

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #**Project Title:** Planning file PLN200054 (San Juan Green Cannabis Facility)

Lead Agency: San Benito County Resource Management Agency

Contact Person: Michael Kelly, Senior Planner

Mailing Address: 2301 Technology Parkway

Phone: 831 902-2287

City: Hollister, CA

Zip: 95023-2513

County: San Benito

Project Location: County: San Benito

City/Nearest Community: Hollister

Cross Streets: San Juan Hollister Road and State Route 156

Zip Code: 95023

Longitude/Latitude (degrees, minutes and seconds): 36 ° 51 ' 4 " N / 121 ° 26 ' 17 " W Total Acres: 1.47

Assessor's Parcel No.: 021-020-029

Section: Twp.: Range: Base:

Within 2 Miles: State Hwy #: 156

Waterways: San Benito River

Airports: Railways: Union Pacific Schools: Calaveras, Hardin, Sacred Heart, San Benito HS

Document Type:

CEQA: ☐ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) ☐ Draft EIS ☐ Other:
☒ Mit Neg Dec Other:

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☒ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other:

Development Type:

☐ Residential: Units Acres Employees ☐ Transportation: Type
☐ Office: Sq.ft. Acres Employees ☐ Mining: Mineral
☐ Commercial: Sq.ft. Acres Employees ☐ Power: Type MW
☒ Industrial: Sq.ft. 46,263 Acres Employees 26 ☐ Waste Treatment: Type MGD
☐ Educational: ☐ Hazardous Waste: Type
☐ Recreational: ☐ Other:
☐ Water Facilities: Type MGD

Project Issues Discussed in Document:

☐ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☐ Vegetation
☐ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☒ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☐ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☒ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☐ Growth Inducement
☐ Coastal Zone ☐ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Other:

Present Land Use/Zoning/General Plan Designation:

Industry. Zoned Heavy Industrial (M-2). General Plan Industrial Heavy (IH).

Project Description: (please use a separate page if necessary)

The applicant proposes a commercial cannabis cultivation, manufacturing, and distribution facility. The project would begin with cannabis cultivation in the existing 10,608-ft² building. Two additional buildings would be constructed later as business permits, with 5,760- and 8,400-ft² footprints and two stories each. Volatile manufacturing including cannabis material extraction would take place there, as would additional cannabis cultivation. The full project's floor area including multiple stories would total 46,263 ft², including an existing 13,934 ft² floor area. Grading with 1,010 yd³ cut and 1,740 yd³ fill would level and prepare the site for the new buildings and create new drainage. Approximately 37,000 ft² of canopy would be grown during full operation. During initial activity, 10 employees would work in the existing building on all days of the week during daytime. Staff would expand by 16 employees following construction of the two additional buildings. Car parking would consist of 32 spaces. Air would be treated with carbon filters to prevent odor, in addition to maintaining a closed-loop air environment.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # <u>3</u>
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # <u>4</u>	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input checked="" type="checkbox"/> Other: <u>Department of Cannabis Control</u>
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date July 6, 2022 Ending Date August 4, 2022

Lead Agency (Complete if applicable):

Consulting Firm: <u>[Prepared by agency.]</u>	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: Michael Kelly Date: July 5, 2022

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Notice of Intent to Adopt a Mitigated Negative Declaration and Notice of Availability for Public Review

TO: ☒ Interested Individuals
☒ San Benito County Clerk

FROM: San Benito County Resource Management Agency
2301 Technology Parkway
Hollister, CA 95023-2513

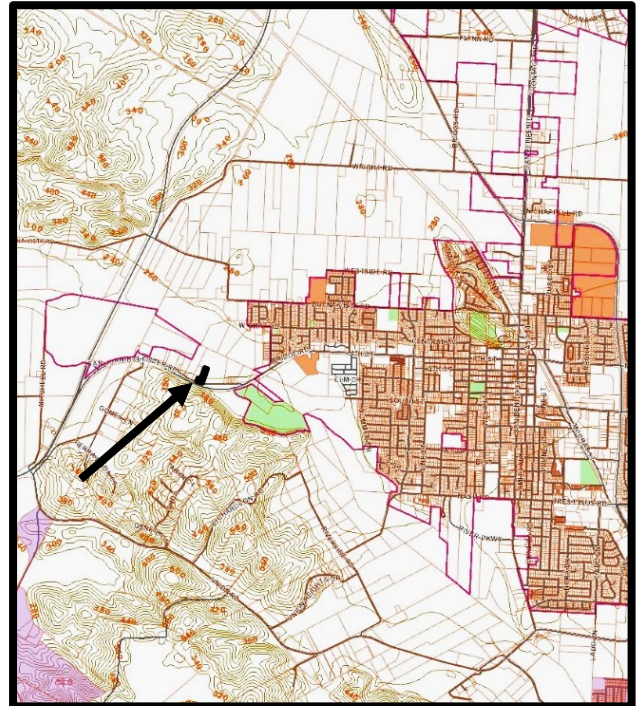
Contact Person: Michael Kelly, Senior Planner, 831 902-2287, mkelly@cosb.us

Project File No.: Planning file PLN200054 (San Juan Green Cannabis Facility)

Project Applicant: Jim Keener

Project Location: 2400 San Juan Hollister Road (also known as San Juan Road, Assessor's Parcel 021-020-029-0)

NOTICE IS HEREBY GIVEN that the Initial Study for Planning file PLN200054 is available for public review and that the County as **LEAD AGENCY** intends to adopt a Mitigated Negative Declaration for this project, which finds that the project, provided incorporated of mitigation measures, will not have a significant effect on the environment. The public review period in which comments will be accepted for the proposed Mitigated Negative Declaration begins **July 6, 2022**, and ends at 5 p.m. on **August 4, 2022**. The project's Initial Study, its proposed Mitigated Negative Declaration, and the documents referenced in the Initial Study and Mitigated Negative Declaration are available for review at the County Resource Management Agency at the above address or Accela Citizens' Access (see instructions at lower right). Comments may be addressed to the contact person noted above, and written comments are preferred. Please reference the project file number in all communications. **NOTICE IS HEREBY FURTHER GIVEN** that a public hearing for this project before the County Planning Commission is tentatively scheduled for 6 p.m., **August 17, 2022** (or as soon thereafter as the matter may be heard), in the Board of Supervisors Chambers of San Benito County, located at 481 Fourth Street, Hollister, California, at which time and place interested persons may appear and be heard thereon.



This study describes effects of a **use permit** regarding a commercial cannabis cultivation, manufacturing, and distribution facility. The project would begin with cannabis cultivation in the existing 10,608-ft² building. Two additional buildings would be constructed later as business permits, with 5,760- and 8,400-ft² footprints and two stories each. Volatile manufacturing including cannabis material extraction would take place there, as would additional cannabis cultivation. The full project's floor area including multiple stories would total 46,263 ft², including an existing 13,934 ft² floor area. Grading with 1,010 yd³ cut and 1,740 yd³ fill would level and prepare the site for the new buildings and create new drainage. Approximately 37,000 ft² of canopy would be grown during full operation. During initial activity, 10 employees would work in the existing building on all days of the week during daytime. Staff would expand by 16 employees following construction of the two additional buildings. Car parking would consist of 32 spaces. Air would be treated with carbon filters to prevent odor, in addition to maintaining a closed-loop air environment.

The project site is a 1/3-mile west of the 4th Street bridge over the San Benito River at incorporated Hollister's edge. The 1.472-acre property, within the Heavy Industrial (M-2) zoning district, is an established industrial site, the former site of recycling and fiberglass-manufacturing businesses. One 10,608-ft² industrial building stands on the property with pavement across most of the site. The property's driveway connects to the San Juan Hollister Road frontage road, which serves several other neighboring industrial properties and nonconforming residential land use. The frontage road connects at two points with the directly adjacent and higher-speed main course of San Juan Hollister Road.

To view project documents using Accela:

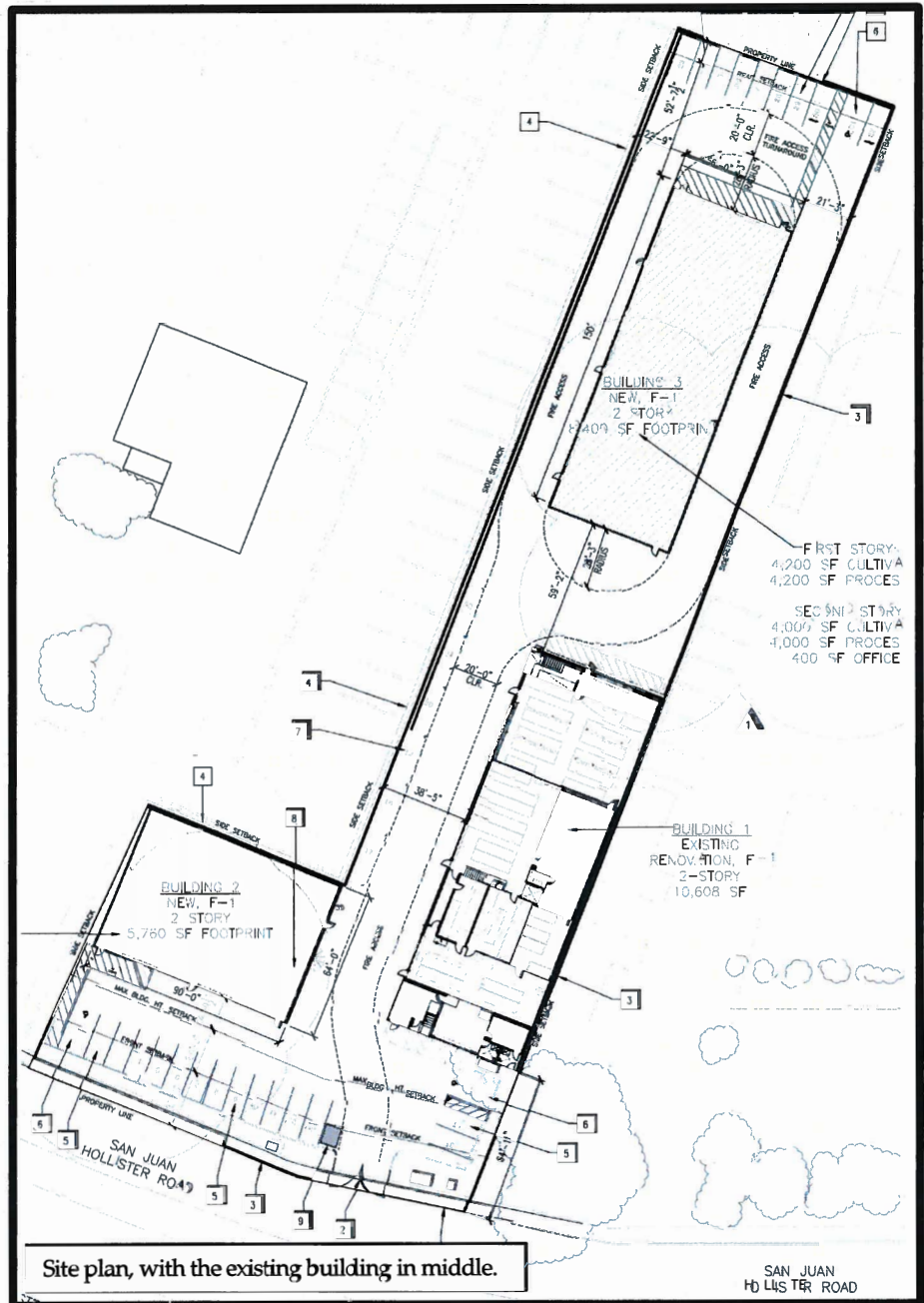
- 1) go to the website aca.accela.com/SANBENITO,
- 2) go to Planning and click on "Search Cases,"
- 3) enter the Record Number **PLN200054** and click "Search," then
- 4) open the drop-down menu "Record Info" and click "Attachments."

