



**DRAFT
INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION**

for the

**Spring Meadows Estates Tentative Subdivision Map
1735 Santa Ana Road, Hollister CA**

Prepared for the
San Benito County Resources Management Agency
June 2020

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**SAN BENITO COUNTY NOTICE
OF PROPOSED MITIGATED
NEGATIVE DECLARATION**

TO: Responsible agencies, Trustee agencies, other County Departments, and interested parties

FROM: San Benito County Planning Department

This notice is to inform you that an Initial Study and proposed Mitigated Negative Declaration have been prepared by the applicant (MH engineering) with oversight and review by the San Benito County Planning Department. The Planning Department intends to recommend filing a Negative Declaration for the project identified below. The public review period for the Initial Study is from June 30, 2020 to July 30, 2020. The document is available for review at the address listed below. Comments may be addressed to Assistant County Planner, Arielle Goodspeed. Written comments are preferred. Please use the project file number in all communication.

I. BACKGROUND INFORMATION

Project Title: Spring Meadows Estates Subdivision

File No: TSM 17-104 / PLN200011

Project Location: 1735 Santa Ana Road; South Side of Santa Ana Road, approximately 1,700 feet west of Fairview Road

Property Owner: Elizabeth A. Williams

Project Applicant: Scott Stotler / Lombardo and Associates

Assessor's Parcel Number(s): 019-310-009

Property Size: 21 acres

General Plan Designation: "RM" (Residential Mixed)

Zoning District: "RR" (Rural Residential)

Lead Agency: San Benito County Planning Department
2301 Technology Parkway, Hollister, CA 95023

Prepared By: Stan Ketchum, Principal Planner, M-Group

Date Prepared: June 24, 2020

Contact Person: Arielle Goodspeed

Phone Number: 831-902-2547

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The project site is a 21-acre lot fronting on the south side of Santa Ana Road approximately 1,700 feet west of Fairview Road. The proposed project is the subdivision of those 21 acres into 41 lots ranging in size from 0.08 acres to 0.7 acres. The average lot size is 0.4 acres. Lots 1-34 range in size from 0.4 to 0.7 acres. Lots 35-40 range from 0.08 to 0.1 acres in size. Lot 41 is 0.37 acres in size and will be used for the detention of stormwater runoff from interior roads and lots 35-40. Lots 1-34 are planned to include one single family dwelling (3,400 SF, approx.) and one three car garage (500-600 SF, each, approx.) and drainage detention. Lots 35-40 are will be utilized to meet San Benito County's inclusionary housing requirements. The developer does not anticipate building accessory dwelling units with this project. However, there is no limiting factor for the subsequent development of ADUs, consistent with state law, by individual property owners. The proposed tentative map shows the approximate locations of the driveways, building pads, and detention basins.

The grading plan for the project estimates approximately 16,630 cubic yards of cut with a maximum depth of cut of 2 feet. The grading plan also estimates 16,110 cubic yards of fill with a maximum fill depth of 3 feet. The estimated quantities are based on grading from existing grade to finish grade. The grading volumes do not account for keyways, benching, shrinkage, import material and other miscellaneous grading that may be required.

Meridian Street will be extended from its current terminus to the Alves Trust property to the west. The Meridian Road extension will be an 84-foot right of way with a 60-foot-wide road with an additional 12-foot sidewalk, curb, gutter and landscape areas on either side of the Meridian Street extension. The Meridian Street extension will "dead-end" at the Williams/Alves property line and will be available for future through access at such time as the Alves and other properties to the west develop.

A new street, Elizabeth Ann Lane, will be built to access proposed lots 2-9 and 12-20. Elizabeth Ann Lane will extend southerly from Santa Ana Road approximately 1,350 feet to intersect with the proposed extension of Meridian Street. Elizabeth Ann Lane will be a 60-foot-wide right of way and include a 36-foot-wide road with 12-foot-wide strips for curb, gutter, sidewalk and landscaping on each side. Lot 1 will access directly from Santa Ana Road.

Two additional streets, identified as Street A (access for lots 10-15) and Street B (access for lots 35-40), will be a 60-foot-wide right of way and include a 36-foot-wide road with 12-foot-wide strips for curb, gutter, sidewalk and landscaping on each side.

Lots 7 and 8 will be accessed by a private 30-foot right of way extending approximately 220 feet west from Elizabeth Ann Lane. The right of way will be improved to a width of 20 feet.

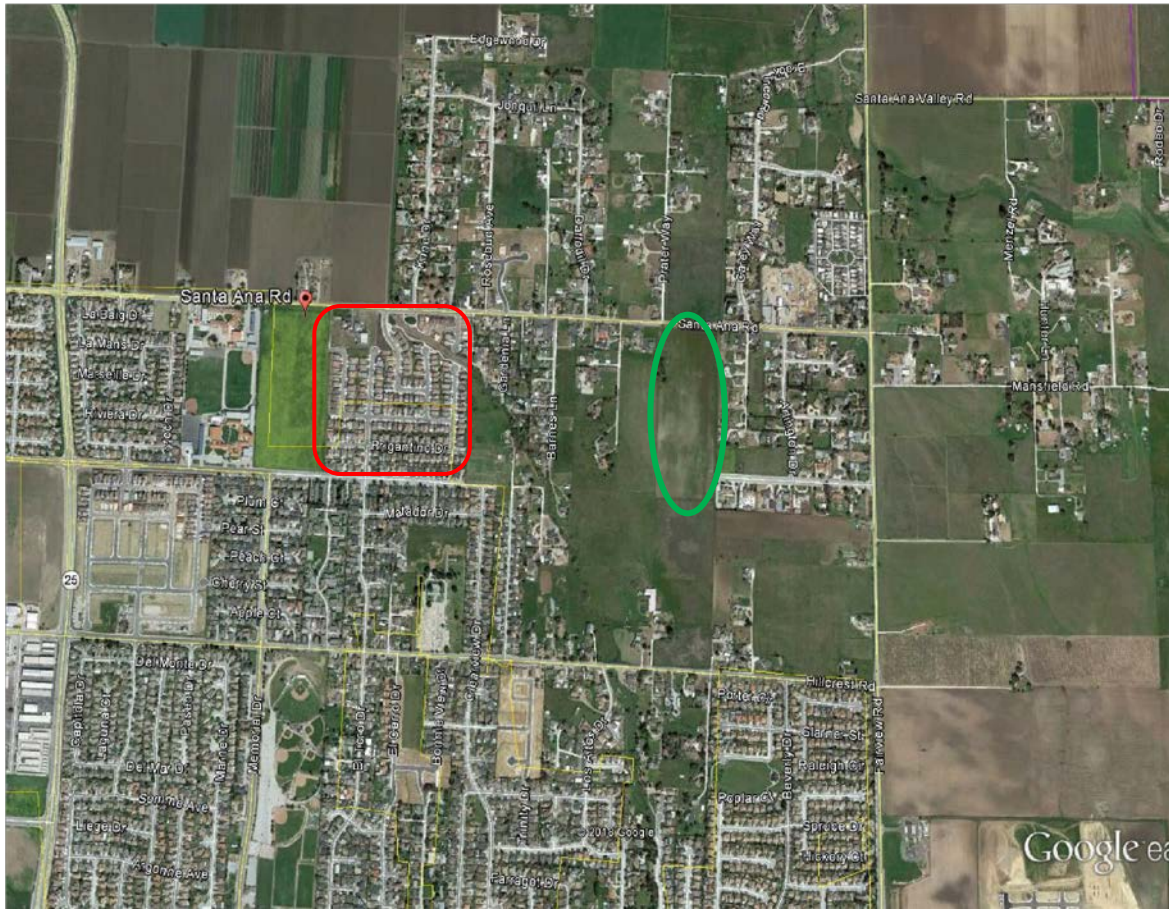


Exhibit 1: Aerial Showing Existing Development

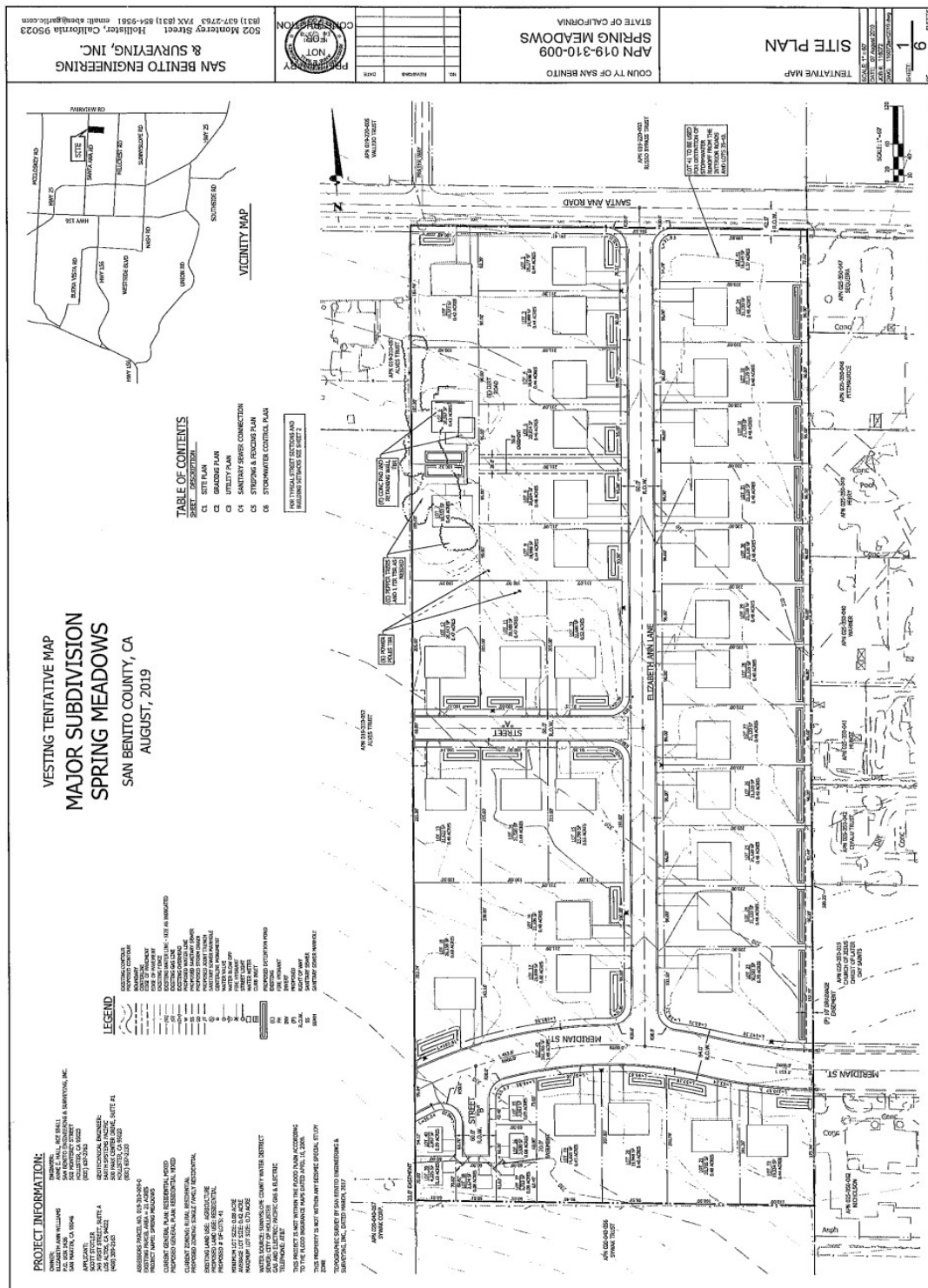


Exhibit 2: Site Plan/Tentative Map

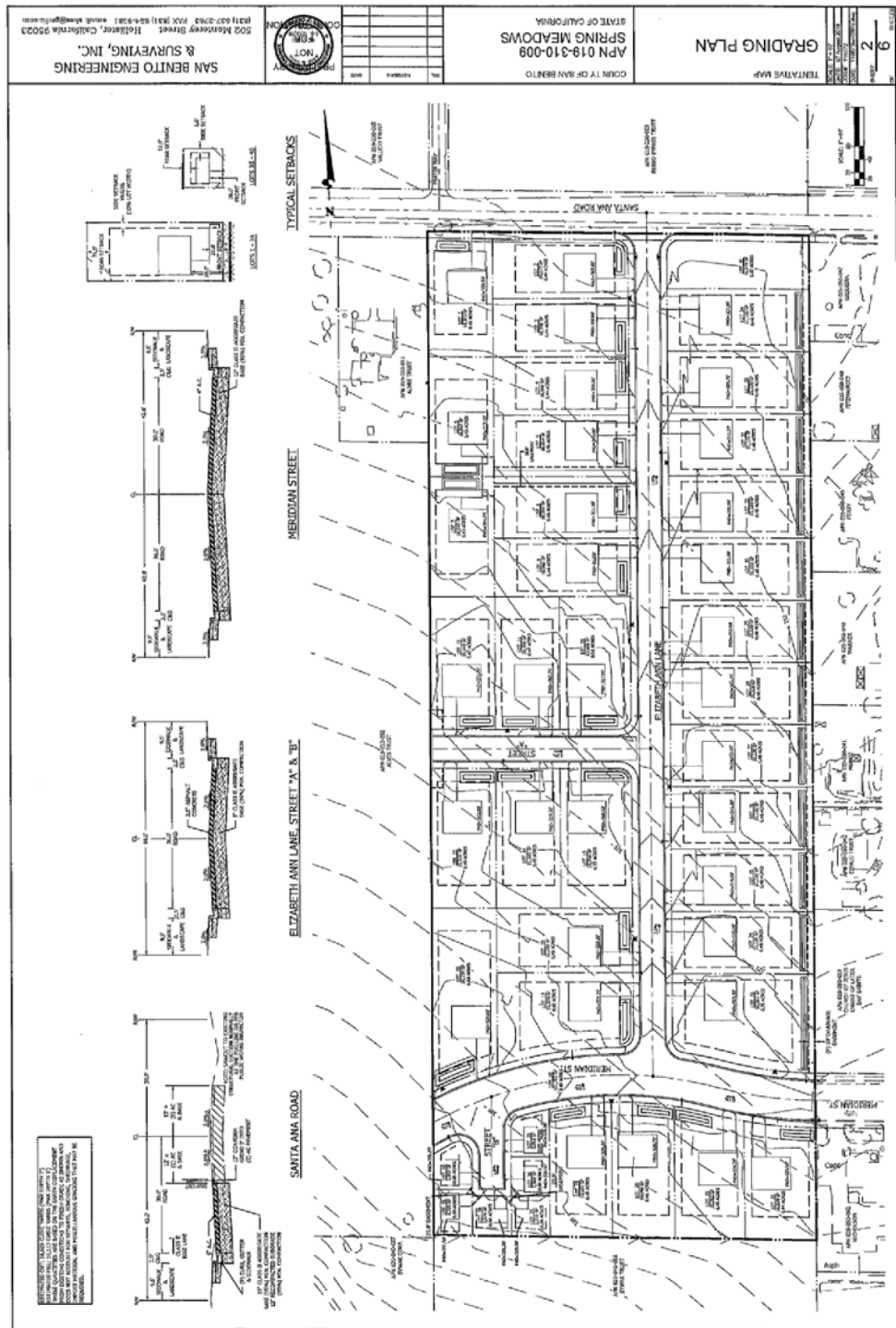


Exhibit 3: Grading Plan

B. Surrounding Land Uses

Surrounding land uses are predominantly mixed density, single family residential. There are also commercial uses and a private school across Santa Ana Road. Exhibit 5 shows the surrounding development patterns.

