

**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:** County Planning File PLN220012 Minor Subdivision 6810 Fairview Road

Lead Agency: San Benito County

Contact Person: Jonathan Olivas, Assistant Planner

Mailing Address: 2301 Technology Parkway

Phone: (831) 902-2288

City: Hollister, CA

Zip: 95023

County: San Benito

**Project Location:** County: San Benito

City/Nearest Community: Hollister, CA

Cross Streets: Fallon Road and Fairview Road

Zip Code: 95023

Longitude/Latitude (degrees, minutes and seconds): 36 ° 54 ' 46.3248 " N / 121 ° 22 ' 4.8972 " W Total Acres: 10.69

Assessor's Parcel No.: 017-010-018

Section: Twp.: Range: Base:

Within 2 Miles: State Hwy #: 156

Waterways: Arroyo Dos Picachos Creek

Airports: Hollister Municipal Airport

Railways: N/A

Schools: Spring Grove School

**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: ☐ FONSI

**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 1 Acres 5.00  
☐ Office: Sq.ft. Acres Employees ☐ Transportation: Type  
☐ Commercial: Sq.ft. Acres Employees ☐ Mining: Mineral  
☐ Industrial: Sq.ft. Acres Employees ☐ Power: Type MW  
☐ Educational: ☐ Waste Treatment: Type MGD  
☐ Recreational: ☐ Hazardous Waste: Type  
☐ Water Facilities: Type MGD ☐ Other:

**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: Tribal Cultural Resources

**Present Land Use/Zoning/General Plan Designation:**

Rural&amp;Agricultural/ Agricultural Productive (AP)/ Agricultural (A)

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

The project proposes to subdivide an existing 10.69-acre parcel into two parcels of 5.00 and 5.69 acres. There is an existing residence on the proposed Parcel 2 and a proposed residence on Parcel 1.

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 an "X".  
If you have already sent your document to the agency please denote that with an "S".

<input 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 type="checkbox"/> Regional WQCB # _____
<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 # 4 _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input checked="" type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Native American Heritage Commission	

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

Starting Date 2/3/2023 Ending Date 3/6/2023

### Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative:  Date: 2/3/23

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

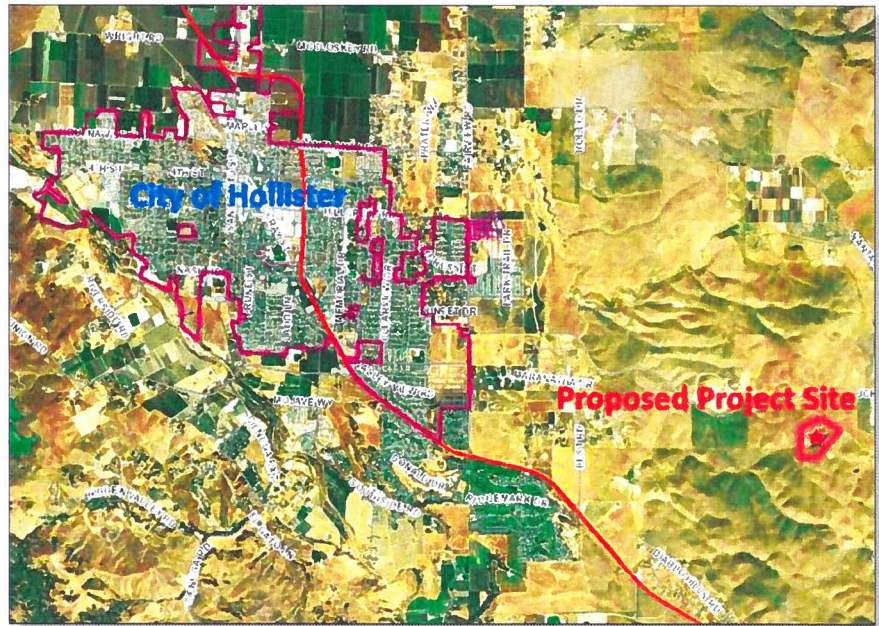
**Contact Person:** Jonathan Olivas, Assistant Planner, 831 902-2288, [jolivas@cosb.us](mailto:jolivas@cosb.us)

**Project File No.:** County Planning file PLN20012 (6810 Fairview Road Minor Subdivision)

**Project Applicant:** San Benito Engineering

**Project Location:** 6810 Fairview Road, unincorporated San Benito County (Assessor's Parcel 017-010-018)

**NOTICE IS HEREBY GIVEN** that the Initial Study for Planning file PLN20012 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 **February 3, 2023**, and ends at 5 p.m. on **March 6, 2023**. 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 San Benito County Planning Commission is tentatively scheduled for 6 p.m., **March 15, 2023** (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 minor subdivision located at 6810 Fairview Road, in the unincorporated San Benito County, to the west of Hollister California. The proposed project consists of an application for a Minor Subdivision of a 10.69- acre parcel into two lots of 5.00 acres (Parcel 1) and 5.69 acres (Parcel 2). For Parcel 1, the applicant also proposes construction of a house, septic system, and access driveway for both parcels. The application as submitted includes an existing residence on the proposed Parcel 2. The project site has been utilized for agricultural cultivation historically.