*Project-related documents can be found here, with the initial study using the file name **IS_PLN200054_220705 San Juan Green 2400 San Juan Rd.pdf**.*

The site is almost level, very gently sloping downhill northward, although project grading would slope the site in the opposite direction. The property is a neighbor to similar industrial facilities and compatible businesses in addition to one residence 350 feet westward and four residences 700 feet eastward. The City of Hollister wastewater treatment facility is 550 feet northwestward at its closest point. Eastward 1,000 feet is Brigantino Park, a public open space presently consisting of unimproved open grass along the San Benito River's west edge. This park and the wastewater facility are within incorporated Hollister territory. The rest of incorporated Hollister lies east of the river, with that area's closest point found 2,000 feet east of the project and with a residential neighborhood located there.

The site is under the Industrial Heavy (IH) land use designation in the San Benito County 2035 General Plan. This designation is intended "to provide areas for heavy industrial activities that are not suitable for urban areas because of their size, noise, dust, traffic, or safety concerns. This could include large-scale manufacturing operations, mining and aggregate production facilities, recycling transfer centers, chemical and explosives manufacturing, or other similar uses." The site's Industrial Heavy (IH) land use designation includes a maximum 0.8 floor-area ratio,

limiting built floor area to 80 percent of the site's 1.472 acres, or 51,290 square feet. This property is subject to the Heavy Industrial (M-2) zoning designation, which allows high-intensity manufacturing uses in addition the lower-intensity uses of Light Industrial (M-1). County Code §25.17.063 allows several industrial uses under a conditional use permit, among these being cultivation of commercial cannabis and manufacturing of commercial cannabis products. This land use is regulated to an especially greater degree by the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), including State Business and Professions Code §26012 and §26013, and by regulations implemented by the California Department of Cannabis Control (California Code of Regulations Title 4 Division 19 Chapters 1, 7, and 8 and related codes). These regulations establish business practices in addition to controls on potential environmental effects from cannabis businesses. County Code Chapter 19.43 also regulates cannabis land uses in detail. The chapter determines the zones in which these uses are allowed, establishes necessary project components, and sets operating requirements for multiple types of cannabis businesses.



Michael Kelly

Signature

Senior Planner
Title

July 5, 2022

Date



San Benito County Resource Management Agency

Public Works / Planning & Building / Parks / Integrated Waste

SAN BENITO COUNTY

NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION

TO: Responsible agencies, Trustee agencies, other County Departments, and interested parties
FROM: San Benito County Resource Management Agency

This notice is to inform you that the San Benito County Resource Management Agency has prepared an Initial Study and intends to recommend filing a Mitigated Negative Declaration for the project identified below. The public review period for the Initial Study is from **July 6 to August 4, 2022**. The document is available for review at the address listed below. Comments may be addressed to the contact person, Michael Kelly, Senior Planner. Written comments are preferred. Please use the project file number in all communication.

1. **Project title and/or file number:** Planning file PLN200054 (San Juan Green Cannabis Facility)
2. **Lead agency name and address:** San Benito County Resource Management Agency
2301 Technology Parkway
Hollister, CA 95023-2513
3. **Contact person and phone number:** Michael Kelly, Senior Planner, 831 902-2287, mkelly@cosb.us
4. **Project location:** 2400 San Juan Hollister Road (also known as San Juan Road, Assessor's Parcel 021-020-029-0)
5. **Project sponsor's name and address:** Jim Keener
2400 San Juan Road
Hollister, CA 95023-9107
6. **General Plan designation:** Industrial Heavy (IH)
7. **Zoning:** Heavy Industrial (M-2)
8. **Description of project:** The project proposes a use permit regarding a commercial cannabis cultivation, manufacturing, and distribution facility at 2400 San Juan Hollister Road (also known as San Juan Road) near Hollister. The 1.472-acre lot, which currently contains a 10,608-square-foot, two-story metal building, would become the site for the business.

Initially no construction of new buildings would take place, the project beginning with only cannabis cultivation in the site's existing industrial building. This 10,608-square-foot structure would be converted from a warehouse and renovated for the new use.

Following the initial period of operation, if business success permits, construction of two additional buildings would occur to house other functions in addition to further cultivation. The two industrial buildings would have footprints of 5,760 and 8,400 square feet respectively, and each would have two stories. Volatile manufacturing including cannabis material extraction would take place here, as would additional cannabis cultivation.

As currently proposed, the full project's floor area including multiple stories would total 46,263 square feet, of which 13,934 square feet currently exist, and would contain:

- Cultivation—22,174 square feet (9,965 square feet in existing built space)
- Processing—8,200 square feet
- Manufacturing—8,000 square feet
- Distribution—2,924 square feet (924 square feet in existing built space)
- Nursery—1,671 square feet (all in existing built space)
- Drying—1,374 square feet (all in existing built space)
- Offices—1,160 square feet
- Kitchen—760 square feet

During initial operation, 10 employees would work in the existing building on all days of the week in a single daytime shift, typically 8 a.m. to 5 p.m. Work outside these hours would usually not take place except in response to urgent needs such as failures of power or water systems. As growth viability allows, staff would expand by 16 employees following construction of the two additional buildings.

Grading with 1,010 cubic yards of cut material and 1,740 cubic yards of fill would level and prepare the site for the new buildings and create new drainage to carry the buildings' stormwater runoff. Approximately 90 percent of the site would be impermeable surfaces, either built or paved. Car parking would consist of 32 spaces serving the ultimate development. Physical access would be available on all sides of the larger of the two new buildings to accommodate safety needs, including fire personnel response. In addition:

- **Crop area.** Approximately 37,000 square feet of canopy would be grown.
- **Transportation.** Transportation would take place in secure vehicles with shipments traced and product unidentifiable. Transportation of cannabis goods and related accessories and merchandise would be separate from transportation of all other goods.
- **Lighting.** The project will include external security lighting fixtures including motion sensors. The fixtures will be shielded with a downward angle and with a level of visibility consistent with County Code §19.43.080(D) (regarding preservation of dark nighttime skies). The project will also include internal lighting for the cultivation areas, this light being kept within the building by opaque walls.
- **Hazardous materials.** Any hazardous materials will be maintained in a manner compliant with County Code, including completing a hazardous materials business plan and California Environmental Reporting System registry. Such materials would include pesticide and fertilizer, which would be stored separately in clearly labeled storage areas and subject to detailed safety procedures and employee training.
- **Waste.** Cannabis plant waste disposal would involve on-site composting, hauling by a County-permitted agency or by own staff to an appropriate off-site processing or recycling location, or by reuse of waste in agricultural operation.
- **Water use.** The applicant estimates water use of 0.91 acre-feet per year, or 856 gallons per day on average. Plants would be watered in small, frequent amounts using drip irrigation avoiding runoff. Evaporated moisture would remain indoors and returned to plants when possible. Non-industrial water use would involve drought-resistant landscaping and low-flow water fixtures.
- **Security.** Product would be held in secure storage under video surveillance at all times. Access would be secured by licensed security personnel, a security attendant booth, an alarm system notifying law enforcement, and exterior lighting.
- **Odor.** Air would be treated with carbon filters to prevent odor, in addition to maintaining a closed-loop air environment. Plant storage and processing rooms would be sealed and subject to a lowered air pressure to cause inward air flow upon door opening, preventing escape of odor.

9. **Surrounding land uses and setting:** The project site is near the San Benito River and one-third of a mile west of the 4th Street bridge at incorporated Hollister's edge. The 1.472-acre property, within the Heavy Industrial (M-2) zoning district, is an established industrial site, the former location of a recycling business

and a separate fiberglass manufacturing business. One 10,608-square-foot industrial building stands on the property with pavement across most of the site. The property's driveway connects to the San Juan Hollister Road frontage road, which serves several other neighboring industrial properties and nonconforming residential land use interspersed with the industrial use. The frontage road connects at two points with the directly adjacent and higher-speed main course of San Juan Hollister Road.

The site is almost level, very gently sloping downhill northward, although project grading would slope the site in the opposite direction. The property is a neighbor to similar industrial facilities and compatible businesses in addition to one residence 350 feet westward and four residences 700 feet eastward. The City of Hollister wastewater treatment facility is 550 feet northwestward at its closest point. Eastward 1,000 feet is Brigantino Park, a public open space presently consisting of unimproved open grass along the San Benito River's west edge. This park and the wastewater facility are within incorporated Hollister territory. The rest of incorporated Hollister lies east of the river, with that area's closest point found 2,000 feet east of the project and containing a residential neighborhood.

<u>Seismic zone:</u>	Not within an Alquist-Priolo fault zone [13e].
<u>Fire hazard:</u>	Urban unzoned (local responsibility area) [13f].
<u>Floodplain:</u>	Zone X (outside the 100-year floodplain) [13g].
<u>Archaeological sensitivity:</u>	High archaeological sensitivity [13h].
<u>Habitat conservation area:</u>	Within the San Benito County Habitat Conservation Plan fee area per County Ordinance 541 [13i].
<u>Landslide:</u>	Least susceptible [13c].
<u>Soils:</u>	Metz sandy loam, 0 to 2 percent slopes (Grade 1) [5].

- 10. Planning and zoning:** The site is under the Industrial Heavy (IH) land use designation in the San Benito County 2035 General Plan. This designation is intended "to provide areas for heavy industrial activities that are not suitable for urban areas because of their size, noise, dust, traffic, or safety concerns. This could include large-scale manufacturing operations, mining and aggregate production facilities, recycling transfer centers, chemical and explosives manufacturing, or other similar uses." The IH land use designation includes a maximum 0.8 floor-area ratio, limiting built floor area to 80 percent of the site's 1.472 acres, or 51,290 square feet.

This property is subject to the Heavy Industrial (M-2) zoning designation, which allows high-intensity manufacturing uses in addition the lower-intensity uses of Light Industrial (M-1). County Code §25.17.063 allows several industrial uses in the M-2 district under a conditional use permit, among these being cultivation of commercial cannabis and manufacturing of commercial cannabis products.

This land use is regulated to an especially greater degree by the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), including State Business and Professions Code §26012 and §26013, and by regulations implemented by the California Department of Cannabis Control (California Code of Regulations Title 4 Division 19 Chapters 1, 7, and 8 and related codes). These regulations establish business practices in addition to controls on potential environmental effects from cannabis businesses. County Code Chapter 19.43 also regulates cannabis land uses in detail. The chapter determines the zones in which these uses are allowed, establishes necessary project components, and sets operating requirements for multiple types of cannabis businesses.

- 11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**
- California Department of Cannabis Control — cultivation and manufacturing licenses
 - California State Water Resources Control Board — NPDES Construction Stormwater General Permit, Cannabis General Order enrollment
 - Monterey Bay Air Resources District — permit for generator, if any

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project 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 checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and 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 type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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.

Michael Kelly

Signature

July 5, 2022

Date

Michael Kelly, Senior Planner

Printed Name

San Benito County Resource Mgmt.

Agency

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 would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site 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.
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 Analyses 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. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. 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.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

a–c) **Less Than Significant Impact** — The County 2035 General Plan contains policies regarding scenic resources. This includes protection of certain scenic corridors, with limits on signs, grading, architecture, and landscaping in these corridors. Other policies address aesthetic issues more generally, primarily with regard to hills, signs, and landscaping in designated agricultural areas.

San Benito County has no designated State scenic highways [16]. While some area highways are eligible for the designation, the project site is not located within view of any such highway, including State Route 156 ¾-mile to the northwest. Prior to highway bypass construction in late 1990s, San Juan Hollister Road was the course of State Route 156 and was eligible for State scenic designation. The County has locally designated certain highways as scenic [1f], but the project site is away from those, too. The site has no other specially designated scenic resources.

The project site lies within an area of established industrial development and would be publicly visible primarily from San Juan Hollister Road (San Juan Road). Passers-by would primarily see industrial buildings and a property lined by a mostly opaque front fence that obscures the lot's other features. This front area is proposed to include landscaping including fence vines, shrubbery, and groundcover.