Santa Ana Road is a collector road with smaller properties with residences, day care, and a church in the vicinity of the project. A quarter mile to the west of the proposed subdivision is the site of the 155-residence Villages at Santa Ana Creek development (identified by the red polygon), currently under construction within the City of Hollister. The subject property is located 1.75 miles east of downtown Hollister and is within the City of Hollister sphere-of-influence.

C. Environmental Setting

The project site is essentially flat with slight undulations. The site rises approximately 26 feet (1.7% +/-) from Santa Ana Road to the rear of the property. The project site is lightly farmed for hay production. A small grove of mixed, non-native (fir and pepper) trees is located on the west property line approximately 200 feet south of Santa Ana Road.

The environmental characteristics of the site include the following:

Seismic zone: Not located in an earthquake hazard zone (8a - Alquist-Priolo Fault Hazard Maps, 1986)

Fire Hazard: Non-Wildland/Non-Urban. (8f - San Benito County Fire Hazard Severity Zones in State Responsibility Areas)

Floodplain: Zone X. (8g.- FEMA Flood Insurance Rate Map panels 06069C0185D and 06069C0205D, dated April 16, 2009)

Archaeological sensitivity: Not located in a sensitive area (8h. - San Benito County Sensitivity Maps, Prehistoric Cultural Resources)

Habitat Conservation Study Area: The project site is subject to Habitat Conservation Plan fee. (8i. - Habitat Conservation Plan Impact Fee Map - County Ordinance 541) ·

Landslide: Least susceptible. (8d. Landslide Hazard Identification Maps: Landslide and Related Features Map, 8e. Alquist-Priolo Fault Hazard Maps)

Soils: Antioch loam, 0 to 2 percent slopes (Grade 2); Antioch loam, 2 to 5 percent slopes (Grade 2) (3. Soil Survey for San Benito County, 021-000-009, 1969, US Dept. of Agriculture, SCS.)

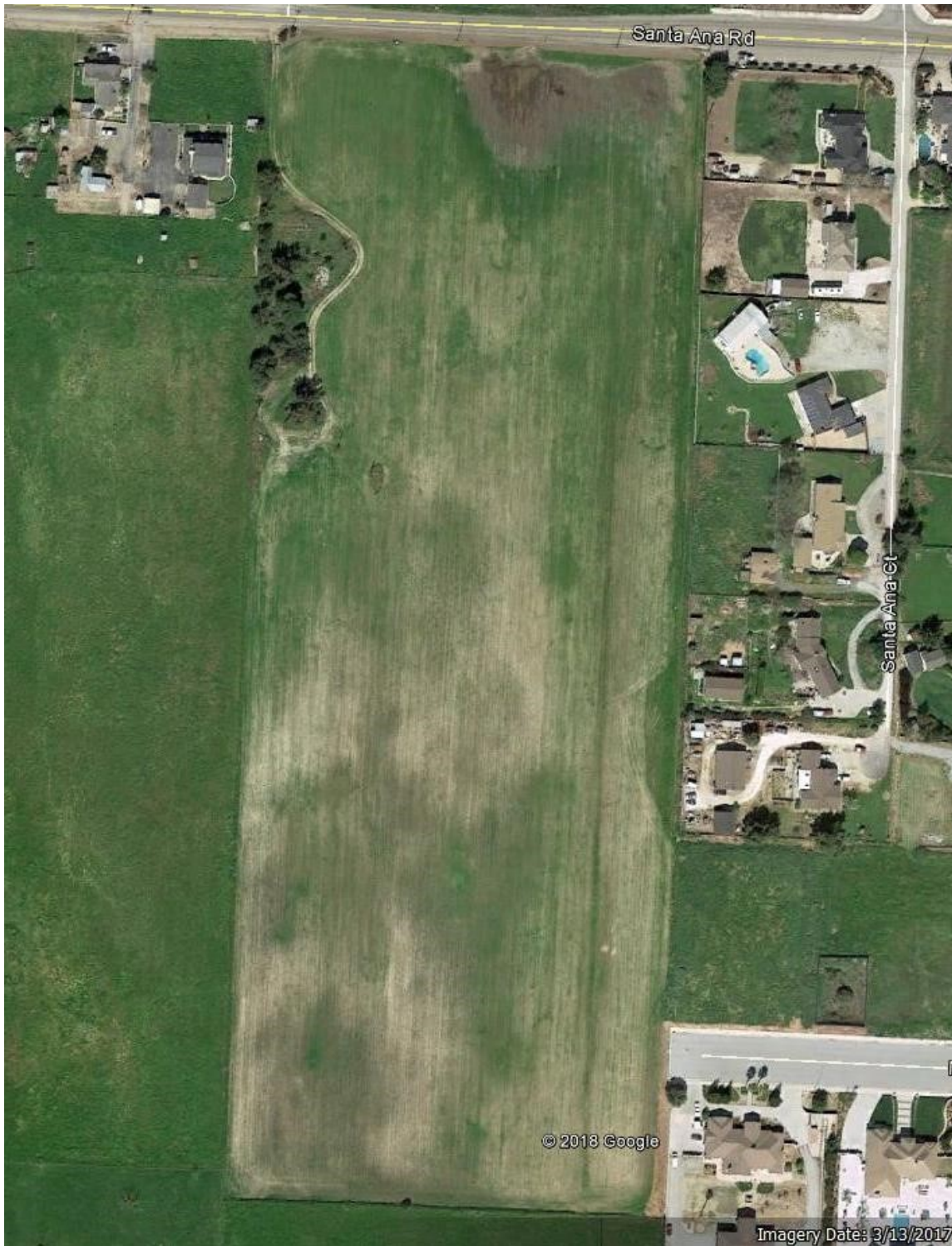


Exhibit 4: Project Site

D. General Plan and Zoning Conformance

The San Benito County General Plan designates the property as “RM” (Residential Mixed). This designation applies to areas that are largely developed and have public infrastructure and services necessary to support the increased density. A maximum of 20 dwelling units per acre is allowed. The proposed subdivision is consistent with this General Plan designation. The property is zoned “RR” (Rural Residential). The minimum parcel size in the RR district is one-half acre where sewer and water services are available

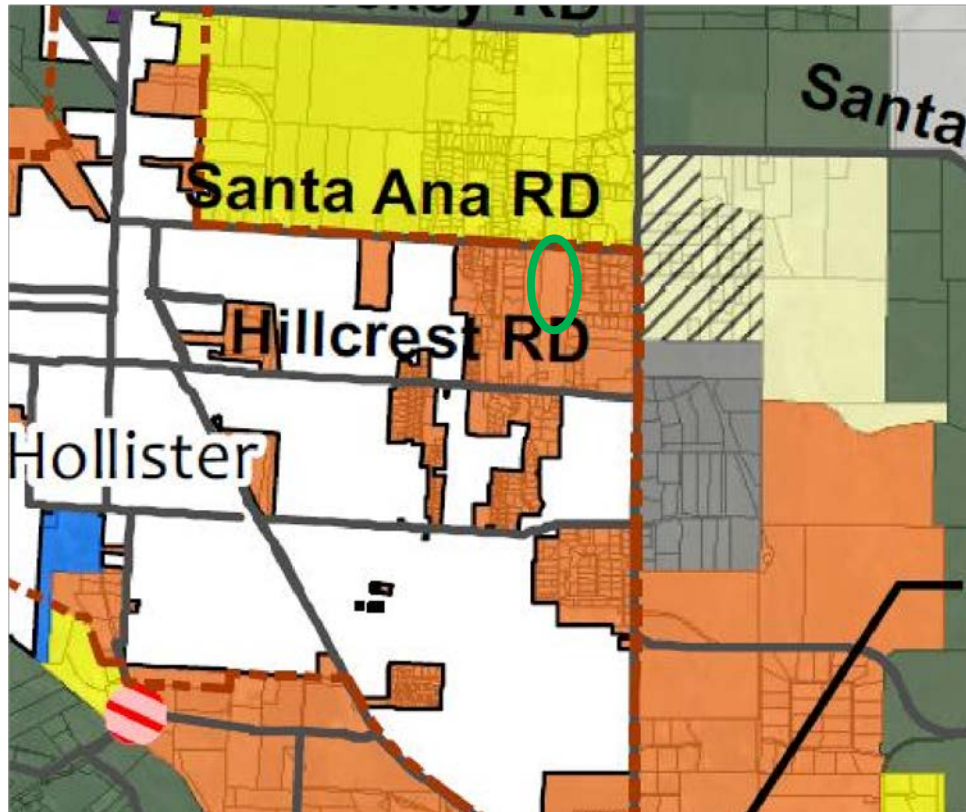


Exhibit 5: San Benito County General Plan

Hollister Sphere of Influence and General Plan

The site is located within Hollister’s sphere of influence. Projects within the sphere are considered important to the City in that the development would be expected to be annexed by the City at some unknown future date and will have a future reliance on City services. The City of Hollister’s 2005 General Plan designates the project site and immediate area as “Low Density Residential (1 to 8 units/net acre).” The City’s General Plan describes Low Density Residential as a “category of residential land uses intended to promote and protect single-family neighborhoods. Low Density Residential land uses are intended to provide sites for single-family detached units, zero lot-line single-family units, and Planned Unit Development (PUD) units.”



Exhibit 6: City of Hollister General Plan

E. Required Permits

This IS/MND is an informational document for both agency decision-makers and the public. The County RMA is the Lead Agency responsible for adoption of this IS/MND. It is anticipated that the proposed project would require permits and approvals from the following agencies.

LOCAL AGENCIES

A list of the anticipated discretionary permits and approvals required by the County of San Benito is provided below:

- Adoption of IS/MND and Mitigation Monitoring and Reporting Program (“MMRP”
- Approval of Proposed Project
- Building Permit
- Grading Permit
- City of Hollister
- Sunnyslope County Water District

REGIONAL AND STATE AGENCIES

- Regional Water Quality Control Board (“RWQCB”) – National Pollutant Discharge Elimination System (“NPDES”)
- General Storm Water Permit and Storm Water Pollution Protection Plan (“SWPPP”)
- Local Agency Formation Commission (LAFCO)

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

☐ Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

- Agricultural and Forest Resources: See Section 2.
- Cultural Resources: See Section 5.
- Hazards/Hazardous Materials: See Section 8.
- Mineral Resources: See Section 11.
- Recreation: See Section 15.

A. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (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.

Arielle Goodspeed
Signature

June 30, 2020
Date

Arielle Goodspeed, Assistant County Planner
San Benito County Department of Planning and Building Inspection Services

IV. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and

- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

V. ENVIRONMENTAL CHECKLIST

1. AESTHETICS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista? (Source:1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source:1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source:1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1,2,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

Visual Character of the Project Vicinity

The project site and vicinity are characterized primarily by rural development, including rural residential and other low-density single-family residential uses. The undeveloped land is rural residential and offers minimal agricultural resources.

The natural landscape transitions into higher density urban development near the cities of San Juan Bautista and Hollister. The immediate surrounding of the project site includes low density single-family residential with higher density towards the City of Hollister.

Visual Character of the Site

The project site consists of a total of 21 acres; the immediate vicinity offers minimal visual character.

View sheds

The immediate vicinity offers minimal view sheds.

Scenic Highways

There are no scenic highways within the vicinity of the project.

Light and Glare

The project site currently does not include any sources of light or glare. In the immediate vicinity of the site, there is minimal lighting associated with the existing residential buildings.

Discussion/Conclusion/Mitigation:

- a) No Impact – There are no scenic vistas from the project site nor is the site visible from a scenic vista. There are no designated scenic vistas in or around the project site.
- b) No Impact – San Benito County has no State designated Scenic Highways. State Route 156 is eligible for the designation as a Scenic Highway however; the project site is not located within view of State Route 156. The County has designated certain highways as scenic, but the project site is not visible from those designated routes. The site has no designated or potential scenic resources.
- c) Less Than Significant Impact – The project is mostly surrounded by development of similar intensity to or greater than that of the proposed development. This portion of Santa Ana Road is expected to continue to develop in a manner consistent with the existing surrounding developments and this proposed development. Approximately one quarter-mile to the west is property annexed by the City of Hollister that is currently being developed at urban density, substantially more intensive and visually prominent than this project. Current area residents and users of Santa Ana Road would see a scene at the subject property similar to that now typical of the immediate area.
- d) Less Than Significant Impact – The project site is in Zone II as shown in the San Benito County Development Lighting Regulations (Ordinance 748). Those regulations are intended to limit the effect of nighttime glare on the Fremont Peak observatory and Pinnacles National Monument. New lighting for residences will be required to comply with the ordinance to prevent excessive glare. Compliance with these regulations will be required to be demonstrated prior to the issuance of building permits. Compliance with the adopted regulations will reduce the potential impacts to a less than significant level.

2. AGRICULTURAL AND FOREST RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source:3,8k)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source:1, 2a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source:1,2a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source:1,2a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: 1,2a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

The project site and vicinity to project site does not have agricultural and forest resources.

Discussion/Conclusion/Mitigation:

- a) No Impact – The site is currently vacant and is used only occasionally for growing hay. The site is identified as Urban and Built-Up Land in the 2012 Farmland Mapping and Monitoring Program. The site does not contain Grade-I soils. While Grade-2 soils are present, the project site's agricultural viability is limited by the development surrounding the site at intensity similar to or greater than that of the proposed development. Based on both the County and City General Plans additional development is anticipated in the future further reducing the viability of this site as an agricultural unit.
- b) No Impact –The property is not subject to a Williamson Act contract.

- c) No Impact –The project site contains minimal, non-native tree cover and is not forested. The project does not propose rezoning of forest land, timberland, or timberland zoned for product.
- d) No Impact - With construction on the subject property and other planned development in the area, the vicinity will be built out as a residential neighborhood the site is not directly connected to agricultural or forested lands and would not represent outward residential expansion into such lands. See also the discussion of item a.
- e) No Impact – The existing vacant land is identified for residential uses in the County and the City General Plan. The property is not identified as Farmland or Important Farmland in the 2013 Farmland Mapping and Monitoring Program, and is not anticipated as a viable agricultural unit based on current and future surrounding development. The project does not involve changes that will result in the conversion of Farmland or Forest Land to Non-Farmland or Non-Forest uses.

