incorporated	Impact	No Impact

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

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

While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather and other relevant factors (Public Resources Code [PRC] 4201-4204, California Government Code 51175-89). The primary factors that increase an area's susceptibility to fire hazards include topography and slope, vegetation type and vegetation condition, and weather and atmospheric conditions. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. Under state regulations, areas within Very High Fire Hazard Severity Zones (VHFHSZ) must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas.

In California, responsibility for wildfire prevention and suppression is shared by federal, state and local agencies. Federal agencies have legal responsibility to prevent and suppress wildfires in Federal Responsibility Areas. CAL FIRE prevents and suppresses wildfires in State Responsibility Area lands, which are non-federal lands in unincorporated areas with watershed value, are of statewide

interest, defined by land ownership, population density, and land use. Wildfire prevention and suppression in Local Responsibility Areas are typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government. These lands include incorporated cities, cultivated agriculture lands, and portions of the desert (CAL FIRE 2007).

The project site is adjacent to existing residential development in unincorporated San Benito County. The project site does not fall within in a VHFHSZ, nor does it fall within a High or Moderate Fire Hazard Severity Zone. The project site is classified as a Local Responsibility Area. The nearest VHFHSZ is located approximately 3.5 miles to the west (CAL FIRE 2007).

- a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?
- b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site does not fall within in a VHFHSZ and is classified as an LRA (CAL FIRE 2007). The project site is surrounded primarily by existing or planned development and agricultural fields. Large tracts of wildland fuels, such as forest or brushland do not occur onsite or nearby. In addition, the project would not involve the installation of overhead powerlines. Therefore, the project would not expose people or structures to a significant risk involving wildfires nor exacerbate the risk of wildfire. Impacts would be less than significant.

# LESS THAN SIGNIFICANT IMPACT

# 21 Mandatory Findings of Significance

	Less than Significant		
Potentially Significant Impact	with Mitigation Incorporated	Less than Significant Impact	No Impact

Does the project:

- a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

As discussed in Section 4, *Biological Resources*, the project would not substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife species population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of a rare or endangered plant or animal with implementation of Mitigation Measures BIO-1 through BIO-6. Biological Resources mitigation measures would reduce impacts to California tiger salamanders, bird species, burrowing owls and special status bats to less than significant.

As discussed in Section 5, *Cultural Resources*, and Section 7, *Geology and Soils*, no historical, archaeological, or paleontological resources were identified on site. Nevertheless, the potential for the recovery of buried cultural materials during development activities remains. Implementation of Mitigation Measure CR-1 would reduce impacts to previously undiscovered cultural resources to a less than significant level by providing a process for evaluating and, as necessary, avoiding impacts to any resources found during construction. As discussed in Section 18, *Tribal Cultural Resources*, the potential to discover unanticipated resources during development is a possibility. Mitigation Measures TCR-1 provides for guidance on the avoidance of tribal cultural resources and the steps to take in the event of an unanticipated discover. With the implementation of mitigation measures TCR-1, impacts related to tribal cultural resources would be reduced to a less than significant level. Therefore, impacts to important examples of California history or prehistory would be less than significant with mitigation incorporated.

As noted throughout the Initial Study, most other potential environmental impacts related to the quality of environment would be less than significant or less than significant with implementation of mitigation measures.

# LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Cumulative impacts associated with some of the resource areas have been addressed in the individual resource sections above: Air Quality, Greenhouse Gas Emissions, Water Supply, and Solid Waste (CEQA Guidelines Section 15064[h][3]) and would be less than significant or less than significant with mitigation incorporated. Some of the other resource areas were determined to have no impact in comparison to existing conditions and therefore would not contribute to cumulative impacts, such as Mineral Resources and Wildfire. As such, cumulative impacts in these issue areas would also be less than significant (not cumulatively considerable). Other issues (e.g., aesthetics, hazards and hazardous materials) are site-specific, and impacts at one location do not add to impacts at other locations or create additive impacts. The project would incrementally increase traffic compared to existing conditions. However, Mitigation Measures TRA-1 through TRA-4 would reduce impacts to less than significant, by ensuring that require transportation impact fees are paid by the developer and requiring certain roadway improvements. Therefore, the project's impacts would not be cumulatively considerable with implementation of the required mitigation measures.

# LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

In general, impacts to human beings are associated with air quality, hazards and hazardous materials, and noise impacts. As discussed in Section 3, *Air Quality*, the project would not conflict with an air quality plan, result in cumulatively considerable net increase in pollutants, or expose sensitive receptors to substantial concentrations of pollutants or odors. As discussed in Section 9, *Hazards and Hazardous Materials,* construction and operation of the project would not result in the upset, release or use of hazardous materials. As discussed in Section 13, *Noise,* the project would not generate significant impacts to ambient noise or ground-borne vibration with implementation

of Mitigation Measure NOI-1. Therefore, the project would not cause substantial adverse effects on human beings with mitigation implemented.

### LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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