A portion of the site could also be visible northward across the river to Graf Road and Bridgevale Road residents in incorporated Hollister and to Buena Vista Road and Route 156 drivers. This view is most likely to be obscured by river-edge or roadside vegetation including mature trees and shrubs and to be dominated by prominent hills beyond the site to the south [7,8]. Where not obscured, the current scene of multiple industrial buildings is unlikely to be significantly changed by the addition of two aesthetically similar buildings.

d) **Less Than Significant Impact** — The site is within Zone II as defined by County Development Lighting Regulations (Ordinance 748), intended to limit nighttime glare affecting the Fremont Peak observatory and Pinnacles National Monument. New exterior lighting for commercial buildings will be required to comply with the ordinance to prevent excessive glare, including requisite shielding that limits light to below the horizontal plane as well as minimizing light trespass across property lines. Regulations specific to cannabis businesses in County Code Chapter 19.43 also require compliance with these lighting regulations. Unlike some indoor cultivation operations in structures using translucent walls and roofs, this business would use a building with opaque exterior surfaces that would not permit crop-production

lighting to escape. In addition to satisfying Chapter 19.43, this opacity would also serve the lighting limits applicable to cannabis cultivators under California Code of Regulations Title 4 §16304.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<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?	<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 § 12220(g)), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

- a) **No Impact** — The subject property is composed of Urban and Built-Up Land as mapped in 2018 by the Farmland Mapping and Monitoring Program [13k]. Although the entire property is mapped as having Grade-1 soil (Metz sandy loam, 0 to 2 percent slopes) [5], the site is well-established as a mostly industrial neighborhood. The project would maintain and continue this land use without converting any current farmland to non-agricultural use. Despite its non-agricultural setting, the proposed business would perform an indoor type of agriculture in its cannabis cultivation. Being almost surrounded by other industrial land use, the project would also not discourage agricultural use of nearby lands.
- b–e) **No Impact** — The industrial property, currently with buildings and pavement among similar land uses, is not zoned for agriculture, is not subject to a Williamson Act contract, is not forested, and does not have a history of forest cover.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — The subject property sits within the North Central Coast Air Basin (NCCAB), overseen by the Monterey Bay Air Resources District (MBARD),¹ which serves San Benito, Santa Cruz, and Monterey Counties. MBARD prepared its Air Quality Management Plan (AQMP) in 2016 using forecasting of regional population, housing, and employment growth. The forecast was prepared by the Association of Monterey Bay Area Governments (AMBAG) in 2014 and took into account land uses illustrated in area jurisdictions' general plans at the time; that included the depiction of the subject property under the County's then-General Plan. The next year the County adopted its current General Plan, which retained nearly the same land use designation for the subject property. In both plans the property was depicted as an industrial type on which activities of the proposed intensity are often located. With the proposed land use resembling the assumptions in place at the time of the AQMP's preparation, this proposal would not conflict with that plan.
- b) **Less Than Significant With Mitigation Incorporated** — 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 10-micron particulate matter (PM₁₀) emissions from construction.

As described in the AQMP, San Benito County has nonattainment status for ozone (O₃) and PM₁₀ under State standards. The AQMP further describes the occurrence of ozone as being primarily the result of San Francisco Bay Area emissions arriving in San Benito County by wind. This presence of ozone would occur regardless of the proposed construction and land use.

The plan also describes ozone as the product of interaction between reactive organic gases and nitrogen oxide, with motor vehicle use among the main sources of those pollutants. The business would result in some industry-related motor vehicle use that would likely release these pollutants and generate ozone comparable to typical industrial transportation in the area, in addition to employees' daily trips to and from the workplace. The resulting motor vehicle use would be approximately the same as for the other similar land uses in and around Hollister. These land uses and their effects were also considered and discussed in the General Plan's environmental impact report (EIR) at a programmatic level prior to the adoption of the plan; policies resulting from the EIR addressed impacts of new land uses, though in a manner unspecific to subsequent project proposals.

¹ Formerly known as the Monterey Bay Area Unified Air Pollution Control District (MBUAPCD).

The project's air quality impacts were analyzed using CalEEMod Version 2020.4.0 [29]. The following tables show the daily emission of MBARD criteria pollutants of concern modeled by CalEEMod. MBARD has established thresholds of significance, which define certain rates of pollutant emission that would constitute a significant impact; as shown in the table, the modeled emissions would not exceed those thresholds.

Unmitigated Construction Impacts (pounds per day)²						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
	4.5258	13.1039	13.9179	0.0268	1.1066	0.7354
Significance threshold ³	137	137	550	150	82	55
Threshold exceedance ⁴	no	no	no	no	no	no

Mitigated Construction Impacts (pounds per day)						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
	4.5258	13.1039	13.9179	0.0268	1.0087	0.6882
Significance threshold	137	137	550	150	82	55
Threshold exceedance	no	no	no	no	no	no

Unmitigated Operational Impacts (pounds per day)⁵						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Area	1.1727	7.00×10^{-5}	7.98×10^{-3}	0	3.00×10^{-5}	3.00×10^{-5}
Energy	0.0205	0.1867	0.1568	1.12×10^{-3}	0.0142	0.0142
Mobile	0.7304	1.6203	7.2813	0.0162	1.5113	0.4149
Total	1.9236	1.80707	7.44608	0.01732	1.52553	0.42913
Significance threshold	137	137	550	150	82	none
Threshold exceedance	no	no	no	no	no	no

Mitigated Operational Impacts (pounds per day)						
	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Area	1.1727	7.00×10^{-5}	7.98×10^{-3}	0	3.00×10^{-5}	3.00×10^{-5}
Energy	0.0205	0.1867	0.1568	1.12×10^{-3}	0.0142	0.0142
Mobile	0.7304	1.6203	7.2813	0.0162	1.5113	0.4149
Total	1.9236	1.80707	7.44608	0.01732	1.52553	0.42913
Significance threshold	137	137	550	150	82	none
Threshold exceedance	no	no	no	no	no	no

Still, PM₁₀ emissions could occur at substantial levels during grading activities, and dust control will prevent unhealthful concentrations of airborne pollutants during the earthmoving. General Plan Policy HS-5.1 requires the applicant to reduce air emissions from construction and operational sources, with Policy HS-5.4 more specifically requiring PM₁₀ emissions reduction in construction projects. Adherence to **Mitigation Measure AIR-1** would implement these policies and reduce impact of cumulative pollutant increase to a level less than significant.

- c) **Less Than Significant With Mitigation Incorporated** — The site is about 1,100 feet west-northwest of the edge of Brigantino Park, consisting of open grass and a portion of river bank. The park, however, does not contain features serving

² ROG—reactive organic gases, or volatile organic compounds; NO_x—nitrogen oxides; CO—carbon monoxide; SO₂—sulfur dioxide; PM₁₀—particulate matter of 10 or fewer microns in diameter; PM_{2.5}—particulate matter of 2.5 or fewer microns in diameter.

³ As adopted by the Monterey Bay Air Resources District (MBARD).

⁴ If the threshold is exceeded, a significant environmental impact occurs, and mitigation would be proposed.

⁵ The amount for each operational pollutant is chosen from the season in which emission is greater, as modeled by CalEEMod. All figures represent summer and winter emissions equally except that mobile NO_x and CO represent winter while mobile ROG and SO₂ represent summer.

a particular group with sensitive health. The next-closest park is Tony Aguirre Memorial Park, about 2,600 feet to the northeast, located inside Hollister city limits within a residential neighborhood at Bridgevale Road and West Graf Road. This park a playground and is likely to attract sensitive receptors such as children. The nearest school is Calaveras Elementary School, just over a mile east-northeast of the site. In addition, eight residences are located within 1,000 feet of the project footprint, found to the west and east on quarter- or half-acre residential parcels interspersed among the industrial properties of this district. The two nearest dwellings are respectively 350 feet and 700 feet from the business site. Although the neighboring residences would not necessarily house sensitive receptors, emissions of operation- and construction-related pollutants could reach these sites in a manner typical of businesses in industrially-zoned locations. See item d for discussion of odors.

However, as earlier stated, modeled emission levels would be below the significance thresholds established by MBARD. This combined with dust control measures of **Mitigation Measure AIR-1** to reduce PM₁₀ emissions will result in an insignificant health impact.

- d) **Less Than Significant Impact** — In addition to aforementioned insignificant or mitigated air quality effects, cannabis cultivation can create a distinctive odor that persons in the vicinity might consider objectionable. The applicant has described odor-prevention practices that include a closed-loop environment, carbon filtration, negative-pressure interior space, and sealing of the building and transportation.

If proposed practices insufficiently restrain odors, the County may exercise its ability under County Code §25.43.009, regarding modification and revocation of conditional use permits, to identify a compelling public necessity requiring that the business operator correct the issue. MBARD also continues to enforce Rule 402, controlling potential nuisance air contaminants.

This land use is also subject to detailed environmental-protection regulations of California Code of Regulations Title 4 Division 19, implemented by the State Department of Cannabis Control. As noted in Section VI (Energy) and Section VIII (Greenhouse Gas Emissions), cultivators are required to submit energy-provider information, including greenhouse gas emission intensity, to the State Department of Cannabis Control, with carbon offsets required for higher-intensity activity.⁶

Mitigation Measure AIR-1: The applicant shall observe the following Best Management Practices requirements during grading activities:

- 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 high 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 (Nuisance).

⁶ California Code of Regulations Title 4 Division 19 §15020(f), §16305.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a,d) **Less Than Significant With Mitigation Incorporated** — The project site, established as industrial with one building and extensive pavement, is located in the Hollister quadrangle as mapped by the United States Geological Survey. The quadrangle, covering approximately 50 square miles, is known to contain habitat for the San Joaquin kit fox (*Vulpes macrotis mutica*), California tiger salamander (*Ambystoma californiense*), bank swallow (*Riparia riparia*), tricolored blackbird (*Agelaius tricolor*), steelhead (*Oncorhynchus mykiss irideus*), and California red-legged frog (*Rana draytonii*). In addition, the San Joaquin kit fox, California red-legged frog, Pinnacles optioservus riffle beetle (*Optioservus canus*), and western pond turtle (*Actinemys marmorata*) have been observed nearby, although the observances as mapped occurred beyond the physical obstacles and human activities of the surrounding industrial land and the adjacent highway [6].

A more detailed survey was carried out in July 2021 by Denise Duffy and Associates, Inc., and presented to County in September 2021 [27]. This analysis found that “no sensitive habitats are present within or adjacent to the project site,” with only non-sensitive ruderal/disturbed communities seen on the site. However, the analysis states that “raptors and other nesting birds have the potential to nest within any of the trees within and adjacent to the project site” and finds that impact could occur. Loss of such habitat or death of an individual would constitute a significant impact under CEQA, and the survey recommends **Mitigation Measure BIO-1** to avoid this impact.

- b,c) **Less Than Significant Impact** — The site itself, almost fully paved, does not contain wetlands [17] or riparian habitat [6]. Northeastward and beyond the adjacent actively industrial parcel is the San Benito River [13j], where riverine wetland areas are mapped 600 feet away from the project site [17]. Northwestward and 600 feet away is freshwater-pond wetland [17] formed by a portion of the City of Hollister sewage treatment facility. The project is limited to this property and would not disturb these wetland areas. This construction is subject to existing standards that would keep project effects contained on the subject property, with drainage from new construction directed to the on-site engineered drainage system. This drainage would then exit the system into the area’s other drainage features at a rate approximating natural flow. The business operator seeking a cultivation license is also required to give evidence that the business is not in a watershed or geographic area significantly adversely affected by cannabis cultivation.⁷ See Section VII (Geology and Soil) and Section X (Hydrology and Water Quality) for discussion on erosion and water quality. Development proposed by this project would modify the site but create an impact to wetlands that is less than significant.
- e,f) **Less Than Significant Impact** — No habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans include the project site. The site is located within the Habitat Conservation Plan (HCP) Preliminary Study Area, as defined by County Ordinance 541, and shall be subject to an HCP interim mitigation fee upon construction per this ordinance. While County Code includes the Woodland Conservation Ordinance, the area to be developed does not contain tree cover subject to the ordinance.

Mitigation Measure BIO-1: To avoid impacts to nesting birds, construction shall commence prior to the nesting season, which lasts February 1 through September 15. If this is not possible, a pre-construction survey for nesting birds shall be conducted by a qualified biologist within 15 days prior to the commencement of construction activities in all areas that may provide suitable nesting habitat within 300 feet of the project boundary. If nesting birds are identified during the pre-construction survey, an appropriate buffer shall be imposed within which no construction activities or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 15 (when young are assumed fledged).