3. AIR QUALITY

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

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan? (Source:5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source:1,1g, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1,1g, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in significant construction-related air quality impacts? (Source: 1,1g, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Expose sensitive receptors to substantial pollutant concentrations? (Source:1,1g, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Create objectionable odors affecting a substantial number of people? (Source:1,1g, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Climate and Topography

The project site is located within the North Central Coast Air Basin (NCCAB), which includes Monterey County, San Benito County, and Santa Cruz County. The project site is located in the northeastern corner of the NCCAB, which covers an area of approximately 5,159 square miles along the central California coast. The Monterey Bay Air Resources District (MBARD) is responsible for local control and monitoring of criteria air pollutants throughout the NCCAB.

Climate, or the average weather condition, affects air quality in several ways. Wind patterns can remove or add air pollutants emitted by stationary or mobile sources. Inversion, a condition where warm air traps cooler air underneath it, can hold pollutants near the ground by limiting upward mixing (dilution). Topography also affects the local climate, as valleys often trap emissions by limiting lateral dispersal.

Winds originating in the San Francisco Bay Area Air Basin often transport pollutants into the NCCAB, where surface winds move the pollutants to the eastern part of the NCCAB. For instance, the transport of ozone precursor emissions from San Francisco Bay Area Air Basin through the Santa Clara Valley/San Benito River Valley plays a dominant role in ozone concentrations measured in San Benito County. The transport of pollutants can often cause exceedances of air quality standards in the NCCAB. The regional temperature averages highs in the low 70s°F and lows in the mid-40s°F. Precipitation averages approximately 13.5 inches per year (1935 to 1974).

Air Pollutants of Primary Concern

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 (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for certain “criteria” pollutants. Ambient air pollutant concentrations are affected by the rates and distributions of corresponding air pollutant emissions, as well as by the influences of climate and topography, as discussed above. The primary determinant of concentrations of non-reactive pollutants (such as carbon monoxide [CO] and particulate matter) is proximity to major sources. Ambient CO levels in particular usually closely follow the spatial and temporal distributions of vehicular traffic. A discussion of primary criteria pollutants is provided below.

Ozone

Ozone is a colorless gas with a pungent odor. Most ozone in the atmosphere is formed as a result of the interaction of ultraviolet light, reactive organic gases (ROG), and oxides of nitrogen (NOX). ROG, which is the organic compound fraction relevant to ozone formation and sufficiently equivalent to volatile organic compounds (VOCs) for the purposes of this analysis, is composed of non-methane hydrocarbons (with some specific exclusions). NOX is made of different chemical combinations of nitrogen and oxygen, mainly nitric oxide (NO) and nitrogen dioxide (NO₂). A highly reactive molecule, ozone readily combines with many different components of the atmosphere.

Consequently, high levels of ozone tend to exist only while high ROG and NOX levels are present to sustain the ozone formation process. Once the precursors have been depleted, ozone levels rapidly decline. Because these reactions occur on a regional rather than local scale, ozone is considered a regional pollutant.

Carbon Monoxide

Carbon monoxide (CO) is an odorless, colorless, gas. CO causes a number of health problems including fatigue, headache, confusion, and dizziness. The incomplete combustion of petroleum fuels in on-road vehicles and at power plants is a major cause of CO. CO is also produced during the winter from wood stoves and fireplaces. CO tends to dissipate rapidly into the atmosphere; consequently, violations of the State CO standard are generally associated with major roadway intersections during peak hour traffic conditions.

Localized carbon monoxide “hotspots” can occur at intersections with heavy peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local CO concentration exceeds the National Ambient Air Quality Standards (NAAQS) of 35.0 parts per million (ppm) or the California Ambient Air Quality Standards (CAAQS) of 20.0 ppm.

Nitrogen Dioxide

Nitrogen dioxide (NO₂) is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO₂, creating the mixture of NO and NO₂ commonly called

NOX. Nitrogen dioxide is an acute irritant. A relationship between NO₂ and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light and causes a reddish brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM₁₀ (particulate matter 10 microns or less in size) and acid rain.

Particulate Matter

Suspended particulate matter (airborne dust) consists of particles small enough to remain suspended in the air for long periods. Fine particulate matter includes particles small enough to be inhaled, pass through the respiratory system, and lodge in the lungs, with resultant health effects.

Particulate matter can include materials such as sulfates and nitrates, which are particularly damaging to the lungs. These include particulates that are small enough to be considered “inhalable,” i.e. 10 microns or less in size (PM₁₀) and PM_{2.5}.

CARB and USEPA establish ambient air quality standards for major pollutants at thresholds intended to protect public health. Federal and State standards have been established for ozone, CO, NO₂, sulfur dioxide (SO₂), lead, and fine particulates (PM₁₀ and PM_{2.5}). Table 8 summarizes the CAAQS and the NAAQS for each of these pollutants. Standards have been set at levels intended to be protective of public health. California standards are more restrictive than federal standards for each of these pollutants except for lead and the eight-hour average for CO.

Current Ambient Air Quality

Local air districts and CARB monitor ambient air quality to assure that air quality standards are met, and if they are not met, to also develop strategies to meet the standards. Air quality monitoring stations measure pollutant ground-level concentrations (typically, ten feet aboveground level). Depending on whether the standards are met or exceeded, the local air basin is classified as in “attainment” or “non-attainment.” Some areas are unclassified, which means no monitoring data are available. Unclassified areas are considered to be in attainment.

Regulatory Setting:

This analysis has been prepared pursuant to CEQA and its associated Guidelines (Public Resources Code 21000 et seq. and California Code of Regulations, Title 14, Chapter 3 Sections 15000 – 15387) and in accordance with local, State, and federal laws, including those administered by MBARD, CARB, and USEPA. The principal air quality regulatory mechanisms include the following:

- Federal Clean Air Act (FCAA), in particular, the 1990 amendments
- California Clean Air Act (CCAA)
- California Health and Safety Code, in particular, Chapter 3.5 (Toxic Air Contaminants) (section 39650 et. seq.) and Part 6 (Air Toxics “Hot Spots” Information and Assessment) (section 44300 et. seq.)
- MBARD’s Rules and Regulations and air quality planning documents

Federal and State

As discussed more fully below, the federal and State governments have been empowered by the federal and State Clean Air Acts to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. USEPA is the federal agency designated to administer air quality regulation, while CARB is the State equivalent in California.

Local control in air quality management is provided by CARB through county-level or regional

(multicounty) air pollution control districts (APCDs). CARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. CARB has established 14 air basins statewide.

Federal Clean Air Act

USEPA is charged with implementing national air quality programs. USEPA's air quality mandates are drawn primarily from the federal CAA. The CAA was passed in 1963 by the U.S. Congress and has been amended several times. The 1970 CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 CAA amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the U.S. The CAA allows states to adopt more stringent standards or to include other additional pollution species.

National Ambient Air Quality Standards

As discussed above, the federal CAA requires USEPA to establish primary and secondary NAAQS for a number of criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants that are known to be hazardous to human health. NAAQS have been established for the following pollutants: ozone, CO, SO₂, PM₁₀, PM_{2.5}, and lead.

California Clean Air Act

The California Clean Air Act (CCAA), signed into law in 1988, requires all areas of the State to achieve and maintain the CAAQS by the earliest practical date. CARB is the State air pollution control agency and is a part of the California Environmental Protection Agency (CalEPA). CARB is the agency responsible for coordination and oversight of State and local air pollution control programs in California, and for implementing the requirements of the CCAA. CARB oversees local district compliance with California and federal laws, approves local air quality plans, submits the State Implementation Plans to the USEPA, monitors air quality, determines and updates area designations and maps, and sets emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

California Ambient Air Quality Standards

The CCAA requires CARB to establish CAAQS. Similar to the NAAQS, CAAQS have been established for the following pollutants: ozone, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, lead, vinyl chloride, hydrogen sulfide, sulfates, and visibility-reducing particulates. In most cases, the CAAQS are more stringent than the NAAQS pollutants. The CCAA requires that all local air districts in the State endeavor to achieve and maintain the CAAQS by the earliest practical date. The CCAA specifies that local air districts should focus particular attention on reducing the emissions from transportation and area-wide emission sources, and provides districts with the authority to regulate indirect sources.

California Air Resources Board Air Quality And Land Use Handbook

In April 2005, CARB released the final version of its Air Quality and Land Use Handbook: A Community Health Perspective. This guidance document is intended to encourage local land use agencies to consider the risks from air pollution before they approve the siting of sensitive land uses (e.g., residences) near sources of TACs (e.g., freeway and high traffic roads, commercial distribution centers, rail yards, ports, refineries, dry cleaners, gasoline stations and industrial facilities). These advisory recommendations include general setbacks or buffers from air pollution sources. However, unlike industrial or stationary sources of air pollution, the siting of new sensitive land uses does not require air quality permits or approval by air districts and, as noted above, the CARB handbook provides guidance rather than binding regulations.

California Air Pollution Control Officer's Association Health Risk Assessments For Proposed Land Use Projects

The California Air Pollution Control Officer's Association (CAPCOA) is a consortium of air district managers throughout California, which provide guidance material to addressing air quality issues in the State. As a follow up to CARB's 2005 Air Quality and Land Use Handbook, CAPCOA prepared the document Health Risk Assessments for Proposed Land Use Projects in 2009. This guidance document was released to ensure that the health risk of projects be identified, assessed, and avoided or mitigated, if feasible, through the CEQA process. The 2009 CAPCOA guidance document provides recommended methodologies for evaluating health risk impacts for development projects.

Regional

MBARD regulates air quality in the NCCAB. MBARD is responsible for attainment planning related to criteria air pollutants as well as district rule development and enforcement. To assist agencies with air quality analyses prepared for CEQA assessments, MBARD published the CEQA Air Quality Guidelines document in 2008. The purpose of the Guidelines is to assist in the review and evaluation of air quality impacts from projects that are subject to CEQA. The Guidelines are an advisory document intended to provide lead agencies, consultants, and project proponents with uniform procedures for assessing potential air quality impacts and preparing the air quality section of environmental documents. The Guidelines are also intended to help these entities anticipate areas of concern from the MBARD in its role as a lead and/or responsible agency for air quality.

Air Quality Management Plan

In accordance with the CCAA, the MBARD developed the 2017 Air Quality Management Plan (AQMP) for the Monterey Bay Region. The 2017 AQMP discusses MBARD's efforts for achieving the 8-hour ozone 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.

Local

2035 General Plan

The 2035 General Plan Health and Safety Element provide the following goals, policies, and objectives pertaining to air quality that are relevant to this analysis:

Health and Safety Element

- **Goal HS-5.** To improve local and regional air quality to protect residents from the adverse effects of poor air quality

Discussion/Conclusion/Mitigation:

- a) No Impact - The subject property sits within the North Central Coast Air Basin (NCCAB), overseen by the Monterey Bay Air Resources District (MBARD) which serves San Benito, Santa Cruz, and Monterey Counties. MBARD prepared an Air Quality Management Plan (AQMP) in 2008 and updated the Plan for 2012/2015 using forecasting of regional population, housing, and employment growth. The forecast took into account land uses illustrated in the general plans of the District's cities and counties at that time including the proposed use of the subject property under the County's General Plan. This project is consistent with the zoning for the property and is consistent with the general plan, therefore the AQMP accounts for development such as this. The 2012/2015 AQMP

updates noted "A review of the latest 3 years of monitoring data (2013-2015) indicates there were fewer exceedance days in the time period 2013-2015 (9 days) compared to 2006-2008 (63) as well as the 2009-2011 (16) period used in the prior AQMP. Therefore, the control measures presented in the 2008 AQMP have not been implemented as the District has determined progress is continuing to be made toward attaining the 8-hour ozone standard during the latest three-year period reviewed (2013-2015).

- b-e) Less Than Significant With Mitigation - The County recognizes air as a natural resource, strives to maintain air quality through proper land use planning, and, under General Plan Health and Safety Element Goal HS-5, seeks to "improve local and regional air quality to protect residents from the adverse effects of poor air quality. " The goal is supported by several policies including the reduction of PM₁₀ emissions from construction. Under State standards, San Benito County has nonattainment status for ozone (O₃) and 10-micron particulate matter (PM₁₀).

MBARD has established thresholds of significance, which define certain rates of pollutant emission that would constitute a significant impact. The modeled emissions would not exceed those thresholds. Still, PM₁₀ emissions could occur at substantial levels during grading activities, and dust control mitigations will reduce potentially unhealthful concentrations of airborne pollutants during the earthmoving to an insignificant level (Mitigation Measure 1).

In addition, the site is located about a half-mile from Gabilan Hills Elementary School and Marguerite Maze Middle School [5], where children could be especially affected by pollutants emitted by construction. However, modeled emission levels (*Air Quality and Green House Gas Analysis, Mitchell (September, 2019)*) below significance thresholds combined with the dust control measures in existing MBARD regulations (listed below) will result in a less than significant health impact. CEQA Guidelines provide that if existing regulations will reduce impacts to an insignificant level, no additional mitigation is required.

- f) No Impact - No land use is proposed that is likely to generate substantially objectionable odors.

Mitigation

AQ – 1 MBARD Mandated Dust Control Regulations and Best Management Practices:

- a) All graded areas shall be watered at least twice daily. If dust is not adequately controlled, then a more frequent watering schedule shall be incorporated. Frequency shall be based on the type of operation, soil, and wind exposure.
- b) All grading activities during periods of wind over 15 mph are prohibited.
- c) Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- d) Nontoxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut-and-fill operations.
- e) Haul trucks shall maintain at least two feet of freeboard.
- f) All trucks hauling dirt, sand, or loose materials shall be covered.
- g) Inactive storage piles shall be covered.
- h) Wheel washers shall be installed at the entrance to construction sites for all exiting trucks.
- i) Streets shall be swept if visible soil material is carried out from the construction site.

- j) A publicly visible sign shall be posted that includes the telephone number and person to contact regarding dust complaints. The phone number of the Monterey Bay Air Resources District shall be included on the sign to ensure compliance with Rule 402.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source:4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any Riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source:6,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 6,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 4,6,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

The site is approximately 21 acres with relatively flat elevation. Access to the property is via Santa Ana Road. The project site is not within the habitat footprint of species requiring special attention. The site itself does not contain wetlands or riparian habitat. The project site contains a small grove of non-native trees comprising much less than 10% of the site.

Federal Requirements

Federal Endangered Species Acts

The United States Fish and Wildlife Service (USFWS) enforce the provisions stipulated in the Federal Endangered Species Act of 1973 (FESA, 16 USC Section 1531 et seq.). Species identified as threatened or endangered (50 CFR Section 17.11, and 17.12) are protected from take, which is defined as direct or indirect harm, unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Pursuant to the requirements of the FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally-listed species may be present on the project site and determine whether the proposed project will have a potentially significant impact on them. Under the FESA, habitat loss is considered to be an impact to a species. In addition, the USFWS is required to determine whether the project is likely to jeopardize the continued existence of any species that is proposed for listing under the FESA or to result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC 1536[3], [4]). Therefore, project related impacts to those species or their habitats would be considered significant and would require mitigation.

Other federal agencies designate species of concern (species that have the potential to become listed), that are evaluated during environmental review although they are not otherwise protected under the FESA. Impacts to those species or their habitats would likewise be considered significant and would require mitigation.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states “unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird. A migratory bird is any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle. Currently, there are 836 migratory birds protected nationwide by the MBTA, of which 58 are legal to hunt. The U.S. Court of Appeals for the 9th Circuit (with jurisdiction over California) has ruled that the MBTA does not prohibit incidental take (952 F 2d 297 – Court of Appeals, 9th Circuit 1991).

State Requirements

California Endangered Species Act

The California Endangered Species Act (CESA; California Fish and Game Code Section 2050 to 2097) is similar to the FESA. The California Fish and Game Commission is responsible for maintaining lists of threatened and endangered species under the CESA. CESA prohibits the take of listed and candidate (petitioned to be listed) species. “Take” under California law means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch capture, or kill (California Fish and Game Code Section 86). The California Department of Fish and Wildlife (CDFW) can authorize take of a state-listed species under Section 2081 of the California Fish and Game Code if the take is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, funding is ensured to implement and monitor

mitigation measures, and CDFW determines that issuance would not jeopardize the continued existence of the species. A CESA permit must be obtained if a project will result in the take of listed species, either during construction or over the life of the project. For species listed under both the FESA and the CESA requiring a Biological Opinion under Section 7 of the FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

California Code of Regulations and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 Section 670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW for inclusion on the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code.

Legal protection is also provided for wildlife species in California that are identified as “fully protected animals.” These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fishes) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. The CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by these species. The CDFW has informed non-federal agencies and private parties that they must avoid take of any fully protected species. However, Senate Bill 618 (2011) allows the CDFW to issue permits authorizing the incidental take of fully protected species under the CESA, so long as any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

California Environmental Quality Act (CEQA)

Under CEQA (Public Resources Code Section 21000 et seq.), lead agencies analyze whether projects would have a substantial adverse effect on a candidate, sensitive, or special-status species (Public Resources Code Section 21001(c)). These “special-status” species generally include those listed under the FESA and the CESA, and species that are not currently protected by statute or regulation, but would be considered rare, threatened, or endangered under the criteria included in the State CEQA Guidelines Section 15380. Therefore, species that are considered rare are addressed in this study regardless of whether they are afforded special protection through any other statute or regulation. The CDFW, in consultation with the California Native Plant Society (CNPS) assigns a California Rare Plant Rank (CRPR) to native species according to rarity; plants with a CRPR of 1A, 1B, 2A, 2B, or 3 are generally considered special-status species under CEQA.

Although threatened and endangered species are protected by specific federal and state statutes, State CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare if it can be shown to meet certain specified criteria. Those criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. Section 15380(d) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or the CDFW (i.e., candidate species) would occur. Thus, CEQA provides an agency with the ability to protect a species from the potential impacts of a project until the respective government agency has an opportunity to designate the species as protected, if warranted.

California Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code Section 1900-1913) empowers the Fish and Game Commission to list native plant species, subspecies, or varieties as endangered or rare following a public hearing. To the extent that the location of such plants is known, CDFW must notify property owners that a listed plant is known to occur on their property. Where a

property owner has been so notified by CDFW, the owner must notify CDFW at least 10 days in advance of any change in land use (other than changing from one agricultural use to another), in order that CDFW may salvage listed plants that would otherwise be destroyed. Currently, 64 taxa of native plants have been listed as rare under the act.

Nesting and Migratory Birds

California Fish and Game Code Subsections 3503 and 3800 prohibit the possession, take, or needless destruction of birds, their nests, and eggs, and the salvage of dead nongame birds. California Fish and Game Code Subsection 3503.5 protect all birds in the orders of Falconiformes and Strigiformes (birds of prey). Fish and Game Code Subsection 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take.

Local

General Plans are created by cities and counties to guide the growth and land development of their communities. As such, General Plans typically contain elements which address protection of biological resources. Typically these elements are comprised of goals, policies and actions which protect natural resources such as environmentally sensitive habitats, special status species, native trees, creeks, wetland, and riparian habitats, while balancing other factors relating to growth and other land use considerations.

2035 General Plan

The 2035 General Plan Land Use Element and Natural and Cultural Resources Element provide the following goals, policies, and objectives pertaining to biological resources that are relevant to this analysis. Further evaluation of the project's consistency with specific 2035 General Plan policies is set forth in Land Use and Planning section.

Land Use Element

- **LU-1.8 Site Plan Environmental Content Requirements.** The County shall require all submitted site plans, tentative maps, and parcel maps to depict all environmentally sensitive and hazardous areas, including: 100-year floodplains, fault zones, 30 percent or greater slopes, severe erosion hazards, fire hazards, wetlands, and riparian habitats.
- **LU-1.10 Development Site Suitability.** The County shall encourage 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 surfaces, high percolation or high ground water 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).
- **LU-1.10 Development Site Suitability.** The County shall encourage 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 surfaces, high percolation or high ground water 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).

Natural and Cultural Resources Element

- **Goal NCR-1.** To preserve and enhance valuable open-space lands that provide wildlife habitat and conserve natural, historical, archaeological, paleontological, tribal, and visual resources of San Benito County.
- **Goal NCR-2** To protect and enhance wildlife communities through a comprehensive approach that conserves, maintains, and restores important habitat areas.

SAN BENITO COUNTY CODE OF ORDINANCES

Some resources are afforded protection through local ordinances such as those that protect trees, riparian corridors, and environmentally sensitive habitats. San Benito County has County code provisions which protect natural resources and addresses compliance with environmental regulations.

Discussion/Conclusion/Mitigation:

- a, d) Less Than Significant Impact - The General Plan's Natural and Cultural Resources Element includes policies to protect wildlife communities and habitat areas. The site is located within the Hollister and Tres Pinos quadrangles as mapped by the United States Geological Survey. The two quadrangles, covering approximately 100 square miles, are known to contain habitat for the San Joaquin kit fox, California red-legged frog, California tiger salamander, bank swallow, and Townsend's big-eared bat. The area has known occurrences of the burrowing owl, California tiger salamander, and California red-legged frog. The latter two species are listed as threatened by the United States Fish and Wildlife Service. The California red-legged frog is listed as threatened by California Fish and Wildlife.

The project site is not within the habitat footprint of species requiring special attention. The proposed development would take place along Santa Ana Road, an existing major street with traffic from neighboring development. Development of a similar nature mostly surrounds the project site and lies between the project site and the nearest potential wetland habitat (+/- ¼ mile to the west), presenting to wildlife a barrier between any habitat and the project site. The site contains no water features and very little tree cover that would encourage habitat for sensitive wildlife. This project's development would bring further change to the area but would create a less-than significant impact to wildlife and habitat due to the project location, surrounding development and history of farming and cultivation.

- b, c) Less Than Significant Impact - The site itself does not contain wetlands or riparian habitat. Within a quarter-mile to the west is a tributary to Santa Ana Creek, which is known to have riverine and freshwater forested/shrub wetland areas. Access for the special species to and from the project site is unlikely due to the lack of a suitable biological corridor making dispersal of special species to/from the project site problematic, and due to habitat fragmentation and site disturbances from existing development and cultivation for agriculture in the area between Santa Ana Creek and the project site. The property minimally slopes downward to the south at less than a two percent grade. There are no channels that would directly or rapidly deposit runoff or contaminants into wetlands.

- e) Less Than Significant Impact – County Code Chapter 19.33: Management and Conservation of Woodlands applies to parcels covered by at least 10% woodland vegetation as determined by the

County's baseline canopy retention survey. The project site contains a small grove of non-native trees comprising much less than 10% of the site. The project site will not be subject to the Woodland Conservation Ordinance.

- f) Less Than Significant Impact - The site is located within the Habitat Conservation Plan (HCP) Preliminary Study Area, as defined by County Ordinance 541 County Code Chapter 19.19). The project will be subject to the HCP interim mitigation fee. The project site contains minimal tree cover and will not be subject to the Woodland Conservation Ordinance. Section 19.19.001 B states" This chapter provides for the establishment of fees which, upon payment, will satisfy U.S. Fish and Wildlife Service, as well as county, mitigation requirements for endangered species and their habitats which may occur within the area of the county designated herein pending completion and adoption of a habitat conservation plan..." CEQA Guidelines provide that if existing regulations will reduce impacts to a less than significant level, no additional mitigation is required.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source 8h)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source:8h))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source:8h))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 8h))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

The proposed project site does not contain historic resources or known or probable archaeological resources. (8h - San Benito County Sensitivity Maps, Prehistoric Cultural Resources).

Regulatory Setting:

Cultural resources, including built environment and archaeological resources, may be designated as historic by National, State or local authorities. In order for a resource to qualify for listing in the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR) or as a locally significant resource, it must meet one or more identified criteria of significance. The resource must also retain sufficient historic integrity, which is defined in *National Register Bulletin 15* as the “ability of a property to convey its significance” (National Park Service 1990). An explanation of these designations follows.

Federal Regulations

Cultural resources are considered during federal undertakings chiefly under section 106 of the National Historic Preservation Act (NHPA) through one of its implementing regulations, 36 Code of Federal Regulations (CFR) 800 (Protection of Historic Properties), as well as the National Environmental Policy Act (NEPA). Properties of traditional religious and cultural importance to Native Americans are considered under section 101(d)(6)(A) of the NHPA. Other relevant federal laws include the Archaeological Data Preservation Act of 1974, American Indian Religious Freedom Act of 1978, Archaeological Resources Protection Act of 1979, and Native American Graves Protection and Repatriation Act of 1989.

National Historic Preservation Act Of 1966 (16 U.S.C. §§ 470 Et Seq.)

NHPA is a federal law created to avoid unnecessary harm to historic properties. The NHPA includes regulations that apply specifically to federal land-holding agencies, but also includes regulations (section 106) that pertain to all projects funded, permitted, or approved by any federal agency that have the potential to affect cultural resources. Provisions of NHPA establish a National Register of Historic Places (the NRHP is maintained by the National Park Service), the Advisory Council on Historic Preservation, State Historic Preservation Office (SHPO), and federal grants-in-aid programs.

National Register of Historic Places

The National Register of Historic Places (NRHP) was established by the NHPA of 1966 as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment” (CFR 36 CFR 60.2). The NRHP recognizes properties that are significant at the national, State, and local levels. To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association.

American Indian Religious Freedom Act Of 1978 (42 U.S.C. §§ 1996 And 1996a)

The American Indian Religious Freedom Act of 1978 and Native American Graves and Repatriation Act of 1990 (25 U.S.C. §§ 3001 *et seq.*) establishes that traditional religious practices and beliefs, sacred sites, and the use of sacred objects shall be protected and preserved.

Secretary Of The Interior’s Standards

The Secretary of the Interior is responsible for establishing professional standards and providing guidance related to the preservation and protection of all cultural resources listed in or eligible for listing in the NRHP.

State Regulations

California Environmental Quality Act

CEQA requires a lead agency to analyze whether historic and/or archaeological resources may be adversely impacted by a proposed project. Under CEQA, a “project that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment” (California Public Resources Code, section 21084.1). Answering this question is a two-part process: first, the determination must be made as to whether the proposed project involves cultural resources; second, if cultural resources are present, the proposed project must be analyzed for a potential “substantial adverse change in the significance” of the resource.

California Register of Historical Resources

The California Register of Historical Resources (California Register) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The California Register helps government agencies identify, evaluate, and protect California’s historical resources, and indicates which properties are to be protected from substantial adverse change (Public Resources Code, section 5024.1(a)). The California Register is administered through the State Office of Historic Preservation (SHPO) that is part of the California State Parks system. A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant at the local, State, or national level in accordance with one or more of the following criteria set forth in the State CEQA Guidelines, section 15064.5(a)(3).

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time must have passed to allow a “scholarly perspective on the events or individuals associated with the resource.” Fifty years is used as a general estimate of the time needed to understand the historical importance of a resource according to SHPO publications. The California Register also requires a resource to possess integrity, which is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association.” Archaeological resources can sometimes qualify as “historical resources” [State CEQA Guidelines, section 15064.5(c)(1)].

According to CEQA, all buildings constructed over 50 years ago and that possess architectural or historical significance may be considered potential historic resources. Most resources must meet the 50-year threshold for historic significance; however, resources less than 50 years in age may be eligible for listing on the CRHR if it can be demonstrated that sufficient time has passed to understand their historical importance.

In addition, if a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (Public Resources Code, section 21083.2[a], [b], and [c]). Public Resources Code, section 21083.2(g) defines a *unique archaeological resource* as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge.

Regulations Pertaining to Human Remains

Section 15064.5 of the State CEQA Guidelines also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. The disposition of human remains is governed by Health and Safety Code, section 7050.5 and Public Resources Code, sections 5097.94 and 5097.98, and, when the remains are of Native American origin, falls within the jurisdiction of the Native American Heritage Commission (NAHC). Section 7050.5 of the Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, the County Coroner must be notified within 48 hours and there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County Coroner has determined whether or not the remains are subject to the coroner’s authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification. The NAHC would identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. The State CEQA Guidelines section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

Public Resources Code Section 5097.5

Public Resources Code section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the State or any city, county, district,

authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Local Regulations:

2035 General Plan

The 2035 General Plan Natural and Cultural Resources Element provides the following goals, policies and objectives pertaining to archaeological, paleontological, Native American, tribal, cultural, and historic resources and unique geological formations that are relevant to this analysis. As noted above, a full discussion of the project's potential impacts to tribal resources is set forth in the Tribal Cultural Resources section.

Natural and Cultural Resources Element

- **Goal NCR-7.** To protect, preserve, and enhance the unique cultural and historic resources in the county.

San Benito County Code Of Ordinances

The following section of the San Benito County Code pertain to cultural resources:

- Chapter 19.05: Archaeological Site Review

Discussion/Conclusion/Mitigation:

a-d) No impact - The site does not contain historic resources or known or probable archaeological resources. (8h - San Benito County Sensitivity Maps, Prehistoric Cultural Resources). In the event of discovery of any archaeological resources or sites, procedures in compliance with County Ordinance 610 and state law are required.