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁷ California Code of Regulations Title 4 Division 19 15011(a)(11);

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

a-c) **Less Than Significant Impact** — A cultural resources review was prepared specific to this project in July 2021 to determine any historical significance of this property and its setting [28]. In the preparation of the review, specific to this property and this project, site inventory and consultation of records found that the site contains no cultural resources that could be adversely affected by the project. The review notes that an earlier review of the site also found no cultural resources on the site.

The following conditions are typically applied to discretionary project approvals in unincorporated San Benito County, and the applicant's compliance with these conditions will both comply with the cultural resources review's recommendations and avoid impacts beyond an insignificant level to cultural resources:

- Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains.
- Arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking. Said staking shall not include flags or other devices which may attract vandals.
- Notify the Sheriff-Coroner of the discovery if human and/or questionable remains have been discovered. The Resource Management Agency Director shall also be notified.
- Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code.

Regulations implemented by the State Department of Cannabis Control further require the licensed cultivator to take action in accordance with State Health and Safety Code §7050.5(b) upon any finding of human remains during cultivation activities.⁸ See also Section XVIII (Tribal Cultural Resources).

⁸ California Code of Regulations Title 4 Division 19 §16304(a)(3).

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a,b) **Less Than Significant Impact** — Construction would involve an amount of energy use typical for buildings in this industrial setting. No features are proposed to suggest that operation would use significantly more energy than the average industrial and office land uses of the same intensity, although crop-production lighting and climate-control equipment could require somewhat greater energy use than comparable industrial use. Cultivators are required to submit a diagram of lighting layout and power output to the State Department of Cannabis Control (DCC).⁹ New construction is subject to the California Building Code Title 24 standards for energy efficiency. If a generator is involved, its use is subject to standards and limits overseen by the DCC.¹⁰
- Electricity in the community is provided by Central Coast Community Energy (CCCE). This service uses community choice aggregation to supply Pacific Gas and Electric (PG&E) with renewable energy including solar, hydroelectric, wind, and geothermal [23], which PG&E then distributes to its customers. If seeking or renewing a cultivation license, cannabis businesses are required to submit energy-provider information, including greenhouse gas emission intensity, to the DCC.¹¹
- The County of San Benito does not have a local renewable energy or energy efficiency plan in place, and therefore the project proposal is not in conflict with such an unwritten plan. The County General Plan does, however, include policies and procedures applicable to all development in the County addressing sustainable development patterns, green sustainable building practices, solar access, and energy conservation in construction. The present proposal is not inconsistent with these policies.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

⁹ California Code of Regulations Title 4 Division 19 §15006(i)(6)

¹⁰ California Code of Regulations Title 4 Division 19 §16306.

¹¹ California Code of Regulations Title 4 Division 19 §15020(f), §16305.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist–Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

a)

i–iii) **Less Than Significant Impact** — The project site is not located within an Alquist–Priolo Earthquake Fault Zone. The nearest fault is a branch of the Calaveras Fault, 1½ mile to the east and passing directly through central Hollister [13e]. In general across the local area, strong shaking is likely [8], but, being away from mapped faults and steeper slopes, seismic events are unlikely to cause ground failure. A possible exception is liquefaction, with this river-edge area mapped as having a medium risk of liquefaction. A geotechnical report is a requirement of the type of commercial buildings proposed in this project and will determine requirements for proper structural design in the natural soil conditions of the project site. The required adherence to the report’s recommendations will allow natural geologic risks to create an impact that is less than significant.

iv) **No Impact** — The level subject property is in a location “least susceptible” to landsliding [8,13c].

- b) **Less Than Significant Impact** — Metz sandy loam of the kind found on 0 to 2 percent slopes covers the entire project site, and this type has an erosion risk of “slight to none” [5]. Erosion will not likely be a problem for the proposed use on the site.
- c,d) **Less Than Significant Impact** — As noted in item a, liquefaction is a medium risk for the site. This site’s Metz sandy loam has “low” shrink–swell potential [5]. Other geologic hazards, if any, would be identified in a geotechnical report, a requirement prior to building permits for the type of structures proposed by this project, and the report would recommend measures to minimize geologic risk.
- e) **No Impact** — The project proposes connection to the City of Hollister sewer system, including its main located in the course of San Juan Hollister Road. The project site, although unincorporated, is located within the City of Hollister wastewater service area [30].
- f) **Less Than Significant Impact** — The project site is not known to have unique paleontological or geologic features, and the project’s physical effects would be limited to the site itself, avoiding effects to off-site paleontological and geologic features.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. GREENHOUSE GAS EMISSIONS. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Response:

- a,b) **Less Than Significant Impact** — Emissions of certain gases into the atmosphere have resulted in a warming trend across the globe, with human activity an 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—have been unnaturally increased by activities such as fossil-fuel consumption. The warming trend became especially pronounced in the 1990s, leading to the warmest years in human history. Believed future impacts of climate change may include significant weather-pattern changes, decreased water availability, increased occurrence of wildfires, and resulting health effects.

Greenhouse Gas Emissions (metric tons per year)		
	Unmitigated	Mitigated
Construction ¹²	5.238	5.238
Area	0.002	0.002
Energy	77.738	77.738
Mobile	230.454	230.454
Waste	25.200	25.200
Water	19.842	19.842
Total	358.475	358.475
Per person ¹³	13.788	13.788

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. In addition, the County General Plan Health and Safety Element contains Goal HS-5, to “improve local and regional air quality to protect residents from the adverse effects of poor air

¹² Both figures are the quotient from amortizing 261.921 metric tons emitted by project construction across a 50-year life cycle.

¹³ These two figures represent the project’s total resulting metric tons of greenhouse gas emissions per capita of the use’s proposed 26 employees.

quality,” and also contains policies supporting programs for greenhouse-gas reduction, although policy specifically addressing the proposed development is not included.

According to analysis of the project using CalEEMod Version 2020.4.0, the project would emit carbon-dioxide-equivalent substances, or GHG, in amounts shown in the table. No standard established for San Benito County and its air basin, managed by the Monterey Bay Air Resources District (MBARD), is available to indicate whether emissions could be considered significant. However, the San Luis Obispo County Air Pollution Control District (SLOCAPCD) uses detailed standards that can be used to analyze this project’s emissions. Under SLOCAPCD standards, a project’s GHG emissions can be considered a less-than-significant impact if the project is modeled to emit fewer than 1,150 metric tons per year of carbon dioxide equivalent annually. This takes into account both operational impacts (including area-, energy-, mobile-, waste-, and water-related sources) and construction impacts; because construction is a one-time activity, SLOCAPCD practices instruct that emissions be amortized, or spread, across a 50-year period and then added to operational impacts. The sum of these annual GHG emissions, as shown in the table, amounts to less than the aforementioned SLOCAPCD threshold. Therefore, the greenhouse-gas emissions of the proposed project can be considered less than significant under SLOCAPCD standards.

Cultivators are required to submit energy-provider information, including greenhouse gas emission intensity, to the State Department of Cannabis Control, with carbon offsets required for higher-intensity activity.¹⁴

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<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 result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹⁴ California Code of Regulations Title 4 Division 19 §15020(f), §16305.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a–c) **Less Than Significant Impact** — The use would require some degree of potentially hazardous materials such as pesticide for cultivation and extraction chemicals for manufacturing. Any future use of hazardous materials on this property will be subject to permitting by the County Division of Environmental Health. For use of pesticides and other agricultural chemicals for cultivation, the operation is required to comply with the regulations and protocols implemented by the State Department of Pesticide Regulation¹⁵ and by the State Department of Cannabis Control.¹⁶ Manufacturing will include tetrahydrocannabinol extraction from plants, activity commonly including hazardous materials such as butane and propane, and manufacturers are governed by State Department of Cannabis Control under California Code of Regulations Title 4 Division 19 Chapter 8, with safety especially governed by Articles 3 (solvents) and 4 (good manufacturing practices). (See the project description for further information on hazardous materials.)
- d) **Less Than Significant Impact** — The site is not on a list of hazardous-materials sites according to the Department of Toxic Substances Control EnviroStor database, according to its separate Cortese List, or according to the State Water Resources Control Board GeoTracker database. The nearest listed cleanup site is the former ordinance manufacturing facility ¼-mile southward.
- e) **No Impact** — The property is located 3 miles (as the crow flies) from Hollister Municipal Airport property. According to the Hollister Airport Land Use Compatibility Plan [19], the property is outside the Airport Influence Area and away from its safety zones and modeled flight paths.
- f) **Less Than Significant Impact** — Although a business raising cannabis plants and extracting substances from the plants could require emergency response, its addition would not present a new barrier to emergency response. Access to and from the site would be permitted according 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.
- g) **Less Than Significant Impact** — The site is in a local responsibility area designated "urban unzoned" [13f]. Opposite San Juan Hollister Road is a hill face in a State responsibility area with "moderate" fire hazard at lower elevation and "high" fire hazard at higher elevation. The site is close to incorporated Hollister, with Fire Station 1 in Downtown Hollister 2¼ miles away by road and Fire Station 2 in southeast Hollister 4½ miles by road. The City of Hollister Fire Department also serves as the County Fire Department in addition to providing mutual aid to State responsibility areas. Construction of all new structures will be required to perform measures in conformance with California Fire Code, and County Code §21.01.021 further requires sprinklers for fire suppression.

¹⁵ California Code of Regulations Title 4 Division 19 §16307.

¹⁶ California Code of Regulations Title 4 Division 19 §15006(i)(5)(c), §15011(a)(12), §16310.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<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 through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — Development of this type and scale, including its proposed use of City of Hollister sewer lines, is subject to existing requirements overseen by the Central Coast Regional Water Quality Control Board to ensure that the proposed project does not contaminate groundwater and expose on- and off-site population and land uses to pollution. As a standard requirement to be included as a condition of project approval, all cannabis cultivation facilities must enroll in the regional board's Cannabis General Order (Order WQ 2019-0001-DWQ) prior to beginning of cultivation or site development.

In addition, the business must be reviewed and approved by the Cannabis Cultivation Program of the California Water Boards according to the program's Cannabis Cultivation Policy. Details of the water use, means for wastewater discharge,

watershed setting, and possible water-quality hazards such as pesticides are also to be submitted to the State Department of Cannabis Control.¹⁷ See also item c for discussion of surface water drainage.

The project application acknowledges the hazard of backflow or other contact between wastewater discharge and cannabis-related water and proposes plumbing design to prevent this. The nature of cannabis production also demands that valuable matter found in the water be retained rather than be discarded; water that could contain such matter would result from irrigation and be returned to the crops.

- b) **Less Than Significant Impact** — The project proposes use of City of Hollister water service, derived from supply actively managed by the San Benito County Water District and composed of a combination of groundwater and imported Central Valley Project water. The project would not directly withdraw groundwater supply. Meanwhile, a majority of the site and much of its industrial surroundings are currently covered by impermeable surface, and the proposed construction would make little relative change to current groundwater recharge conditions. See item c for discussion of proposed drainage features, and see also Section XIX (Utilities and Service Systems) for further discussion of water service at this site.

County Code §19.43.050(A)(5) requires that cannabis businesses present a water management plan that includes, in addition to a water demand estimate, “a detailed description of how the new water demand will be offset,” with the requirement that this demand “be offset at a 1:1 ratio.” Compliance with this current regulation maintains impact to groundwater at a level less than significant.

The applicant has submitted an estimate of water use based on evidence from prior cultivation projects, the Monterey County Agricultural Commissioner’s office, and the University of California Berkeley Cannabis Research Center. Using this information, the estimate found the initial project submittal’s proposed 37,000 cultivated square feet to use 0.91 acre-feet per year, although a later project submittal showed 15 percent less floor area, potentially resulting in smaller cultivated area and less water use. If 0.91 acre-feet per year, this is roughly equivalent in water use to that from between three and four households each with three residents [26]. The water-use estimate compares this to prior business activity on the site, measured in the estimate as having consumed more water at 0.96 acre-feet per year, and describes the new business’s water efficiency including frequently watering cannabis plants in small amounts, planting drought-resistant landscaping, and installing low-flow water fixtures.