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 16) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 3, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: 3,16)				
b) Result in substantial soil erosion or the loss of topsoil? (Source: 3,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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? (Source: 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in creating substantial risks to life or property? (Source:3,16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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? (Source:3,16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Regional Setting:

The project site is located in the Coast Range geomorphic province in the Hollister Valley, on the south end of the Santa Clara Valley with the San Juan Valley and Gabilan Range situated to the west and the Diablo Range to the east. Tectonic processes formed the Hollister Valley during Pleistocene time.

The predominant structural feature in the California Coast Ranges is the San Andreas Fault, which is the structural boundary between two tectonic plates: the Pacific Plate to the southwest of the fault and the North American Plate northeast of the fault.

Seismic Hazards

The project site is located within a seismically active region. Significant earthquakes have occurred in this area and are believed to be associated with crustal movements along a system of sub-parallel fault zones that generally trend in a northwesterly direction. According to the Alquist-Priolo Earthquake Fault Zone Map, the project site is within the Earthquake Fault Zone. The San Andreas Fault Zone, an active fault identified by the Alquist-Priolo Earthquake Fault Zoning Act, is located approximately 1,000 feet southwest of the fault.

Liquefaction

Soil liquefaction occurs when ground shaking from an earthquake causes a sediment layer saturated with groundwater to lose strength and take on the characteristics of a fluid, thus becoming similar to quicksand. In effect, liquefaction compacts and decreases the volume of the soil. If drainage cannot occur, this reduction in soil volume would increase the pressure exerted on the water contained in the soil, forcing it upward to the ground. Soils that are most susceptible to liquefaction are clean, loose, uniformly graded, saturated, fine-grained sands that lie close to the ground.

Landslides

“Landslide” is a general term for the dislodging and falling of rock and soil down a sloped surface. “Mudslide” is a general term used for a flow of very wet rock or soil. Landslides can occur from natural conditions such as heavy rainfall, hillside water table fluctuation, and seismic activity. Landslides result when the driving forces that act on a slope (i.e., the weight of the slope material, and the weight of objects placed on it) are greater than the slope’s natural resisting forces (i.e., the shear strength of the slope material). The risk of slope instability is greater during major earthquakes than during other time periods.

Soil Characteristics

Antioch loam, 0 to 2 percent slopes (Grade 2); Antioch loam, 2 to 5 percent slopes (Grade 2) (3. Soil Survey for San Benito County, 021-000-009, 1969, US Dept. of Agriculture, SCS.)

Soil Erosion

Soil erosion is the removal of soil by water and wind. The rate of erosion is estimated from four soil properties: texture, organic matter content, soil structure, and permeability. Other factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover. Relatively shallow slope movements commonly occur within the soils located on the existing slopes. These movements include downslope creep, erosion, slumping, and toppling. The existing eroded gullies have resulted from surface water from the site flowing over the crest of the slopes and ponding of water at or near the top of slopes. The

resulting erosion has caused slumping, undermining of slopes, toppling, and the formation of tension cracks at the crest of the slopes.

Regulatory Setting:

Federal

National Pollutant Discharge Elimination System

Stormwater-related erosion is one major source of soil-related impacts. Stormwater discharges from construction activities (such as clearing, grading, excavating, and stockpiling) that disturb one or more acres, or smaller sites that are part of a larger common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater program. Prior to discharging stormwater, construction operators must obtain coverage under an NPDES permit. In California, the General Permit for Discharges of Stormwater Associated with Construction Activity are regulated by the SWRCB and administered through the local RWQCB.

The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must list Best Management Practices the discharger would use to protect storm water runoff and the placement of those Best Management Practices. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "nonvisible" pollutants to be implemented if there is a failure of Best Management Practices; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was signed into California law on December 22, 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Act provides for special seismic design considerations if developments are planned in areas adjacent to active or potentially active faults.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the SHMA is to reduce the threat to public safety and to minimize the loss of life and property by identifying and mitigating these seismic hazards. The SHMA was passed by the legislature following the 1989 Loma Prieta earthquake. The Seismic Hazards Mapping Act addresses geo-seismic hazards, other than surface faulting, and applies to public buildings and most private buildings intended for human occupancy.

California Building Code

The 2019 California Building Code (CBC) incorporates by reference and amends requirements in the 2018 International Building Code pertaining to geologic hazards, including seismically resistant

construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities, and requires the implementation of erosion control measures. The County is responsible for enforcing the 2019 CBC.

Local

2035 General Plan

The 2035 General Plan Land Use Element, and Health and Safety Element provide the following goals, policies and objectives pertaining to geology and soils that are relevant to this analysis. Consistency with specific 2035 General Plan policies that apply to the project is further evaluated in Land Use and Planning Section.

Land Use Element

- **Goal LU-1.** To maintain San Benito County's rural character and natural beauty while providing areas for needed future growth.

Healthy and Safety Element

- **Goal HS-1.** To maintain the necessary level of fire, EMS, law enforcement, and disaster preparedness for the protection of the health, safety, and welfare of people living, working, and residing in San Benito County.

San Benito County Code Of Ordinances

The County's Code contains several regulation and standards implementing the General Plan Policies identified above that address geology and soils. Building plans for development on the project site would be reviewed for consistency with the following ordinances:

- Chapter 19.17: Grading, Drainage and Erosion Control
- Chapter 21.01: Building Regulations Ordinance
- Chapter 23.25: Design Requirements
- Chapter 23.31, Article III. Storm Drainage Design Standards
- Chapter 25.14, Article V. Seismic Safety Division

Discussion/Conclusion/Mitigation:

Response:

- a) i, ii Less Than Significant With Mitigation - The project site is not located within an Alquist-Priolo Earthquake Fault Zone, although a fault zone passes a mile and a half to the southwest. In general, across the local area, strong shaking is likely, and the geotechnical investigation for this site notes seismic hazards and strong shaking as a primary geological risk in this location. Mitigation Measure GS - 1, below, requires construction of the project to comply with the recommendations of the geotechnical investigation. Compliance with these recommendations will reduce the impact of ground shaking and other seismic impacts a less than significant level.

- iii) Less Than Significant Impact - The project's geotechnical investigation notes that conditions on the site, including a low water table and dense soils, are "such [that] the potential for liquefaction is considered low".
- iv) No Impact – Project site is level and is not susceptible to landslide.
- b) Less Than Significant Impact - The project's geotechnical investigation does not cite erosion as a notable hazard on the property. Erosion will not likely be a problem for construction on the site, and the aforementioned mitigation of seismic hazards would result in structures designed in careful consideration of the site's soil conditions.
- c) Less Than Significant With Mitigation - As discussed compliance with the recommendations of the project's geotechnical investigation per Mitigation Measure GS-1 will reduce the project impacts to less than significant with regard to geological hazards and soil failure.
- d) Less Than Significant - The site has a low to high shrink-swell potential. Compliance with Mitigation Measure GS-1 will reduce these impacts to less than significant.
- e) No Impact - The project will be serviced by the sanitary sewer system of either the city of Hollister or the appropriate special district. As a result, there will be no impact to soils from septic systems.

Mitigation Measure

GS - 1:

- a) The applicant shall submit engineered improvement plans for this project that comply with the recommendations of the geotechnical investigation prepared for this property by Earth Systems Inc. (September, 2017), and on file at the San Benito County Resource Management Agency.
- b) A complete library of testing reports along with a letter from the soils/geotechnical engineer certifying compliance with requirements and recommendations of the soil investigation report shall be submitted to County Resource Management Agency Public Works staff upon completion of site improvements.
- c) A note shall be placed on the final subdivision map citing availability of the Earth Systems report and the library of testing results at the San Benito Resource Management Agency.

7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 5,19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 5,19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a), b) Less Than Significant Impact -Emissions of certain gases into the atmosphere are believed to have resulted in a warming trend across the globe, and human activity is believed to influence on this trend. Releases of greenhouse gases (GHG) carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and water vapor, which occur naturally and prevent the escape of heat energy from the Earth's atmosphere are thought to have been unnaturally increased by activities such as fossil-fuel consumption. This warming trend became especially pronounced in the 1990s, thought to be the warmest years in human history. Future impacts of climate change may include significant weather-pattern changes, decreased water availability, increased occurrence of wildfires, and resulting health effects.

In 2006, State Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, set a goal of reducing GHG emissions to 1990 levels by 2020. Subsequently, 2007's State Senate Bill (SB) 97 added greenhouse-gas emissions to the set of environmental issues requiring analysis under CEQA at the county level. In addition, the County General Plan Health and Safety Element Goal HS-5, is to "improve local and regional air quality to protect residents from the adverse effects of poor air quality". The General Plan also contains policies supporting programs for greenhouse gas reduction.

In September, 2019 Mitchell Air Quality Consulting prepared the following report: "Air Quality and Greenhouse Gas Analysis Report, Spring Meadows Residential Subdivision, San Benito County, California." The report which is included in the application materials concluded on pages 1-2: "the project would result in less than significant impacts for all air quality and GHG impact criteria analyzed." Specifically:

Impact AIR-1:

The project would not conflict with or obstruct implementation of the applicable air quality plan. *Less than significant impact.*

Impact AIR-2:

The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors). *Less than significant impact.*

Impact AIR-3:

The project would not expose sensitive receptors to substantial pollutant concentrations. *Less than significant impact.*

Impact AIR-4:

The project would not create objectionable odors affecting a substantial number of people. *Less than significant impact.*

Impact GHG-1:

The project would not generate direct or indirect greenhouse gas emissions that would result in a significant impact on the environment. *Less than significant impact.*

Impact GHG-2:

The project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emissions of greenhouse gases. *Less than significant impact.*

The report further concluded on page 2 that:

“No mitigation measures beyond compliance with mandatory regulations were required to demonstrate that the project would have less than significant for air quality, health risk, and GHG impacts.” CEQA Guidelines provide that if existing regulations will reduce impacts to an insignificant level, no additional mitigation is required.

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area? (Source:1,12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source:1,12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1,12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source:1,8f) ☐ ☐ ☒ ☐

Environmental Setting:

The following databases were searched in June 2020 for records relating to any known hazardous materials contamination at the project site:

- SWRCB GeoTracker database
- The Department of Toxic Substances Control (DTSC) EnviroStor database
- The Cortese List

Based on a search of the above databases, no hazardous materials contamination has been documented within the project site. According to the EnviroStor database, no contamination site has been listed within one-half mile of the project site.

Regulatory Setting:

The management of hazardous materials and hazardous wastes is regulated at federal, State, and local levels, including, among others, through programs administered by the USEPA; agencies within the CalEPA, such as the DTSC; federal and State occupational safety agencies; and the San Benito County Environmental Health Division. Regulations pertaining to flood hazards are further discussed in Hydrology and Water Quality, and regulations for geologic and soil-related hazards are discussed in Geology and Soils.

Definition of Hazardous Materials

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, State, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22, section 66261.10 of the California Code of Regulations. Chemical and physical properties can cause a substance to be considered hazardous. Such properties include toxicity, ignitability, corrosivity, and reactivity. California Code of Regulations,

Title 22, Sections 66261.20 through 66261.24 define the aforementioned properties. The release of hazardous materials into the environment could potentially contaminate soils, surface water, and groundwater supplies.

Federal

The Federal Toxic Substances Control Act And The Resource Conservation And Recovery Act

These Acts, signed in 1976, established a program administered by the USEPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. The Resource Conservation and Recovery Act (RCRA) was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle to grave” system of regulating hazardous wastes. Among other things, the use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by HSWA.

The Comprehensive Environmental Response, Compensation And Liability Act

This Act was enacted in 1980 and amended by the Superfund Amendments and Reauthorization Act (SARA) in 1986. This law provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Among other things, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled revision of the National Contingency Plan (NCP), which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List (NPL).

Hazardous Materials Transportation Act

The Secretary of the U.S. Department of Transportation (DOT) receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA). This Act administers container design, labelling, shipper and carrier responsibilities, training requirements, and incident reporting requirements. These regulations are contained in Title 49 – Transportation, Code of Federal Regulations, Parts 100 to 180 and include all modes of transportation – air, highway, rail, and water (Federal Motor Carrier Safety Administration [FMCSA]).

State

The Department Of Toxic Substances Control

This department of the CalEPA 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 RCRA and the California Health and Safety Code.

DTSC also administers the California Hazardous Waste Control Law (HWCL) to regulate hazardous wastes. While the HWCL is generally more stringent than RCRA, until the USEPA approves the California program, both State and federal laws apply in California. The HWCL lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; proscribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

Government Code section 65962.5 requires the DTSC, the State Department of Health Services, the SWRCB, and 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 consolidates the information submitted by these agencies and distributes it to each city and county where sites on the lists are located. Before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the site at issue is included.

If any soil is excavated from a site containing hazardous materials, it would be considered a hazardous waste if it exceeded specific criteria in Title 22 of the California Code of Regulations. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed; it may also be required if certain other activities are proposed. 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 lead jurisdiction.

California Department Of Food And Agriculture

The State of California Food and Agricultural Code regulates the use of pesticides. Section 12972 requires that the use of pesticides not result in substantial drift to non-target areas. Section 12977 empowers the Agricultural Commissioner to enforce this provision. In addition, section 12982 states that the local health officer shall investigate any health hazard from pesticide use and take necessary action, in cooperation with the Agricultural Commissioner, to abate the hazard. California Code of Regulations, Title 3, section 6614 restricts pesticide application when there is a reasonable possibility of: substantial drift to non-target areas; contamination of the bodies or clothing of persons not involved in the application process; damage to non-target crops, animals or other public or private property; or contamination of public or private property, including the creation of a health hazard that prevents normal usage of that property.

Local

2035 General Plan

The 2035 General Plan Land Use Element, Natural and Cultural Resources Element, and Health and Safety Element provide the following goals, policies and objectives pertaining to hazards and hazardous materials that are relevant to this analysis:

Land Use Element

- **Goal LU-1.** To maintain San Benito County's rural character and natural beauty while providing areas for needed future growth.

Healthy and Safety Element

- **Goal HS-1** To maintain the necessary level of fire, EMS, law enforcement, and disaster preparedness for the protection of the health, safety, and welfare of people living, working, and residing in San Benito County.

San Benito County Code Of Ordinances

The County's Code contains several regulations and standards implementing the General Plan Goals and Policies identified above that address hazards and hazardous materials. Building plans for development on the project site would be reviewed for consistency with the following ordinances:

- Chapter 11.07: Hazardous Substances
- Chapter 21.01 Building Regulations, Article II California Building Standards Code
- Title 23: Subdivisions

Discussion/Conclusion/Mitigation:

- a-c) No Impact – The project is a residential subdivision. The use or transport of hazardous materials would be expected to be limited to those used for maintaining residential properties. Use or transport of hazardous materials is regulated by the County Division of Environmental Health.
- d) No Impact –The site is not on a list of hazardous-materials sites. (Source 8I)
- e, f) No Impact - The property is located approximately 2.5 miles from Hollister Municipal Airport property. According to the Hollister Airport Land Use Compatibility Plan, the property is mostly within the Airport Influence Area and underneath a modeled arrival flight path but away from immediate air traffic zones. There are no special requirements related to airport safety. The nearest private airstrip is located approximately 2.5 miles away and poses no risk to future residents of this project.
- g) Less Than Significant Impact – The project would continue the existing pattern of development along Santa Ana Road and will not be a barrier to emergency response for the project or the area. Access to and from the site would be designed to current standards established with emergency response as a consideration. In addition, Chapter 11.01 of the San Benito County Code states that the County of San Benito Disaster Council is responsible for the development of the County of San Benito emergency plan, which provides for mobilization of the County's resources during times of major emergency within the County. The proposed project would not interfere with implementation of an adopted emergency response plan or emergency evacuation plan.
- h) Less Than Significant Impact - The site is close to City of Hollister limits and is designated "urban unzoned" for fire protection purposes [8f]. Wildland fire risk is not a significant issue on the property. Construction of all new structures will be required to meet the Uniform Building and Fire Code.

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 2, 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source:1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 offsite?				
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?				
iv) Impede or redirect flood flows?				
d) In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a Water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Regional Setting:

San Benito County is located in the Coast Ranges of central California and covers 1,391 square miles. The

valley covers a portion of the Pajaro River watershed and is drained by tributaries of the Pajaro River. The project site is located within the City of Hollister urban area.

State

The USEPA has delegated direct authority for implementation and oversight of federal water quality laws within California to the SWRCB and the nine RWQCBs. At the State level San Benito County falls under the jurisdiction of the Central Coast RWQCB.

Water Board

The California SWRCB and the nine RWQCBs have the responsibility in California to protect and enhance water quality, both through their designation as the lead agencies in implementing the section 319 non-point source program of the federal CWA, and through the State's primary water pollution control legislation, the Porter-Cologne Water Quality Control Act (Water Code, § 13000 *et seq.*). The SWRCB establishes statewide policies and regulations for the implementation of water quality control programs mandated by federal and State water quality statutes and regulations. The RWQCBs develop and implement Water Quality Control Plans (Basin Plans) that consider regional beneficial uses, water quality characteristics, and water quality problems. All projects resulting in discharges, whether to land or water, are subject to California Water Code section 13263 and are required to obtain approval of Waste Discharge Requirements (WDRs) by the RWQCBs. Land and groundwater-related WDRs (i.e., non-NPDES WDRs) regulate discharges of privately or publicly treated domestic wastewater and process and wash-down wastewater. WDRs for discharges to surface waters also serve as NPDES permits, which are further described below. The Central Coast (Region 3) office of the RWQCB guides and regulates water quality in streams and aquifers throughout the central coast of California and the Monterey Bay region, including San Benito County, through designation of beneficial uses, establishment of water quality objectives, and administration of the NPDES permit program for stormwater and construction site runoff. The Central Coast RWQCB is also responsible for providing permits and water quality certifications in the above-referenced areas (section 401) pursuant to the CWA.

All dischargers of waste to waters of the State are subject to regulation under the Porter-Cologne Act and the requirement for WDRs is incorporated into the California Water Code. This includes both point and non-point source dischargers. All current and proposed non-point source discharges to land must be regulated under WDRs, waivers of WDRs, a basin plan prohibition, or some combination of these administrative tools. Discharges of waste directly to State waters would be subject to an individual or general NPDES permit, which also serve as WDRs. The RWQCBs may issue individual WDRs to cover individual discharges or general WDRs to cover a category of discharges. WDRs may include effluent limitations or other requirements that are designed to implement applicable water quality control plans, including designated beneficial uses and the water quality objectives established to protect those uses and prevent the creation of nuisance conditions. Violations of WDRs may be addressed by issuing Cleanup and Abatement Orders or Cease and Desist Orders, assessing administrative civil liability, or seeking imposition of judicial civil liability or judicial injunctive relief.

Construction activity on projects that disturb one or more acres of soil, or less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation, but

does not include regular maintenance activities performed to restore the original line, grade, or capacity of a facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Program (SWPPP). The SWPPP should identify stormwater collection and discharge points, drainage patterns across the project site, and Best Management Practices that the discharger would use to protect stormwater runoff and the placement of those Best Management Practices.

As mandated by section 303(d) of the federal CWA, the SWRCB maintains and updates a list of “impaired water bodies” (i.e., water bodies that do not meet State and federal water quality standards). This list is known as the section 303(d) list of impaired waters. The State is then required to prioritize waters/watersheds for development of Total Maximum Daily Load (TMDL) regulations. This information is compiled in a list and submitted to the USEPA for review and approval. The SWRCB and RWQCBs monitor and assess water quality on an ongoing basis.

Discussion/Conclusion/Mitigation:

- a) Less Than Significant Impact with Mitigation -. Temporary soil disturbance would occur during construction of the proposed project as a result of earth-moving activities, such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. If not managed properly, disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project site. Moreover, the project would increase the extent of impervious surfaces on the site thereby potentially generating additional sources of polluted runoff. The types of pollutants contained in runoff would be typical of urban areas, and may include sediments and contaminants such as oils, fuels, paints, and solvents. Additionally, other pollutants, such as nutrients, trace metals, and hydrocarbons, can attach to sediment and be transported to downstream drainages and ultimately into collecting waterways, contributing to degradation of water quality. The proposed project soil disturbance can result in potentially significant impacts which would be reduced to a Less Than Significant Impact with implementation of Mitigation Measure HYD-1 as described below. In addition to implementation of Mitigation Measure HYD-1 the project will be required to comply with the requirements of the Central Coast Regional Water Quality Control Board (CCRWCQB) and San Benito County Code for construction and post construction storm water management. Therefore, impacts to water quality would be Less Than Significant Impact with mitigation.
- b) Less Than Significant Impact - The proposed project will receive water service from the Sunnyslope County Water District. As a result, the project would not significantly deplete groundwater and would adhere to San Benito County Code Article I. Groundwater Aquifer Protections, which limits extraction of groundwater. In addition, stormwater runoff from the site would be managed according to CCRWCQB and County regulations, which will require retention, detention and infiltration in the new roadside swale along Mission Vineyard Road thus promoting groundwater recharge. The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table at the site. Impacts would be Less Than Significant Impact.
- c) Less Than Significant Impact - The proposed project will alter drainage patterns on the portion of the site where the new houses and surrounding grounds will be constructed. The project would be required to comply with standard BMPs, including standard County requirements related to erosion

control. More specifically, the applicant would be required to submit detailed grading permits to the County prior to the issuance of any grading permit demonstrating compliance with applicable County requirements to manage on-site drainage and erosion. There are no streams, creeks or rivers in the project area. The project would have a Less Than Significant Impact to drainage and erosion potential.

- d) No Impact - The project is not in an area that is susceptible to seiche, tsunami, or mudflow.
- e) No Impact - The project will not conflict with, or obstruct, the implementation of a water quality control plan or sustainable groundwater management plan.

Mitigation Measure

HYD - 1:

- a) As part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and therefore shall provide storm drainage system capable of collecting and conveying runoff generated by the proposed project for a 100-year flood. The storm drain system shall provide for the protection of abutting and off-site properties that could be adversely affected by any increase in runoff attributed to the proposed subdivision. Included in this will be drainage calculations and full construction details for the proposed individual retention/detention ponds. All drainage improvements shall be installed or bonded for prior to recordation of the final subdivision map.
- b) Prior to start of grading/construction activities, a Stormwater Pollution Prevention Plan (SWPPP) prepared by a certified Qualified SWPPP Practitioner (QSP) or Qualified SWPPP Developer (QSD) shall be submitted to County Public Works Department. A QSD/QSP shall be retained for the duration of the construction and shall be responsible to coordinate and comply with requirements of the Regional Water Quality Control Board, to file a Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion.

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

Regional Setting

The project site is located in unincorporated San Benito County, which occupies approximately 1,391 square miles of both urban and rural land uses. Approximately 76 percent of the County's land area is in either agricultural or rangeland use. San Benito County is considered part of the Monterey Bay Area. It is located in the Coast Range Mountains, south of the City of San Jose, and west of the Central Valley. San Benito County is bordered on the north by the counties of Santa Cruz and Santa Clara, on the east by the counties of Merced and Fresno, and on the south and west by Monterey County.

Project Site:

The project site is a 21-acre lot fronting on the south side of Santa Ana Road approximately 1,700 feet west of Fairview Road. The proposed project is the subdivision of those 21 acres into 41 lots ranging in size from 0.08 acres to 0.7 acres. The average lot size is 0.4 acres. Lots 1-34 range in size from 0.4 to 0.7 acres. Lots 35-40 range from 0.08 to 0.1 acres in size. Lot 41 is 0.37 acres in size and will be used for the detention of stormwater runoff from interior roads and lots 35-40. Lots 1-34 are planned to include one single family dwelling (3,400 SF, approx.) and one three car garage (500-600 SF, each, approx.) and drainage detention. Lots 35-40 are will be utilized to meet San Benito County's inclusionary housing requirements. The developer does not anticipate building accessory dwelling units with this project. However, there is no limiting factor for the subsequent development of ADUs, consistent with state law, by individual property owners. The proposed tentative map shows the approximate locations of the driveways, building pads, and detention basins.

The project site is designated under the 2035 General Plan as Residential Mixed (RM) and the current zoning district designation for the 21 acre site is Rural Residential (RR). The immediate surrounding properties have the same General Plan and Zoning designations as the project site.

Regulatory Setting

The County's adopted General Plan, the County's Zoning Ordinance, and other relevant County Code provisions regulate land use planning in unincorporated San Benito County. The requirements and restrictions of each of these regulatory documents that pertain to land use are set forth below, and the project's consistency with these and other General Plan goals, objectives, and policies applicable to the project are further described in the analysis.

2035 General Plan

The 2035 General Plan, adopted July 21, 2015, Land Use Element, Housing Element, Public Facilities and Services Element, and Circulation Element, provide the following goals, policies and objectives pertaining to land use that are relevant to this analysis:

Land Use Element

- **LU-1.1 Countywide Development.** 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.
- **LU-1.2 Sustainable Development Patterns.** 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.
- **LU-1.3 Future Development Timing.** The County shall ensure that future development does not outpace the ability of either the County or other public/private service providers to provide adequate services and infrastructure. The County shall review future development proposals for their potential to reduce the level of services provided to existing communities or place economic hardships on existing communities, and the County may deny proposals that are projected to have these effects.
- **LU-1.4 Identifiable Community Boundaries.** The County shall encourage defined boundaries between communities (e.g., cities and unincorporated communities).
- **LU-1.5 Infill Development.** The County shall encourage infill development on vacant and underutilized parcels to maximize the use of land within existing urban areas, minimize the conversion of productive agricultural land and open spaces, and minimize environmental impacts associated with new development as one way to accommodate growth.

- **LU-1.8 Site Plan Environmental Content Requirements.** The County shall require all submitted site plans, tentative maps, and parcel maps to depict all environmentally sensitive and hazardous areas, including: 100-year floodplains, fault zones, 30 percent or greater slopes, severe erosion hazards, fire hazards, wetlands, and riparian habitats.
- **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).
- **LU-2.1 Sustainable Building Practices.** 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).
- **LU-2.4 Solar Access.** The County shall encourage new residential sub-divisions and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency.
- **LU-2.7 Sustainable Location Factor.** The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.
- **LU-3.8 Urban Residential Buffer Requirement.** The County shall encourage the establishment of a buffer, by the residential developer, between new urban density residential development (i.e., greater than two dwelling units per acre) and existing conventional agricultural operations.
- **LU-4.1 Housing Stock Diversity.** The County shall encourage a balance of housing types, locations, and price ranges within the county to accommodate a variety of families from all socio-economic backgrounds.
- **LU-4.2 Urban Residential Development.** 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.
- **LU-4.3 Residential Density Reductions.** The County shall consider reducing the base density of

a proposed residential development project if a combination of environmental hazards (e.g., fire, seismic, flooding, greater than 30 percent slope) and/or natural resources (e.g., sensitive habitat, wetlands) existing on the site, after consideration of the mitigations to be implemented to address those hazards, make higher densities less appropriate.

- **LU-4.5 Innovative Site Planning and Residential Design.** The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.
- **LU-4.6 Clustered Residential Program.** The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.
- **LU-7.10 New Development Design.** The County shall encourage the design of new development to complement its surroundings, including nearby development, nearby open landscapes, and gateways into populated areas, as well as to show coherence within itself, including with regard to architectural style, human-scale development, and street layout.
- **LU-9.7 County General Plan Consistency Report.** The County shall monitor and report to the Local Agency Formation Commission (LAFCO) regarding the consistency with the General Plan with any proposed changes in the sphere of influence or other urban boundaries for governmental entities that provide water or sewer services.
- **LU-9.8 Sewer and Water Service Commitments.** The County shall require new development within the spheres of influence of Hollister or San Juan Bautista to obtain sewer and water service commitments from either the Cities or appropriate special districts prior to project approval. (RDR)

Housing Element

- **HOU-1A.** The County shall ensure that housing is affordable to extremely low, very low, low, and moderate-income families and members of the local workforce (e.g. teachers, fire and police, farm workers). Affordable housing units shall be granted priority for development.
- **HOU-2A.** The County shall encourage and assist the construction of a variety of housing types with varying densities and prices, for both sales and rental that are affordable to all income groups, particularly very low income and special needs groups.
- **HOU-2C.** The County shall assure that new housing efficiently uses land and causes minimum environmental impact.
- **HOU-2L.** The County shall require, through specific plans, neighborhood design standards and development review, a mix of housing types, densities, designs and prices/rents in each planning area where land is available.
- **HOU-2M.** The County shall disperse lower, moderate and higher cost housing throughout the

County, each planning area and each subdivision where feasible due to the availability of land and adequate service facilities.

- **HOU-2R.** The County shall use land efficiently to encourage a diversity of housing types and to implement “smart” and sustainable development principles.
- **HOU-5A.** The County shall require energy-conserving construction, as required by State law.
- **HOU-5B.** The County shall encourage innovative site designs and orientation techniques, which incorporate passive and active solar designs and natural cooling techniques.
- **HOU-5E.** The County shall promote energy efficient land use planning by incorporating energy conservation as a major criterion for future decision making.
- **HOU-5G.** The County shall require solar access to be considered in environmental review and/or decision-making for all subdivisions.