- c) **Less Than Significant With Mitigation Incorporated** — The proposed structures and driveways would create impervious surfaces in addition to site’s majority now already paved. All drainage from these surfaces is proposed to run to an underground stormwater storage chamber beneath the front parking area. While natural grade and the site’s current grade descend northward, this property’s more level grade would include features including drains and gutters leading southward to the front storage. In more pronounced storm events when the underground storage would fill, excess would run through an overflow opening to the street.

In addition to wet-weather drainage, construction activities such as grading would also have potential to affect drainage and introduce impurities into runoff. The proposed project and its construction are subject to County Drainage Standards, which address project engineering concerns including drainage. Implementation of the standards as specified in **Mitigation Measure HYDRO-1** will control both short- and long-term effects on drainage and reduce impact to a level less than significant. Appropriate sizing of facilities will demonstrate a flow that approximates current drainage conditions, and stormwater pollution prevention practices will maintain water quality during construction.

- d) **No Impact** — The property does not contain land that is within a 100-year flood hazard area [13g]. The site is neither located downstream of a levee or dam holding a substantial volume of water that could present substantial risk to the subject property [13j] nor located near a body of water that could experience a tsunami or seiche.
- e) **Less Than Significant Impact** — See items a through c.

Mitigation Measure HYDRO-1:

- a. As part of the submittal of engineered improvement plans for this project, the applicant shall comply with County Drainage Standards and therefore shall provide full construction detail, including hydraulic calculations, of the proposed 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

¹⁷ California Code of Regulations Title 4 Division 19 §15006(i), §15011(a)(3), §15011(a)(7), §15011(a)(11), §16304(a), §16307, §16310.

project. All drainage improvements shall be installed prior to the certificate of occupancy for the proposed building construction.

- b. The applicant shall be responsible for complying with all National Pollution Discharge Elimination System (NPDES) requirements in effect. 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 by 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. A Waste Discharge Identification (WDID) number or Erosivity Waiver shall be provided to the County Public Works Division prior to start of any construction activities as part of this project. A note to this effect shall be added on the engineered improvement plans for this project.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **No Impact** — The project would maintain the current industrial pattern of the setting and would not remove an opportunity for established communities to interact.
- b) **Less Than Significant Impact** — The process of adopting regulations allowing cannabis business activities selected this site's zoning district, Heavy Industrial (M-2), and specific other districts as being appropriate for this land use. The action to adopt these regulations was declared at the time to be compliant with the County 2035 General Plan, which includes policies adopted as environmental mitigation. The adoption was also found to be exempt from CEQA as "Actions by Regulatory Agencies for Protection of the Environment" under Class 8 of Categorical Exemptions in State CEQA Guidelines.¹⁸

Among the policies of the General Plan are those written as mitigation of significant impacts identified in the plan's environmental impact report. Two are relevant to the current proposal:

- **Policy NCR-9.1, Light Pollution Reduction** — "The County shall continue to enforce the development lighting ordinance ... and restrict outdoor lighting and glare from development projects in order to ensure good lighting practices, minimize nighttime light impacts, and preserve quality views of the night sky. The ordinance shall continue to recognize lighting zones and contain standards to avoid light trespass, particularly from developed uses, to sensitive uses, such as the areas surrounding Fremont Peak State Park and Pinnacles National Park." The lighting regulations under County Code Chapter 19.31 remain in effect and apply to all construction in the unincorporated area. See also Section I (Aesthetics).
- **Policy NCR-2.8, Pre-Development Biological Resource Assessment** — "The County shall require the preparation of biological resource assessments for new development proposals as appropriate. The assessment shall include the

¹⁸ San Benito County Board of Supervisors, agenda item 40 of December 11, 2018, regular meeting <<https://sanbenito.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=3629&MeetingID=268>>, and agenda item 42 of June 25, 2019, regular meeting <<https://sanbenito.novusagenda.com/AgendaPublic/CoverSheet.aspx?ItemID=4290&MeetingID=307>>.

following: a biological resource inventory based on a reconnaissance-level site survey, and an analysis of anticipated project impacts to: potentially occurring special-status species (which may require focused special-status plant and/or animal surveys); an analysis of sensitive natural communities; wildlife movement corridors and nursery sites on or adjacent to the project site; potentially jurisdictional wetlands/waterways; and locally protected biological resources such as trees. The assessment shall contain suggested avoidance, minimization, and/or mitigation measures for significant impacts to biological resources." Please see Section IV (Biological Resources).

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a,b) **Less Than Significant Impact** — The project site is located approximately 500 feet from a bank of the San Benito River. The State Department of Conservation has designated the land along the sides of the river as MRZ-3, areas with mineral deposits with a degree of significance that cannot be evaluated from available data [1i]. The project site lies within this MRZ-3 area. While County zoning includes the Mineral Resource (MR) zone to regulate minerally significant lands, the subject property is not mapped under that zone.
- The site has been established and historically operated as an industrial property, and the majority of the property has already been either paved or built, with the same being true for surrounding properties. These lands on the southwestern bank of the river have generally neither been used nor been proposed for mineral extraction. The degree of change resulting from this project would insignificantly reduce access to mineral resources.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

a,b) **Less Than Significant Impact** — The General Plan Health and Safety Element addresses noise from aircraft, ground transportation, industry, and construction. The plan's noise policies include noise-level standards and limits incorporated into County Ordinance 667 §1(XV) (County Code §25.37.035) and Ordinance 872 (County Code Chapter 19.39); temporary noise resulting from construction is exempt when occurring in the hours of 7 a.m. to 7 p.m. on all days except Sundays and federal holidays, when temporary noise-level exceedance is prohibited. In the site's Heavy Industrial (M-2) zone, sound pressure is limited to 70 decibels in daytime and 60 decibels at night.¹⁹ These regulations allow activities permitted under conditional use permits to exceed the standards at the discretion of the County, but no exceedance is proposed under this permit.

Grading and construction activities will temporarily expose neighboring properties to increased noise, subject to the aforementioned regulations. Operational noise will likely come from transportation, while other business operations would take place indoors, with resulting noise limited by the structure. Further noise output, including that caused by power generators, is regulated by State law implemented by the State Department of Cannabis Control.²⁰

c) **No Impact** — This site is not located near air traffic facilities. The nearest such facility is the Hollister Municipal Airport, located 3 miles away.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

a) **Less Than Significant Impact** — As measured for 2020, the population of San Benito County is 64,209, with an unincorporated population of 20,442 [21]. The preparation of the County 2035 General Plan, including its review under

¹⁹ County Code §19.39.030 using the M-2 zone and County Code §25.37.035 using "industrial" standards. In the former, "day" is 7 a.m. to 10 p.m., while the latter does not give a specific definition of "day."

²⁰ California Code of Regulations Title 4 Division 19 §16304(e), §16306.

the CEQA process, contemplated the location and density of future population and housing across the unincorporated area. In establishing the Industrial Heavy (IH) land use on this site, the General Plan has envisioned productivity that would require employees to be present. The cannabis business and its new employees would have a minor effect on growth in the project vicinity. The project also proposes no changes that would indirectly allow growth on other properties. Population growth would not occur beyond an insignificant level as a result of this project.

- b) **No Impact** — The project, involving the construction of a cannabis cultivation operation, would not require displacement of any existing housing and residents.

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

Response:

- a) **Less Than Significant Impact** — Demand for some of these services, funded by the County as a whole, would rise incrementally as a result of intensified land use. The nature of the business use is unlikely to increase demands on schools and parks, but services such as fire and police protection might be affected. Impact fees charged under County Code Chapter 5.01 would help fund increased use of these services and will be a requirement of building permit issuance for the proposed development, with the exception of library and parks fees that are paid only in residential permits. In addition, the business activity, including new trade and new jobs, may serve in economic development that could benefit public services funding. The occurrence of incidents requiring fire and police personnel response, as well as the costs associated with such incidents, could also be minimized through compliance with State regulations implemented by the Department of Cannabis Control including those requiring cultivators to coordinate with the County Fire Department and the County Sheriff.²¹

²¹ California Code of Regulations Title 4 Division 19 §15011(a)(10), §15036, §15042.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a,b) **Less Than Significant Impact** — The two nearest parks, both within Hollister city limits, are Brigantino Park, 1,000 feet east-southeast and across San Juan Hollister Road,²² and Tony Aguirre Memorial Park, across the San Benito River 2,600 feet to the northeast as the crow flies but about twice as far by road. A business land use in an industrial district is unlikely to generate significant new use of parks.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — Following California Senate Bill 743 of 2013 and subsequent updates to CEQA Guidelines, transportation impacts are evaluated according to impacts related to vehicle-miles traveled (VMT). See item b for analysis of this project using VMT.

²² Brigantino Park is not currently developed for use by sensitive receptors such as youth in such a way as to be a “sensitive use” as defined in County Code §7.02.020 (definitions for County Code Chapter 7.02, regarding cannabis businesses).

Prior to establishing VMT as the primary transportation impact measure, traffic impacts were typically measured in terms of change to level of service (LoS). The County General Plan's Circulation Element continues to use this measure, as Policy C-1.12 states that the "County shall endeavor to maintain a General Plan target goal of LOS D at all locations." The countywide transportation impact mitigation fee (TIMF) was established under County Ordinance 554 in service of maintaining adequate LoS. The fee funds transportation improvements in the area as selected by prior transportation plan documents and is a prerequisite of residential building permits' issuance under County Code §5.01.250.

For distinctly larger projects in the area, this payment has been found to address LoS effects adequately on its own. The County's CEQA review of the 84-lot Bennett Ranch subdivision (Tentative Subdivision Map 15-93) found that TIMF payment upon building permit issuance was sufficient response in itself to likely transportation impacts from its 895 daily trips [20]. The same was found for the 3586 Airline Highway residential assisted-care facility (County Planning file PLN180004), serving 180 residents and generating 468 daily trips but with transportation impacts adequately addressed by the TIMF. The present project would have a far less significant effect by comparison, with 167.37 weekday trips as modeled by CalEEMod Version 2020.4.0. Building permits for each component of this project are currently subject to the TIMF to help address the project's share of effects on the area's transportation system, and this payment will prevent significant conflict with General Plan Policy C-1.12.

- b) **Less Than Significant Impact** — CEQA Guidelines §15064.3(b) regards evaluation of vehicle-miles traveled as a result of a project and directs use of criteria such as qualitative analysis and transportation modeling.

Using modeling by CalEEMod Version 2020.4.0 [29], the project is estimated to result in 606,696 vehicle-miles traveled (VMT) annually. Assuming 26 employees, this figure would imply a daily 64 VMT per employee. These figures assume a rural setting to account for the site's distance from metropolitan areas, typically requiring transportation across longer distances than in an urban setting. If cannabis-related industry and retail expand in and around the Hollister area, shorter trips from this site could be possible as a result of closer trade opportunities.

San Benito County currently does not have a threshold of significance adopted or recognized for vehicle miles traveled, and vehicle travel resulting from this project would therefore not conflict with an applicable threshold. However, the Governor's Office of Planning and Research (OPR) advises that "projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact" [24]. This project, according to CalEEMod, would cause 167.37 trips on weekdays (peak days).

While this is greater than the OPR threshold, CalEEMod calculates this using the activity's proposed floor area, which includes both unbuilt future space and the already built facility available to use without the present project. This existing built space constitutes 30 percent of the total area. Assuming trips are directly proportional to usable floor area, existing area would account for 30 percent of the modeled total trips, or 50.21 weekday trips. New floor area would then result in the remaining 70 percent, or 117.16 weekday trips, still above the OPR threshold.