Circulation

- **C-1.5 Mitigating Transportation Impacts.** The County shall assess fees on all new development to ensure new development pays its fair share of the costs for new and expanded transportation facilities, as applicable, to County, City, regional and/or State facilities.

Public Facilities and Services Element

- **PFS-1.1 Essential Facilities and Services.** The County shall ensure that adequate public facilities and services essential for public health and safety are provided to all county residents and businesses and maintained at acceptable service levels. Where public facilities and services are provided by other agencies, the County shall encourage similar service level goals.
- **PFS-1.11 Pay Fair Share.** The County shall require new development to pay its fair share of public facility and service costs.

Discussion/Conclusion/Mitigation:

- a) No Impact – The project will compliment and be consistent with the existing surrounding land uses in the project area. The project itself would further establish rather than divide the community.
- b) Less Than Significant Impact – The site has been designated for residential use both by the County and by the City of Hollister. Since 2005, the City of Hollister under its general plan has identified the project site for future City growth and designated the property and adjoining properties as Rural Residential. The San Benito General Plan defines City Fringe Areas as those areas outside of the city limits of either Hollister or San Juan Bautista, but within their adopted spheres of influence. These areas are unincorporated and under County jurisdiction until such time properties are annexed into either city. Determinations on annexations and sphere of influence boundaries are made by the Local

Agency Formation Commission. The project site is within the City Fringe Area of Hollister. The County General Plan Residential Mixed (RM) designation applies to areas that are largely developed and have public infrastructure and services necessary to support the increased density. General Plan Policy LU-9.8 Sewer and Water Service Commitments requires new development within the spheres of influence of Hollister or San Juan Bautista to obtain sewer and water service commitments from either the Cities or appropriate special districts prior to project approval. The property is zoned "RR" (Rural Residential). The minimum parcel size in the RR district is one-half acre where sewer and water services are available.

- c) Less Than Significant Impact – Under County Ordinance 541, the site is located within the Habitat Conservation Plan preliminary study area and shall be subject to an interim mitigation fee per that ordinance. See Section IV (Biological Resources) for further discussion of habitat. (Source 8h)

11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known b) mineral resource that would be of value to residents of the region and the state? (Source: 1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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? (Source:1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a, b) No Impact – The project site does not contain mineral resources. (Source 21, Environmental Resources and Constraints Inventory <http://cosb.us/wp-content/uploads/S BC-Existing GP-EnvConst.pdf>)

12. NOISE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source:1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source:1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels? (Source:1, 2, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source:1,2,12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting:

Regulatory Setting:

Local

Consistent with State law, the San Benito County adopted noise policies in its General Plan Noise Element, as well as in the San Benito County Code.

2035 General Plan

The 2035 General Plan Health and Safety Element includes noise standards, as shown in the tables below. These standards are applicable to new development proposed under the project and to the existing uses in the surrounding area. Consistency with specific 2035 General Plan policies that apply to the project is evaluated in Land Use and Planning.

Land Use Compatibility Guidelines for Community Noise Environments						
Land Use Category	Community Noise Exposure Ldn/CNEL, dB					
	55	60	65	70	75	80
Residential – Low Density Single Family, Duplex, Mobile Homes						
Residential – Multi. Family						
Transient Lodging – Motels, Hotels						
Schools, Libraries, Churches, Hospitals, Nursing Homes						
Auditoriums, Concert Halls, Amphitheaters						
Sports Arenas, Outdoor Spectator Sports						
Playgrounds, Neighborhood Parks						
Golf Course, Riding Stables, Water Recreation, Cemeteries						
Office Buildings, Business Commercial and Professional						
Industrial, Manufacturing Utilities, Agriculture						

	CLEARLY ACCEPTABLE The noise exposure is such that the activities associated with the land use may be carried out with essentially no interference from aircraft noise. (Residential areas: both indoor and outdoor noise environments are pleasant.)
	NORMALLY ACCEPTABLE The noise exposure is great enough to be of some concern, but common building construction will make the indoor environment acceptable, even for sleeping quarters.
	NORMALLY UNACCEPTABLE The noise exposure is significantly more severe so that unusual and costly building construction is necessary to insure adequate performance of activities. (Residential areas: barriers must be created between the site and prominent noise sources to make the outdoor environment tolerable.)
	CLEARLY UNACCEPTABLE The noise exposure is so severe that construction costs to make the indoor environment acceptable for performance of activities would be prohibitive. (Residential areas: the outdoor environment would be intolerable for normal residential use.)

Non-Transportation Noise Level Performance Standards for Noise-Sensitive Uses		
Noise Level Descriptor	Daytime (7:00 am – 10:00 pm)	Nighttime (10:00 pm – 7:00 am)
Hourly L_{eq} dB	55	45
Maximum Level, dB	70	65

Notes: These standards apply to new or existing residential areas affected by new or existing non-transportation sources.

In addition, the 2035 General Plan Health and Safety Element provides the following goals, policies and objectives pertaining to noise that are relevant to this analysis:

Health and Safety Element

- **HS-8.** To protect the health, safety, and welfare of County residents through the elimination of annoying or harmful noise levels.
- **HS-8.1 Project Design.** The County shall require new development to comply with the noise standards shown in Tables 9-1 and 9-2 through proper site and building design, such as building orientation, setbacks, barriers (e.g., earthen berms), and building construction practices. The County shall only consider the use of sound walls after all design-related noise mitigation measures have been evaluated or integrated into the proposed project or found infeasible.
- **HS-8.2 Acoustical Analysis.** The County shall require an acoustical analysis to be performed prior to development approval where proposed land uses may produce or be exposed to noise levels exceeding the “normally acceptable” criteria (e.g. “conditionally acceptable”, “normally unacceptable”) shown in Table 9-2. Land uses should be prohibited from locating, or required to mitigate, in areas with a noise environment within the “unacceptable” range.
- **HS-8.3 Construction Noise.** The County shall control the operation of construction equipment at specific sound intensities and frequencies during day time hours between 7:00 am and 6:00 pm on weekdays and 8:00 am and 5:00 pm on Saturdays. No construction shall be allowed on Sundays or federal holidays.
- **HS-8.7 Acceptable Vibration Levels.** The County shall require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby noise-sensitive uses based [on] FTA criteria.
- **HS-8.8 Noise Exemptions.** The County shall support the exemption of the following noise sources from the standards in this element: a) Emergency warning devices and equipment operated in conjunction with emergency situations, such as sirens and generators which are activated during power outages. The routine testing of such warning devices and equipment shall also be exempt provided such testing occurs during the hours of 7:00 am to 10:00 pm.; b) Activities at schools, parks, or playgrounds, provided such activities occur during daytime hours. c. Activities associated with County permitted temporary events and festivals.
- **HS-8.9 Interior Noise Standards.** Adopt the State of California Code of regulations’ (Title 24) minimum noise insulation interior performance standard of 45 dBA Ldn for all new residential construction including hotels, motels, dormitories, apartment houses, and single-family dwellings.
- **HS-8.10 Reduction in Noise Levels at Existing Land Uses.** Reduce traffic noise levels where expected to significantly impact sensitive receptors through the installation of noise control measures such as quiet pavement surfaces, noise barriers, traffic calming measures, and interior sound insulation treatments.
- **HS-8.12 Construction Noise Control Plans.** Require all construction projects to be constructed within 500 feet of sensitive receptors to develop and implement construction noise control plans that 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.

The 2035 General Plan also states that the County shall control the operation of construction equipment at specific sound intensities and frequencies during day time hours between 7:00 am and 6:00 pm on weekdays and 8:00 am and 5:00 pm on Saturdays. No construction is allowed on Sundays or federal holidays (Policy HS-8.3). However, the County Code (Chapter 19.39.051 (H)) specifies that temporary construction between the hours of 7:00 am and 7:00 pm, except Sundays and federal holidays, are exempted from the noise standards (as described below).

San Benito County Code Of Ordinances

The County’s Code contains several regulations and standards implementing the General Plan Policies identified above.

- Chapter 19.39.002(B): Noise Control Regulations
- Chapter 25.37, Article III: Noise Level Standards

Sensitive Receptors

Noise exposure standards for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Residences, hospitals, schools, guest lodging, libraries, and churches are most sensitive to noise intrusion and therefore have more stringent noise exposure standards than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. The project is near residences.

Discussion/Conclusion/Mitigation:

- a) - d) Less Than Significant Impact - The General Plan Health and Safety Element addresses noise from aircraft, ground transportation, industry, and construction. Grading and construction activities will temporarily expose neighboring properties to increased noise, while noise levels will increase incrementally as a result of increased activity within the immediate vicinity. Noise levels from both temporary and long-term sources are governed by County Ordinance 667 (County Code §25.37.035) and Ordinance 872 (County

Code Chapter 19.39), which limit impacts to a level less than significant; this includes noise resulting from construction, which will be limited by the ordinances to the hours of 7 a.m. to 7p.m. except Sundays and federal holidays. The project will add residential uses to an area that already has substantial residential development and is planned for substantially more residential uses. The addition of the additional residences will not add additional noise generation not already existing or anticipated for the area.

- e, f) No impact - The property is located 2.5 miles from both the Hollister Municipal Airport and the nearest private airstrip. The project site is partially within the Airport Influence Area for the Hollister Municipal Airport. Real estate transactions are required to disclose the airport's proximity. In this area, air traffic would pass over the project site along predetermined flight paths but would generally take place at an altitude where flight noise impacts to the property may be noticeable but not significant.

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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)? (Source:1,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing Housing units, necessitating the construction of replacement housing elsewhere? (Source:1,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a) Less Than Significant Impact – The 2015 San Benito County General Plan considered and approved the location and density of future population and housing in the unincorporated area. The proposed project is consistent with the General Plan and would not represent population growth beyond anticipated by the General Plan. San Benito County’s estimated population (2020) is 62,800. The City of Hollister’s 2005 General Plan designates the project site and immediate area as “Low Density Residential (1 to 8 units/net acre). The proposed project is consistent with this designation. The City of Hollister’s population in 2020 is estimated to be 41,400. The proposed project would house approximately 130 persons (San Benito County average of 3.17 persons per dwelling unit x 40 = 127).
- b, c) No Impact – The project will construct new housing on currently vacant land and would, therefore, not displace any existing housing and residents.

14. PUBLIC SERVICES

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Police protection? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Schools? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Parks? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Other public facilities? (Source:1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

Regional and Project Site Setting

Police Protection

The San Benito County Sheriff's Department (Department) provides police protection services to an approximately 1,391 square mile area including unincorporated San Benito County (including the project site), as well as the Cities of Hollister and San Juan Bautista.

Fire Protection and Ambulance Services

Fire protection services in unincorporated San Benito County (including the project site), as well as the Cities of Hollister and San Juan Bautista, are provided primarily by the City of Hollister Fire Department, which absorbed the San Benito County Fire Department in 2013.

Schools

Hollister School District is the local school district that would serve students generated by the proposed project. The closest school is San Juan School within one mile of the project site. Operating revenue provided to school districts is funded by local property tax revenue accrued at the State level and then allocated to each school district based on the average daily student attendance. However, physical improvements to accommodate new students come primarily from assessed fees on development projects

since State funding for capital improvements typically lags behind enrollment growth.

Regulatory Setting

State

Senate Bill (Sb) 50 (1998)

SB 50, which is funded by Proposition 1A, limits the power of cities and counties to require school impact mitigation from developers as a condition of approving new development and provides instead for a standardized fee. SB 50 generally provides for a 50/50 State and local school facilities match. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether State funding is available; whether the school district is eligible for State funding; and whether the school district meets certain additional criteria involving bonding capacity, year-round schools, and the percentage of moveable classrooms in use.

California Government Code sections 65995-65998 sets forth provisions to implement SB 50. Specifically, in accordance with section 65995(h), the payment of statutory fees is “deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities.” The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Pursuant to Government Code section 65995(i), “A State or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in section 56021 or 56073 on the basis of a person's refusal to provide school facilities mitigation that exceeds the amounts authorized pursuant to this section or pursuant to section 65995.5 or 65995.7, as applicable.”

California Education Code section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities.

Quimby Act

Since the passage of the 1975 Quimby Act (Government Code § 66477 *et seq.*), cities and counties have been authorized to adopt ordinances requiring that developers set aside land, donate conservation easements, or pay fees that can be used for purposes of acquiring parkland. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities. A 1982 amendment (AB 1600) requires agencies to clearly show a reasonable relationship between the public need for the recreation facility or parkland and the type of development project upon which the fee is imposed.

Local

2035 General Plan

The 2035 General Plan Economic Development Element, Health and Safety Element, and Public Facilities and Services Element provides the following goals and policies pertaining to police services that are relevant to this analysis:

Economic Development Element

- **Goal ED-8.** To improve access for all residents to a variety of high-quality, well-activated parks, green space, and recreational opportunities that enhance quality of life and connect to surrounding neighborhoods and businesses.

Health and Safety Element

- **Goal HS-4.** To minimize the risk of wildland and urban fire hazards.
- **HS-4.2 Fire Protection Water Standard.** The County shall develop, maintain, and implement an appropriate fire protection water standard to be applied to all urban and rural development.

Public Facilities and Services Element

- **Goal PFS-1.** To provide residents and businesses quality, cost-effective, and sustainable public facilities and services.
- **PFS-1.11 Pay Fair Share.** The County shall require new development to pay its fair share of public facility and service costs.

San Benito County Code Of Ordinances

The County's Code contains several regulations and standards implementing the General Plan Policies identified above.

- Chapter 5.01, Article III. Fees for County Services
- Chapter 05.01, Article VI. School Facilities Fees and Dedications
- Chapter 5.01, Article VIII. Fire Mitigation Fees
- Chapter 5.01, Article IX. Capital Improvements Impact Fees
- Chapter 23.15: Dedications, Reservations, and Development Fees
- Chapter 23.27: Fire Design Standards
- Chapter 23.25: Design Requirements

Discussion/Conclusion/Mitigation:

- a-e) Less Than Significant Impact - Demand for these services, funded by the County as a whole, would increase incrementally as a result of population growth. Impact fees, for services help fund increased use of these services. Payment of those fees will be a requirement of building permit issuance for the development of the project under County Code Chapter 5.01. County Code §23.15.008 requires that development contribute to parkland through dedication of land or an equivalent in-lieu fee. Payment of the fee as required by the County Code will proportionately offset the project impacts. The City of Hollister 2005 General Plan designates the project site and immediate area as "Low Density Residential (1 to 8 units/net acre)." The incremental increase in demand for services referenced above is anticipated by the Hollister General Plan and will result in a less than significant impact.

15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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? (Source:1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a, b) Less Than Significant Impact – The project does not include construction of recreational facilities. The use of local parks could slightly increase. Population increases consistent with the General Plan will require eventual construction and expansion of recreational facilities. Section 14 (Public Services) notes the parkland dedication requirements of County Code §23.15.008 and further discusses increased demands on public facilities.