However, this new floor area would be built upon space that would have already accommodated outdoor industrial use not requiring a building, such as equipment storage, and could have generated further trips without this project. Meanwhile, trip generation modeled by the Institute of Transportation Engineers (ITE) for the similar land uses of "General Light Industrial" (land use code 110) and "Industrial Park" (land use code 130) yields a smaller result of 79 to 87 trips for a business of 26 employees as currently proposed²³ [15]. In addition, these land uses and those available in CalEEMod likely envision a use more intensive and more traffic-generating than the currently proposed use, a large proportion of which being devoted to stationary cultivation of plants, with most or all of which later transported no farther than a neighboring building. These factors indicate likely fewer daily trips than the OPR threshold and that this project's transportation impacts would not be significant in relation to criteria under CEQA Guidelines §15064.3(b).

- c,d) **No Impact** — The proposed production would involve transportation using vehicle types similar to other industrial land uses found in the site's zone and vicinity along San Juan Hollister Road. The setting includes two directly adjacent roads, with this industrial property and its neighbors accessible from the lower-speed local roadway, which intersects at two points with the parallel arterial that connects incorporated Hollister with State Route 156. The project proposes no change that would aggravate hazards relative to existing use of the local road and its intersections with the parallel arterial. Driveway access to serve the existing and new buildings is designed to accommodate safety and emergency access under the California Fire Code.

²³ ITE models 3.02 weekday trips per employee for "General Light Industrial" (land use code 110) and 3.34 weekday trips per employee for "Industrial Park" (land use code 130), resulting in 79 to 87 trips for 26 employees [15].

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES.				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — *The site is not on a register of historical resources or places and contains no known significant cultural resources [13h,22,28]. Presently no California Native American tribe has requested regular consultation in review of discretionary projects under Assembly Bill 52 (2014), although the County has communicated with tribal representatives to inform CEQA review of this project. These representatives were identified as stakeholders in the geographical area by the Native American Heritage Commission. This communication has not identified any significant tribal cultural resource. See also the discussion in Section V (Cultural Resources).*

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a-c) **Less Than Significant Impact** — The business proposes use of the property's existing connection to the City of Hollister water system and sewer system, which are present in the San Juan Hollister Road right-of-way. This particular sewer line segment connects the rest of the city to its wastewater treatment facility. No new construction to expand these facilities would take place under this project except to extend pipes to the proposal's new buildings. This on-site extension would enable no new use or effects beyond the bounds of the project. The City of Hollister Sanitary Sewer System Master Plan Update of March 2018 describes the San Juan Hollister Road sewer facility as having no hydraulic deficiencies, with flows at an acceptable velocity. The business would incrementally increase use of the water system. Water supplies are derived from a combination of groundwater and imported water from the Central Valley Project and are actively managed by the San Benito County Water District; the 2015 Hollister Urban Area Urban Water Management Plan further describes planning and practices that would maintain water availability during wet and dry years. See Section X (Hydrology and Water Quality) for discussion of the annual volume of water estimated to be consumed by this business.
- d,e) **Less Than Significant Impact** — Cannabis waste is regulated by the State, which allows cannabis waste sufficiently free of hazardous material to be disposed by composting or with miscellaneous waste [25]. For this and other waste, 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. The chapter also provides for recycling, and awarding by the County of a collection franchise is subject to County General Plan Policy

PFS-7.5, requiring waste management practices “to meet or exceed State waste diversion requirements [diversion from landfill facilities] of 50 percent.” Cannabis cultivation operators are also to maintain a cannabis waste management plan using specific methods of disposal expressly stated in State regulations.²⁴

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant Impact** — As noted in item g of Section IX (Hazards and Hazardous Materials), the site is 2¼ miles away by road from Fire Station 1 in Downtown Hollister and 4½ miles by road Fire Station 2 in southeast Hollister. The site is in a local responsibility area designated “urban unzoned” with hillside areas opposite San Juan Hollister Road located with “moderate” and “high” fire hazard respectively at lower and higher elevations in a State responsibility area [13f]. The project’s neighborhood has been long established as industrial during local emergency planning, and the project in its location, scale, and design would not establish a barrier to or otherwise inhibit emergency response. In addition, State regulations require the business operation to provide attestation of communication with the County Fire Department regarding the cultivation and to provide evidence of similar fire-safety approval for manufacturing.²⁵ Please also see Section IX item f, regarding emergency planning.
- b–d) **Less Than Significant Impact** — The project site is in a local responsibility area mapped as “urban unzoned” for fire hazard [13f]. Directly opposite San Juan Hollister Road is a “moderate” fire-hazard zone under State responsibility, with a “high” fire-hazard zone just over 1,000 horizontal feet south of the project site. In this location employees would be exposed to fire risks and fire-related effects to a degree approximately equal to that of much other existing development of a similar design and density in the project vicinity. A standard degree of emergency preparation under Building Code and Fire Code is expected, including fire sprinklers in the buildings. Fire-safety preparations would be typical of the neighborhood and would not in themselves impose notable negative impact.

²⁴ California Code of Regulations Title 4 Division 19 §16309 and §17223.

²⁵ California Code of Regulations Title 4 Division 19 §15011(a)(10) and (b)(11).

The property is outside the 100-year floodplain found just over 500 feet northward along the San Benito River [13g]. The site is also on land mapped as “least susceptible” to landsliding, although areas of past known landsliding and potential future landsliding are found in the hillside area opposite San Juan Hollister Road [13c].

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Response:

- a) **Less Than Significant With Mitigation Incorporated** — Section I (Aesthetics) describes limits on nighttime lighting. Section III (Air Quality) describes potential effects on air and reduction of impacts to a level less than significant by mitigating PM₁₀ emissions during construction, and Section VIII (Greenhouse Gas Emissions) finds no significant effect related to greenhouse gases when both counting overall project intensity and also emissions attributed per-capita to service population. Section IV (Biological Resources) finds risks to native wildlife habitat that can be mitigated to a level less than significant. Section V (Cultural Resources) notes that detailed review finds neither historic nor prehistoric resources on or near the property, though County Ordinance 610 sets requirements in case of an archaeological find. Section X (Hydrology and Water Quality) describes how construction and new runoff from impermeable surfaces can cause diminished water quality, with mitigation identified to make impact insignificant. Section XVIII (Tribal Cultural Resources), like Section V, finds no significant effect to cultural resources.
- b) **Less Than Significant With Mitigation Incorporated** — Section XVII (Transportation) notes that transportation to and from the project has potential for impacts that would be addressed by transportation impact mitigation fee (TIMF) requirements, and these programs have been established to address cumulative effects of local development in general. Air quality, greenhouse gas, and water quality effects could be counted as contributing to a cumulative effect with other projects, but pollution-control mitigation measures combined with project design would keep the contribution less than significant. While the new business could potentially create a very minor population increase, cumulative population-related effects overall are addressed by requirements applicable to other topics, such as air quality and transportation, in addition to

existing programs and practices responding to population growth, such as impact fees. In addition, the County 2035 General Plan has been adopted, and its environmental impact report has been certified, in part to consider and give cohesive policy addressing cumulative effects of the various activities taking place in San Benito County on an ongoing basis.

Currently operating licensed cannabis businesses can be found in the surrounding area at five addresses, each within City of Hollister limits. The closest is two miles eastward in central Hollister, while the others are 2½ to 3½ miles northeastward in city-edge industrial lands. No other licensed cannabis businesses now operate in the geographical area of San Benito County, its nearest limit located six miles away. The unincorporated jurisdiction of San Benito County has permitted operation of one such future business, to be located in an agricultural setting just under one mile southeastward, while this project is the only currently active undecided application for a cannabis business.

- c) **Less Than Significant With Mitigation Incorporated** — Section I (Aesthetics) finds no significant degradation to visual quality. As discussed in Section III (Air Quality), emissions resulting from the project would not exceed MBARD thresholds of significance, but particulate-emitting activity such as construction could otherwise create health impacts that would be made less than significant by the stated mitigation. Section VII (Geology and Soil) finds the subject property lacking significant hazards or significant functional challenges imposed by geological causes. Section IX (Hazards and Hazardous Materials) and Section XX (Wildfire) describe emergency access, especially with regard to fire risk, and determine that the project location is suitable for emergency response. Section XIII (Noise) discusses regulations limiting noise levels. Section XIX (Utilities and Service Systems) identifies practices to maintain long-term availability of water, and Section X (Hydrology and Water Quality) mentions existing regulation to preserve the water's quality for human health. Other effects on humans would either be insignificant or be unlikely to occur.

XXII. LIST OF REFERENCES

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

1. San Benito 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
 - j. Revised Draft Environmental Impact Report, March 16, 2015
2. San Benito County Ordinances
3. Zoning Ordinance
4. Grading Ordinance
5. *Soil Survey for San Benito County*, 021-000-009, 1969, US Dept. of Agriculture, SCS.
6. Natural Diversity Data Base for San Benito County.
7. Field Inspection.
8. Staff Knowledge of Area.
9. Project File
10. *Air Quality Management Plan*, Monterey Bay Air Resources District.
11. *Water Quality Control Plan for the Central Coastal Basin*, California Regional Water Quality Control Board, Central Coast Region, 2017 <https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/>.
12. *AMBAG Population Projections*, Association of Monterey Bay Area Governments
13. 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 06069C0180D and 06069C0185D, dated April 16, 2009
 - h. San Benito County Sensitivity Maps, Prehistoric Cultural Resources
 - i. Habitat Conservation Plan Impact Fee Map (County Ordinance 541)
 - j. U.S.G.S. Quadrangle: Hollister
 - k. San Benito County Important Farmland 2018 Map, California Department of Conservation, Division of Land Resource Protection, Office of Land Conservation, Farmland Mapping and Monitoring Program <<https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanBenito.aspx>>
 - l. Envirostor, California Department of Toxic Substances Control <www.envirostor.dtsc.ca.gov/public>.
 - m. U.S. Fish and Wildlife Service Critical Habitat for Threatened & Endangered Species Map
14. *CEQA Air Quality Guidelines*, Monterey Bay Air Resources District
15. *Trip Generation* (6th edition), Institute of Transportation Engineers
16. California Scenic Highway Mapping System, California Department of Transportation <<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>>
17. Wetlands Geodatabase, U.S. Fish and Wildlife Service, Division of Habitat and Resource Conservation <<https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>>
18. Web Soil Survey, National Cooperative Soil Survey, Natural Resources Conservation Service <<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>>
19. Hollister Municipal Airport Land Use Compatibility Plan, San Benito County Airport Land Use Commission, 2012.
20. Bennett Ranch Initial Study/Mitigated Negative Declaration (Tentative Subdivision Map 15-93)
21. U.S. Census Bureau, 2020 Decennial Census DEC Redistricting Data (PL 94-171) <data.census.gov>.
22. San Benito County 1992 General Plan Environmental Resource and Constraints Inventory (adopted 1994).
23. Central Coast Community Energy, "Understanding Clean Energy" <<https://3cenergy.org/understanding-clean-energy/>>, accessed June 29, 2022.