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 17, 18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with the goals, objectives, and policies of the Regional Transportation Plan for San Benito County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Council of San Benito County Governments (COG) for designated roads or highways? (Source:17, 18)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (Source: 1, 17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source:1, 17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source:1, 17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1,17, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

The project site is within the vicinity of the City of Hollister. Regional access to the site is provided by Highway 25 and Fairview Road. The subject property has public street frontage along Santa Ana Road.

Discussion/Conclusion/Mitigation:

- a, b) Less Than Significant With Mitigation - The County General Plan's Circulation Element Policy C-1.12 states that the "County shall endeavor to maintain a General Plan target goal of LOS D at all locations." The Circulation Element's policies and actions, as well as the County Subdivision Ordinance, require the developer to provide road dedication and construction in conjunction with the project. The County in its initial review of the project has determined the proposed road improvements would comply with County Subdivision Ordinance road standards and accordingly create conditions in the area to maintain an acceptable level of performance.

The subject property has public street frontage along Santa Ana Road. The frontage would be improved to meet the street to the standard design for a local residential street with through access.

A traffic impact analysis for the project was prepared by Keith Higgins, PE, TE in November 2017 and updated in 2019. The report concluded "In summary, the project would generate 387 daily trips, with 30 trips during the AM peak hour and 41 trips during the PM peak hour. The project would add insignificant traffic to study intersections that currently operate well within acceptable levels. Mitigation Measure TR – 1, below, will establish project conformance with the General Plan Circulation Element and County Ordinances.

1. Pay appropriate traffic impact fees.
 2. Pay a fair share contribution to a future southbound Highway 25 right turn lane at Santa Ana Road. No further traffic analysis is required.
 3. A westbound left-turn lane shall be constructed on Santa Ana Road at the project entrance.
- c) No Impact - The project site is located 2.5 miles from the Hollister Municipal Airport. The project will be partially within the Airport Influence Area under an arrival flight path. The project's distance from the airport combined with the degree and type of the proposed construction would not interfere with the operations of the airport.
- d), e) No Impact – The project will require the improvement of Santa Ana Road, construction of a new road (Elizabeth Ann Lane on the TSM) and extension of Meridian Road. To assure the public safety the construction will be required to meet County Subdivision Ordinance road standards, including geometry and sight distance.
- f) Less Than Significant Impact – The project application proposes to improve its frontage along Santa Ana Road to County standards, which would include the construction of a sidewalk where none currently exists. The project area is not presently located within proximity to public transportation, and this would remain the same after the project, although the project and its design for street improvements would not further impede public transit activity. The street network of the project vicinity would maintain the same degree of connectivity as before the project.

Mitigation Measure

TR -1

1. Pay appropriate traffic impact fees.
2. Pay a fair share contribution to a future southbound Highway 25 right turn lane at Santa Ana Road.
No further traffic analysis is required.
3. A westbound left-turn lane shall be constructed on Santa Ana Road at the project entrance.

17. UTILITIES AND SERVICE SYSTEMS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1, 2, 6, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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? (Source: 1, 2, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting:

Water services are provided to the subject site and through Sunnyslope County Water District. The property will connect to sewer service that will be provided by either the City of Hollister or the Sunnyslope County Water District, based on resolution of actions pending with the city of Hollister.

Regulations:

State

The USEPA has delegated direct authority for implementation and oversight of federal water quality laws within California to the SWRCB and the nine RWQCBs. At the State level San Benito County falls under the jurisdiction of the Central Coast RWQCB.

Water Board

The California SWRCB and the nine RWQCBs have the responsibility in California to protect and enhance water quality, both through their designation as the lead agencies in implementing the section 319 non-point source program of the federal CWA, and through the State's primary water pollution control legislation, the Porter-Cologne Water Quality Control Act (Water Code, § 13000 *et seq.*). The SWRCB establishes statewide policies and regulations for the implementation of water quality control programs mandated by federal and State water quality statutes and regulations. The RWQCBs develop and implement Water Quality Control Plans (Basin Plans) that consider regional beneficial uses, water quality characteristics, and water quality problems. All projects resulting in discharges, whether to land or water, are subject to California Water Code section 13263 and are required to obtain approval of Waste Discharge Requirements (WDRs) by the RWQCBs. Land and groundwater-related WDRs (i.e., non-NPDES WDRs) regulate discharges of privately or publicly treated domestic wastewater and process and wash-down wastewater. WDRs for discharges to surface waters also serve as NPDES permits, which are further described below. The Central Coast (Region 3) office of the RWQCB guides and regulates water quality in streams and aquifers throughout the central coast of California and the Monterey Bay region, including San Benito County, through designation of beneficial uses, establishment of water quality objectives, and administration of the NPDES permit program for stormwater and construction site runoff. The Central Coast RWQCB is also responsible for providing permits and water quality certifications in the above-referenced areas (section 401) pursuant to the CWA.

All dischargers of waste to waters of the State are subject to regulation under the Porter-Cologne Act and the requirement for WDRs is incorporated into the California Water Code. This includes both point and non-point source dischargers. All current and proposed non-point source discharges to land must be regulated under WDRs, waivers of WDRs, a basin plan prohibition, or some combination of these administrative tools. Discharges of waste directly to State waters would be subject to an individual or general NPDES permit, which also serve as WDRs. The RWQCBs may issue individual WDRs to cover individual discharges or general WDRs to cover a category of discharges. WDRs may include effluent limitations or other requirements that are designed to implement applicable water quality control plans, including designated beneficial uses and the water quality objectives established to protect those uses and prevent the creation of nuisance conditions. Violations of WDRs may be addressed by issuing Cleanup and Abatement Orders or Cease and Desist Orders, assessing administrative civil liability, or seeking imposition of judicial civil liability or judicial injunctive relief.

Construction activity on projects that disturb one or more acres of soil, or less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of a facility. The Construction General Permit requires the development and

implementation of a Storm Water Pollution Prevention Program (SWPPP). The SWPPP should identify stormwater collection and discharge points, drainage patterns across the project site, and Best Management Practices that the discharger would use to protect stormwater runoff and the placement of those Best Management Practices.

As mandated by section 303(d) of the federal CWA, the SWRCB maintains and updates a list of “impaired water bodies” (i.e., water bodies that do not meet State and federal water quality standards). This list is known as the section 303(d) list of impaired waters. The State is then required to prioritize waters/watersheds for development of Total Maximum Daily Load (TMDL) regulations. This information is compiled in a list and submitted to the USEPA for review and approval. The SWRCB and RWQCBs monitor and assess water quality on an ongoing basis.

Local

San Benito County Ordinance

Pursuant to Chapter 23.07 for Tentative Maps, the project conducted both soil profiles and soil percolation tests and confirmed that the configuration of lots are suitable for on-site septic systems. The future residences within the proposed subdivision are currently not designed. The actual system design is dependent on knowing the size of the residences so that the loading to the soil can be determined.

Discussion/Conclusion/Mitigation:

- a),b),e) Less Than Significant Impact – The proposed project will receive water service from the Sunnyslope County Water District. Sewer service will be provided by either the City of Hollister or the Sunnyslope County Water District, based on resolution of actions pending with the city of Hollister. Connection to public water and sewer services will reduce potential impacts to a less than significant level.
- c) Less Than Significant With Mitigation - As more thoroughly described in Section IX (Hydrology and Water Quality), the submitted development plan includes detention ponds to collect excess stormwater runoff from impervious surfaces such as rooftops and pavement and allow the runoff to drain gradually. While water left standing in the ponds can serve as a breeding site for mosquitoes, proper design in accordance with Mitigation Measure US - 1 can minimize this impact to a less than significant level.
- d) Less Than Significant Impact - The proposed residences are intended to connect to the Sunnyslope County Water District water system and would incrementally increase use of the system s supply. The district has acknowledged willingness and ability to provide water service to the proposed project.
- f), g) Less Than Significant Impact - The site will be served by the John Smith Landfill, the primary site for solid waste disposal for San Benito County. Solid waste disposal is governed by County Code Chapter 15.01, under which the proposed use would be required to have its solid waste collected for disposal in the John Smith Landfill, which currently has sufficient capacity to accommodate the project.

Mitigation Measure

US - 1:

The applicant or subsequent property owner/developer shall employ measures to prevent the spread of vector-borne diseases. Prior to recordation of the final subdivision map and upon completion of the proposed detention basins' construction, the applicant or subsequent property owner shall schedule an inspection with the Office of the Agricultural Commissioner to verify the detention pond's use of vector control measures.

18. TRIBAL CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause substantial damage to a resource listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause substantial damage to 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 © of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision © of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Response:

- a) No Impact – The site is not located in an area of sensitivity for cultural or historical resources according to the San Benito County Sensitivity Maps, Prehistoric Cultural Resources.
- b) No Impact – The site is not located in an area of sensitivity for cultural or historical resources according to the San Benito County Sensitivity Maps, Prehistoric Cultural Resources.

VI. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to 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, 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? (Source: 1,2,8 I and m, IS/MND)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 1,2) ("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)? (Source: 1,2, IS/MND)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IS/MND)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a)– c) The subject application is fully consistent with the San Benito County General Plan and the City of Hollister's future growth plans. In the evaluation of this project the potentially significant impacts were found to be mitigated, mostly by compliance with existing regulations. No evidence was found to indicate there are significant impacts which cannot be mitigated to a less than significant level.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors (1990) 222 Cal.App.3d

1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357;
Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109;
San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102
Cal.App.4th 656.

VII. MITIGATION MEASURES SUMMARY TABLE

Spring Meadows Property TSM Summary Mitigation Measures

Environmental Factor	Impact	Mitigation
Air Quality	d) Result in significant construction-related air quality impacts? (Source: 1,1g, 5)	<p>Mitigation AQ – 1: MBARD Mandated Dust Control Regulations and Best Management Practices:</p> <p>a) All graded areas shall be watered at least twice daily. If dust is not adequately controlled, then a more frequent watering schedule shall be incorporated. Frequency shall be based on the type of operation, soil, and wind exposure.</p> <p>b) All grading activities during periods of wind over 15 mph are prohibited.</p> <p>c) Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).</p> <p>d) Nontoxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut-and-fill operations.</p> <p>e) Haul trucks shall maintain at least two feet of freeboard.</p> <p>f) All trucks hauling dirt, sand, or loose materials shall be covered.</p> <p>g) Inactive storage piles shall be covered.</p> <p>h) Wheel washers shall be installed at the entrance to construction sites for all exiting trucks.</p> <p>i) Streets shall be swept if visible soil material is carried out from the construction site.</p>
Geology and Soil	c) 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?	<p>Mitigation Measure GS - 1:</p> <p>a) The applicant shall submit engineered improvement plans for this project that comply with the recommendations of the geotechnical investigation prepared for this property by Earth Systems Inc. (September, 2017), and on file at the San Benito County Resource Management Agency.</p> <p>b) A complete library of testing reports along with a letter from the soils/geotechnical engineer certifying compliance with requirements and recommendations of the soil investigation report shall be submitted to County Resource Management Agency Public Works staff upon completion of site improvements.</p> <p>c) A note shall be placed on the final subdivision map citing availability of the Earth Systems report and the library of testing results at the San Benito Resource Management</p>

		Agency.
Hydrology and Water Quality	a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<p>Mitigation Measure</p> <p>HYD - 1:</p> <p>a) As part of the submission of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and therefore shall provide storm drainage system capable of collecting and conveying runoff generated by the proposed project for a 100-year flood. The storm drain system shall provide for the protection of abutting and off-site properties that could be adversely affected by any increase in runoff attributed to the proposed subdivision. Included in this will be drainage calculations and full construction details for the proposed individual retention/detention ponds. All drainage improvements shall be installed or bonded for prior to recordation of the final subdivision map.</p> <p>b) Prior to start of grading/construction activities, a Stormwater Pollution Prevention Plan (SWPPP) prepared by a certified Qualified SWPPP Practitioner (QSP) or Qualified SWPPP Developer (QSD) shall be submitted to County Public Works Department. A QSD/QSP shall be retained for the duration of the construction and shall be responsible to coordinate and comply with requirements of the Regional Water Quality Control Board, to file a Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion.</p>
Transportation	a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 17, 18)	<p>Mitigation Measure</p> <p>TR -1</p> <ol style="list-style-type: none"> 1. Pay appropriate traffic impact fees. 2. Pay a fair share contribution to a future southbound Highway 25 right turn lane at Santa Ana Road. No further traffic analysis is required. 3. A westbound left-turn lane shall be constructed on Santa Ana Road at the project entrance.

	<p>b) Conflict with the goals, objectives, and policies of the Regional Transportation Plan for San Benito County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Council of San Benito County Governments (COG) for designated roads or highways? (Source:17, 180</p>	
Utilities and Service Systems	<p>b) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 6)</p>	<p><u>Mitigation Measure</u> <u>US - 1:</u> The applicant or subsequent property owner/developer shall employ measures to prevent the spread of vector-borne diseases. Prior to recordation of the final subdivision map and upon completion of the proposed detention basins' construction, the applicant or subsequent property owner shall schedule an inspection with the Office of the Agricultural Commissioner to verify the detention pond's use of vector control measures.</p>

VIII. REFERENCES

The numbers indicated in the checklist in parentheses refer to this numbered list:

1. San Benito 2035 County General Plan
 - a. Land Use Element
 - b. Economic Development Element
 - c. Housing Element
 - d. Circulation Element
 - e. Public Facilities and Services Element
 - f. Natural and Cultural Resources Element
 - g. Health and Safety Element
 - h. Administration Element
 - i. Background Report, November 2010
2. San Benito County Ordinances
 - a. Zoning Ordinance
 - b. Grading Ordinance
3. *Soil Survey for San Benito County*, 021-000-009, 1969, US Dept. of Agriculture, SCS.
4. Natural Diversity Data Base for San Benito County.
5. *Air Quality Management Plan*, Monterey Bay Air Resources District 2012/2015.
6. *Water Quality Control Plan for the Central Coastal Basin*, California Regional Water Quality Control Board, Central Coast Region, September 1994.
7. *AMBAG Population Projections*, Association of Monterey Bay Area Governments
8. Maps
 - a. General Plan Land Use Map
 - b. Zoning Map, San Benito County
 - c. Landslide Hazard Identification Maps: Relative Susceptibility Map
 - d. Landslide Hazard Identification Maps: Landslide and Related Features Map
 - e. Alquist-Priolo Fault Hazard Maps, 1986
 - f. Fire Hazard Severity Zones in State Responsibility Areas
 - g. FEMA Flood Insurance Rate Map panels 06069C0185D and 06069C0205D, dated April 16, 2009
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