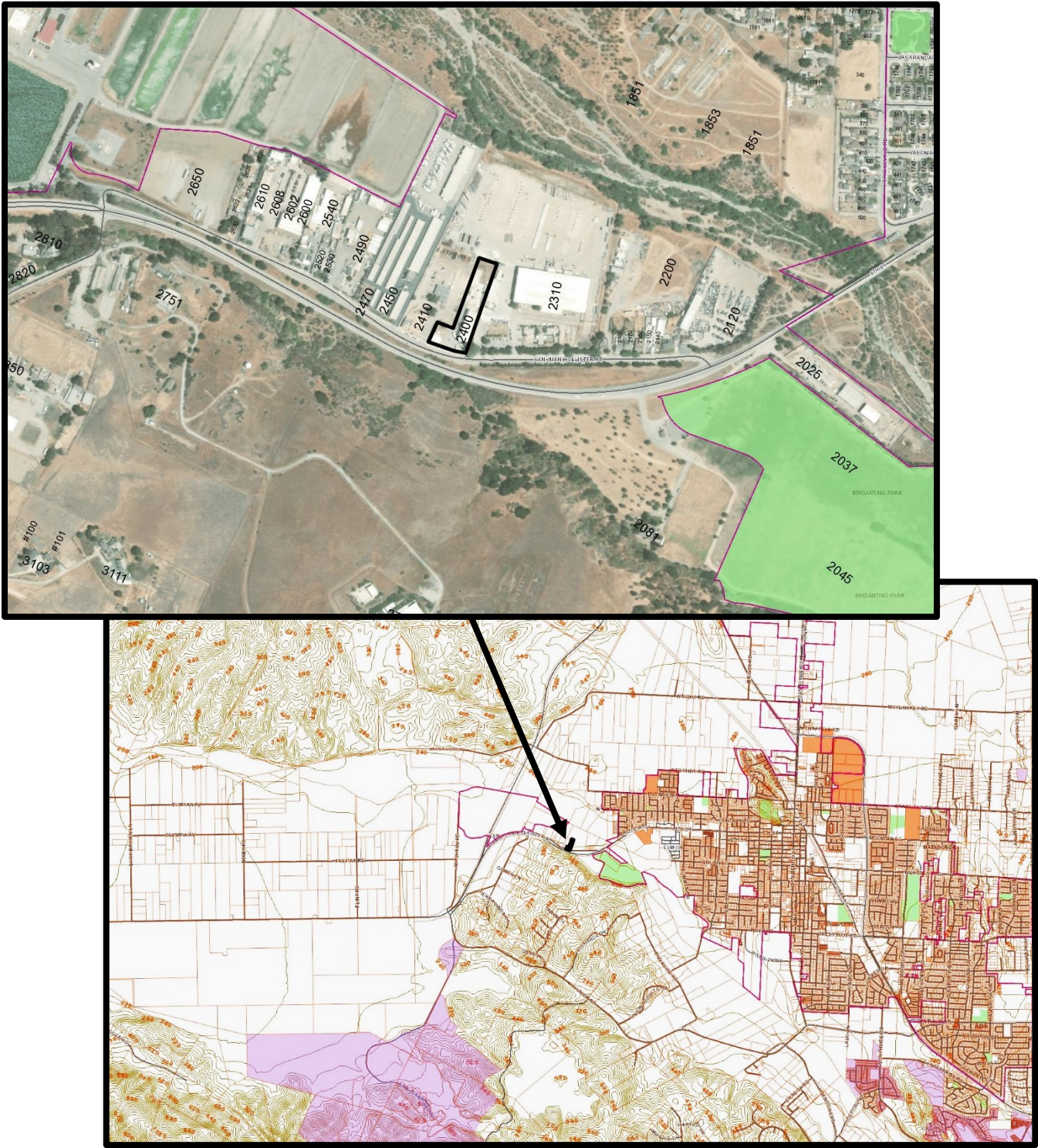
24. Governor's Office of Planning and Research, "Technical Advisory on Evaluating Transportation Impacts in CEQA," December 2018, <https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf>, accessed June 9, 2022.
25. CalRecycle, "Cannabis Waste Questions and Answers," <<https://www.calrecycle.ca.gov/swfacilities/compostables/cannabis>> accessed September 1, 2021.
26. Legislative Analyst's Office (California), "Residential Water Use Trends and Implications for Conservation Policy," March 8, 2017 <<https://lao.ca.gov/Publications/Report/3611>> accessed June 29, 2022.
27. Denise Duffy & Associates, Biological Resources Analysis for the San Juan Green Project (PLN200054), July 1, 2021. Available upon request from the County Resource Management Agency.
28. Susan Morley, Revised Preliminary Cultural Resources Reconnaissance of Assessor's Parcel APN 021-020-029 in the County of San Benito, California, July 2021.
29. CalEEMod Version 2020.4.0 modeling of effects to air quality, including transportation component, May 31, 2021. Available upon request from the County Resource Management Agency.
30. City of Hollister, Sanitary Sewer Collection System Master Plan, August 2010 <http://hollister.ca.gov/wp-content/uploads/2015/02/Adopted_CityofHollisterSSCSMP_August2010.pdf>, accessed May 27, 2022.

XXIII. FIGURES

1. Vicinity Map
2. Proposed Project Plans
3. Site Images

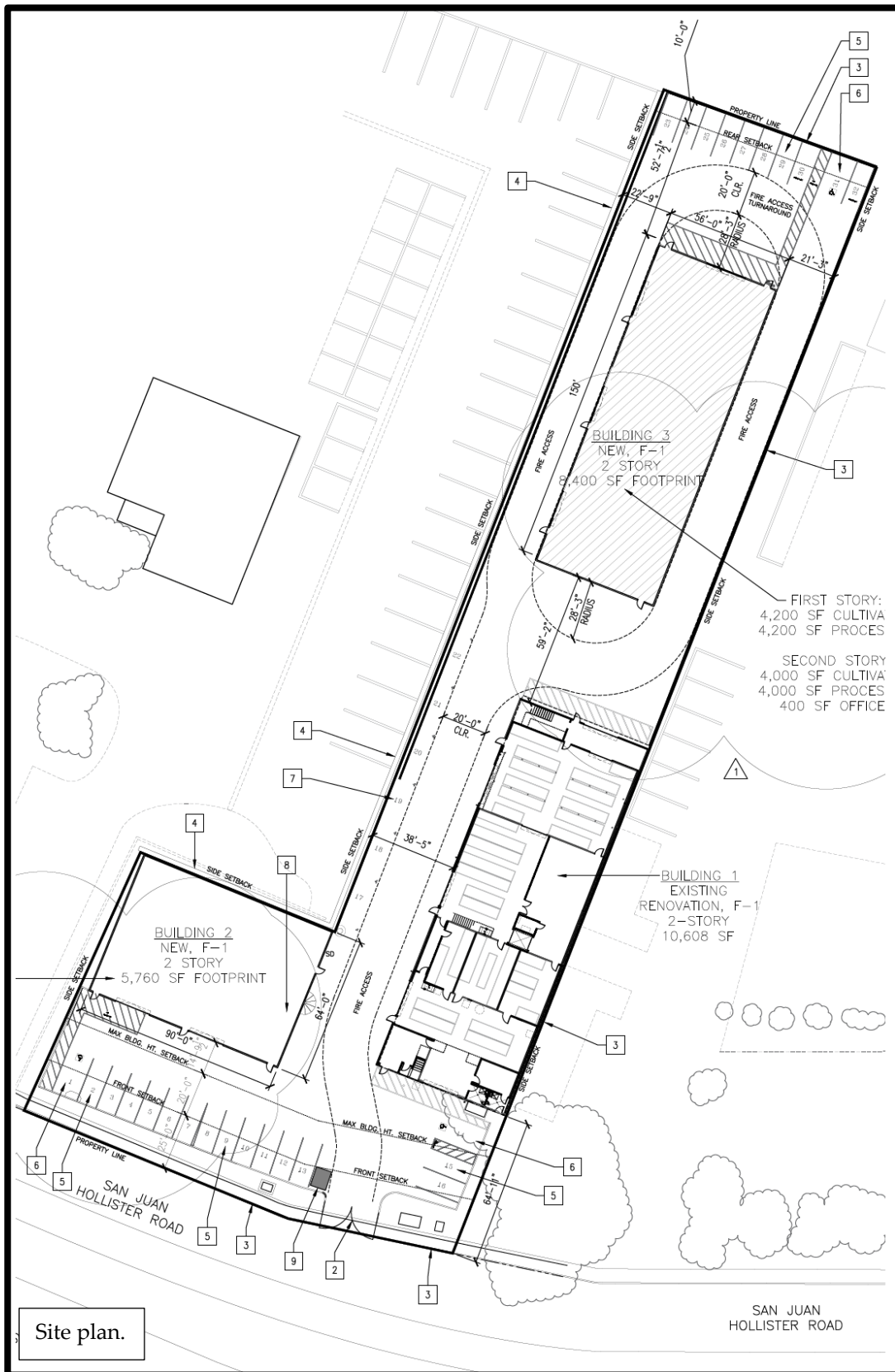


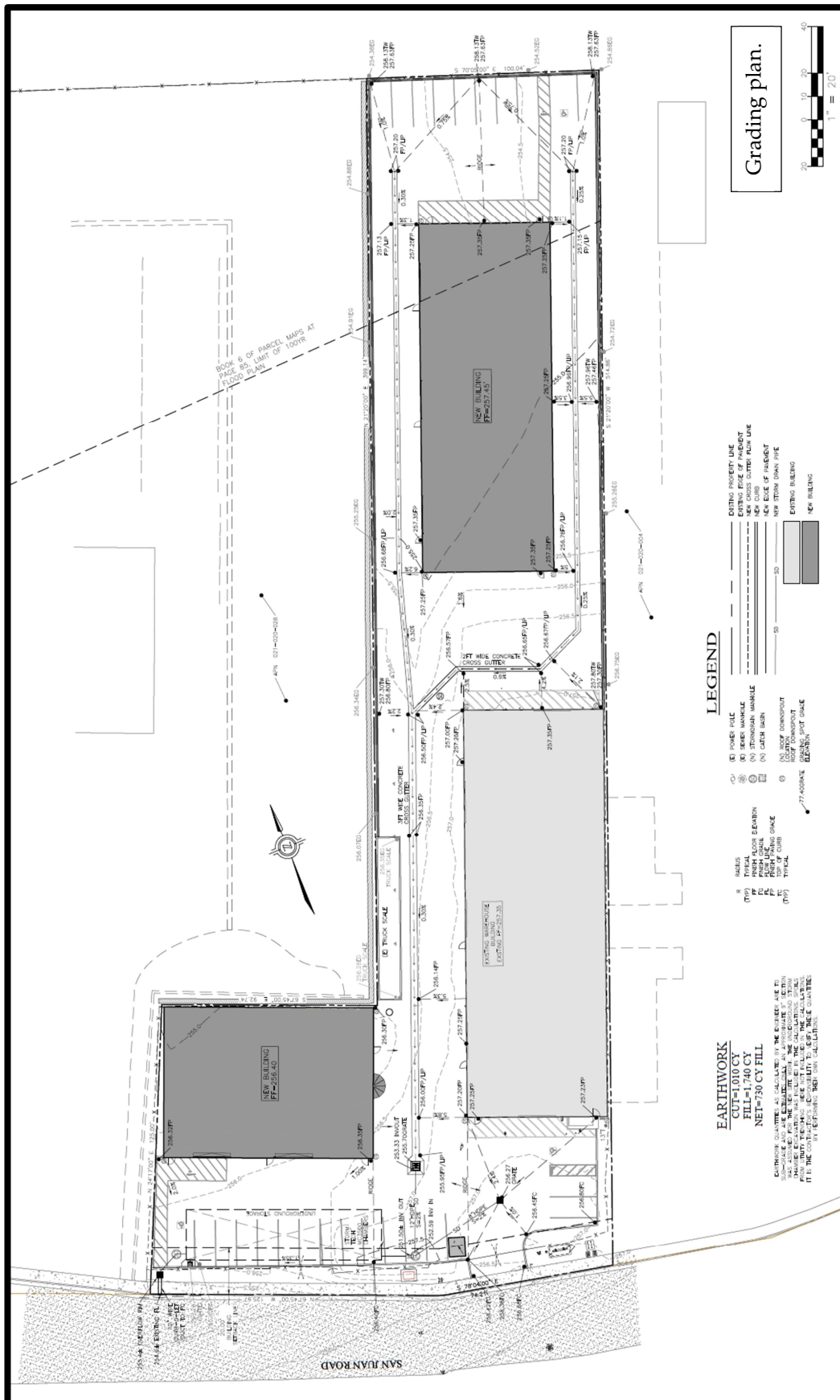
Figure 1. Vicinity Map

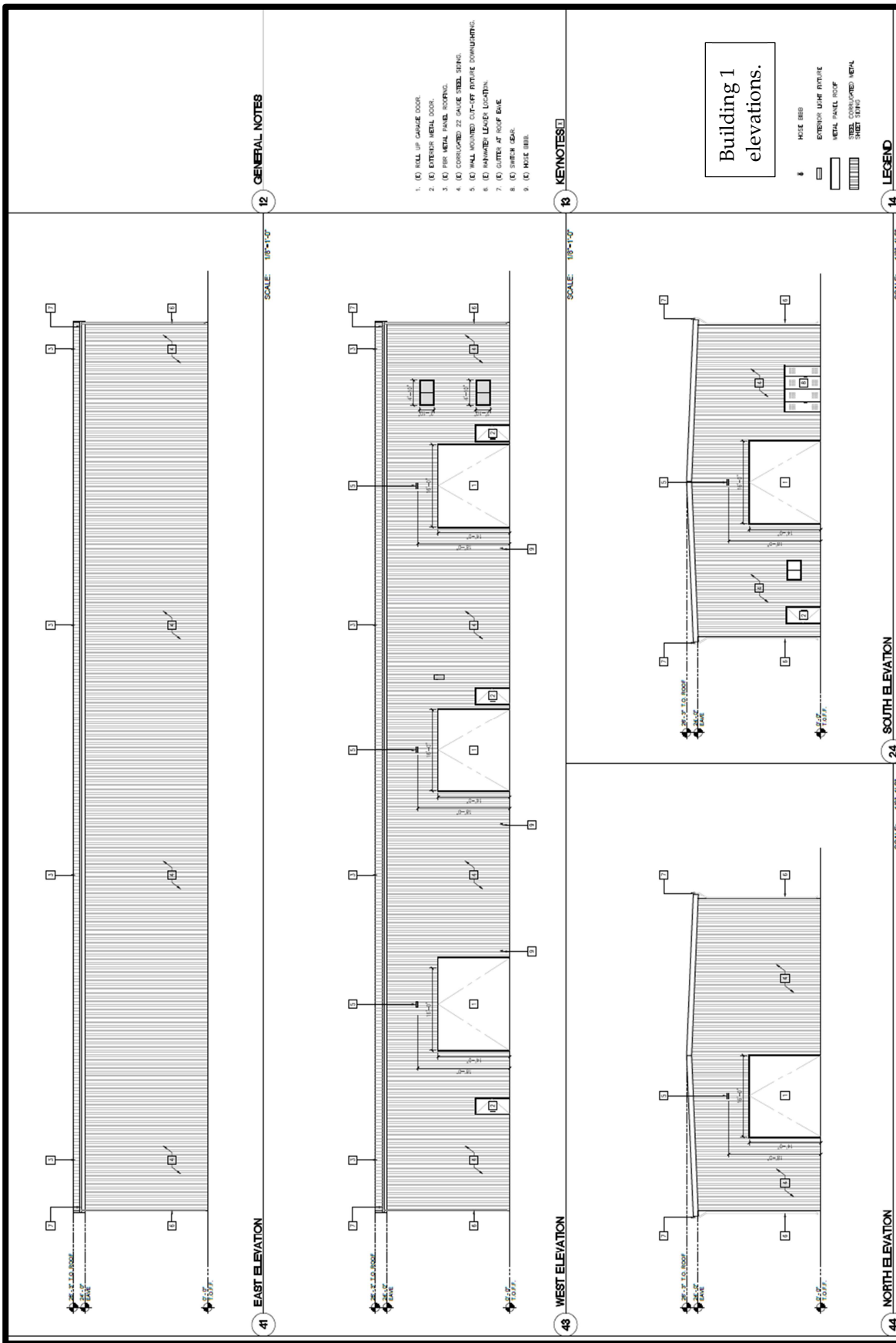


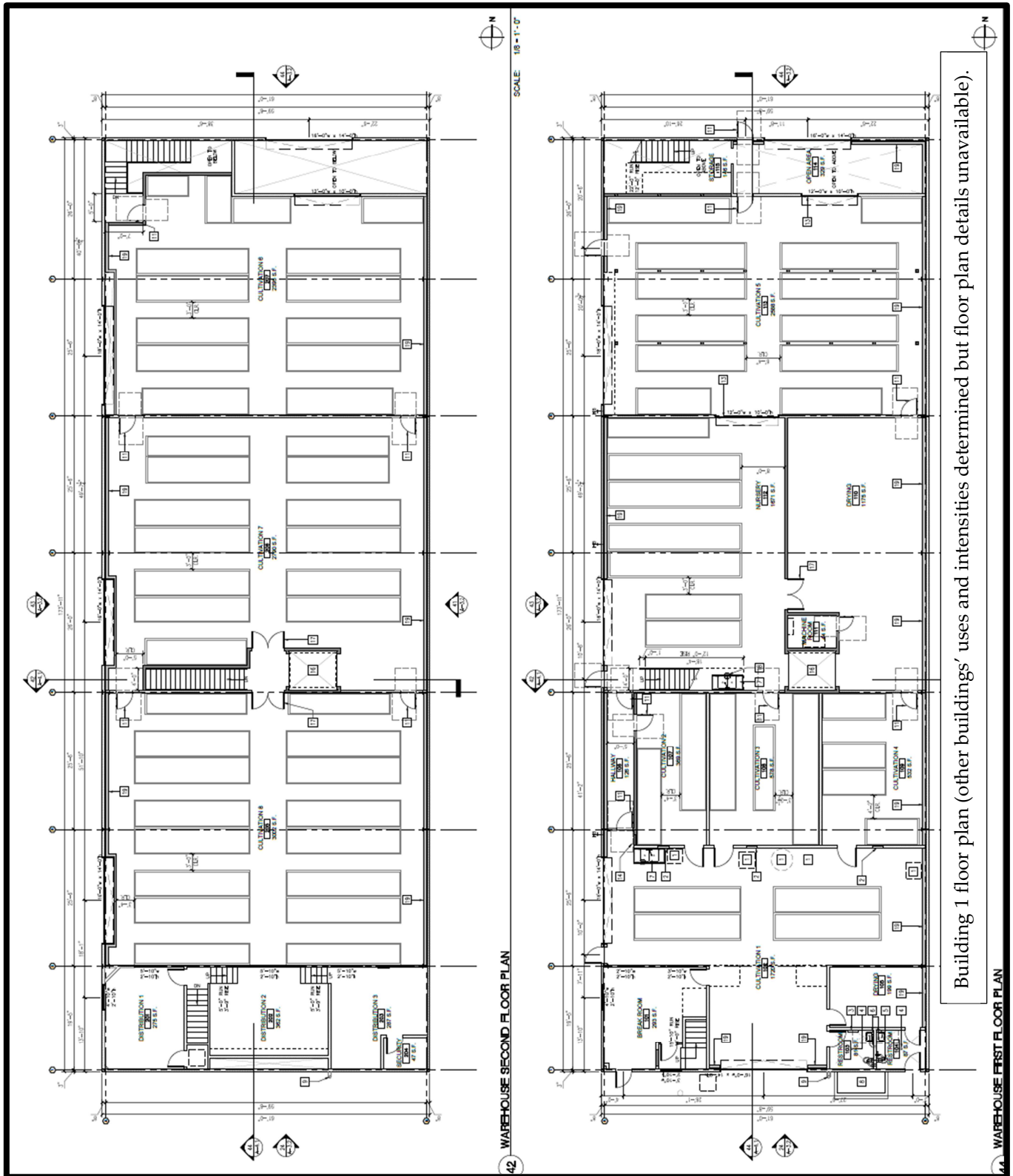
The project site is near the San Benito River and one-third of a mile west of the 4th Street bridge at incorporated Hollister's edge.

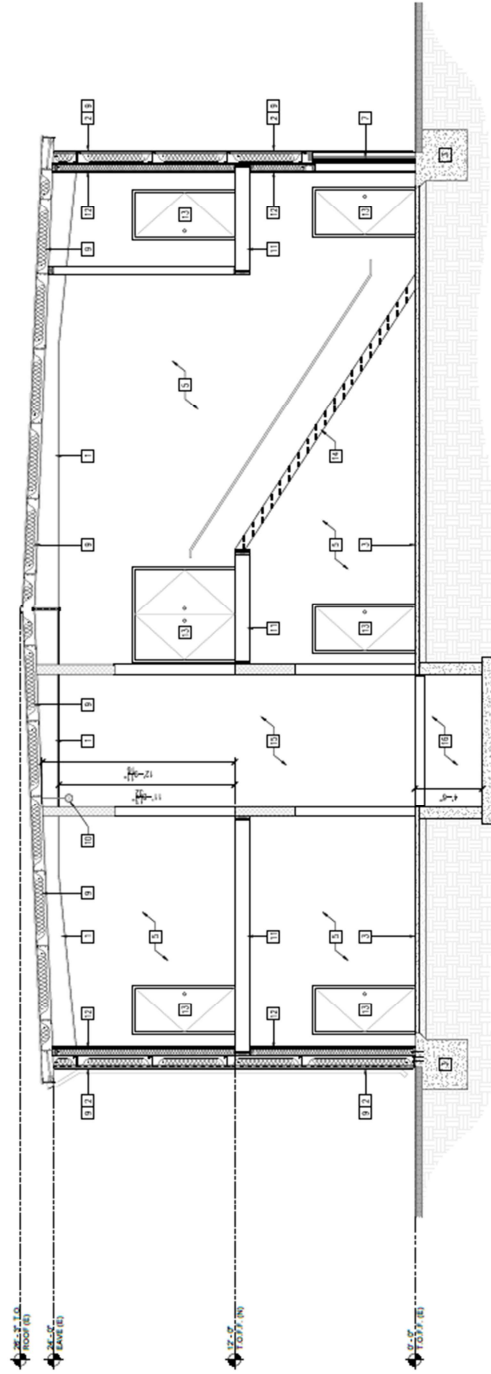
Figure 2. Proposed Project Plans





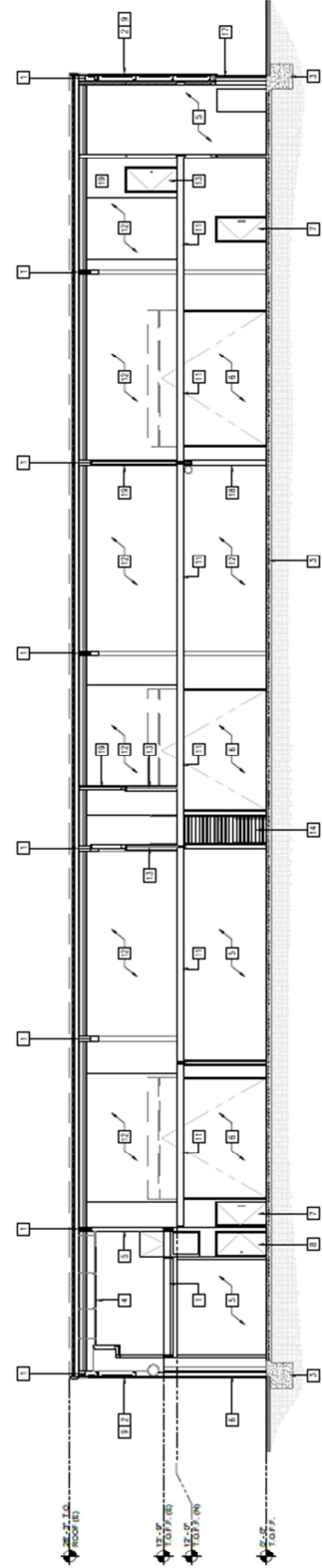






42 EAST-WEST SECTION

SCALE: 1/4"=1'-0"



44 NORTH-SOUTH SECTION

SCALE: 1/8"=1'-0"

Building 1 sections.

Figure 3. Site Images



Northward view of subject property as seen from opposite side of San Juan Hollister Road frontage road.



Closer view of subject property from opposite side of frontage road.



Northward view from property entrance, with Building 1 at right behind container and Building 2 site at middle near trees.



Northeastward view of Building 1 with drive toward Building 3 behind trailer.



Drive between Building 1 and property edge leading to Building 3 site at property's rear.



Southward view from rear of Building 2 site toward property front line along San Juan Hollister Road.



Southeastward view from far corner of Building 2 site with Building 1 and San Juan Hollister Road frontage in distance.



Southward view of Building 1 from property middle.



Building 1 at left and Building 3 site in rear at right, with northwest at center of view.



Site of Building 3 and rear parking as seen from northeast property corner, with Building 1 and property front in distance at left.



Site of Building 3 and rear parking as seen from northernmost property corner, with neighboring property's industrial structures and equipment at left and with Building 1 and property front in distance at right of center.