Parcel 2 will remain unchanged with the existing house and septic system. The applicant intends but has not yet applied for the required permits to build the proposed house on the proposed Parcel 1 as of January 2023. Construction activities, required equipment, and time frame are unknown at this time.

No new water use is proposed as part of this project. The proposed residence will use an existing well on the proposed Parcel 1. Parcel 2 will continue to use the existing shared well located on APN 017-010-017 just north of the project site.

With sewer service unavailable, septic system use will be required for any residential use of the parcels. No permits for the proposed new

*To view project documents using Accela:*

- 1) go to the website [aca.accela.com/SANBENITO](http://aca.accela.com/SANBENITO),
- 2) go to Planning and click on "Search Cases,"
- 3) enter the Record Number **PLN20012** 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\_MND\_PLN220012\_230124\_LUCAS\_FORD\_6810\_FAIRVIEW\_RD.PDF*



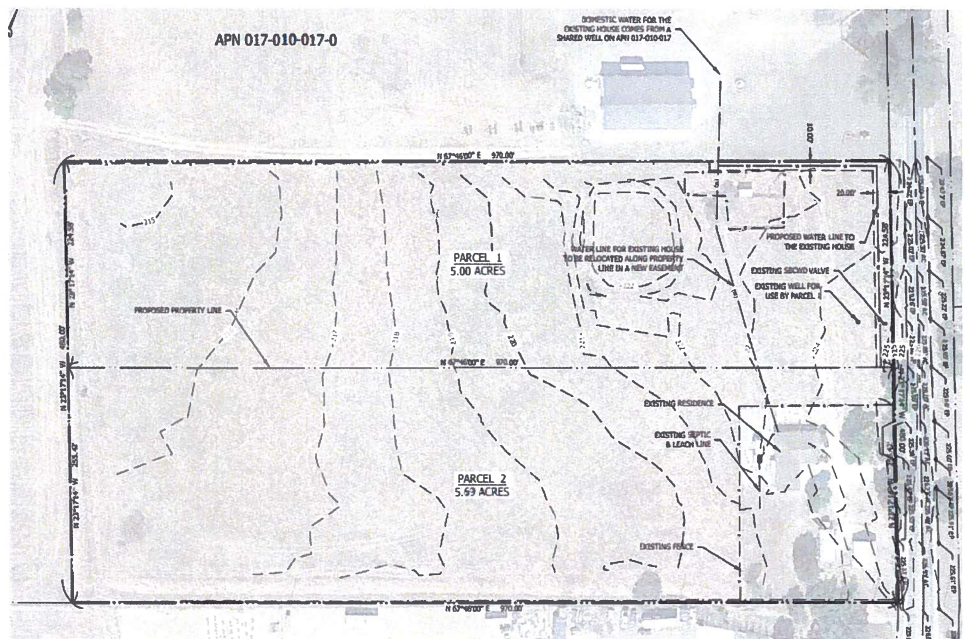
septic system on Parcel 1 have been applied for as of January 2023. The applicant will be required to provide a soils report to show the capability of the soils on the proposed Parcel 1 to support a septic system prior to any building permits being issued. Parcel 2 has an existing septic system.

Impervious surface increase is unknown at this time as the applicant has not submitted any site plans for the proposed residence on the proposed Parcel 1. As a part of any future building permit for parcel 1 the applicant will need to construct a new water detention pond to account for the increase in impervious service. Parcel 2 has existing drainage for the existing residence. Both of the proposed parcels drain to the west.

The proposed project is located at 6810 Fairview Road, Hollister, California, 95023, in the unincorporated area of San Benito County, at latitude 36.912870° North and longitude 121.368030° West. The project site is comprised of an approximately 10.69-acre parcel (APN 017-010-018) that contains one single-family residence and farmland/grazing land. Local access to the project site from Hollister is San Felipe Road via Fallon Road to Fairview Road. The project site is located approximately 1 mile north of the intersection of Fallon Road and Fairview Road.

Surrounding land uses are primarily agricultural, with rural residential uses in the vicinity as well. The San Benito County General Plan designates the project site as Agriculture (A) and the project site is zoned Agricultural Productive (AP). The AP designation applies to areas that are characterized by agriculturally productive lands of various types, including crop land, vineyards, and grazing lands. The purpose of this land use designation is to maintain the productivity of agricultural land, especially prime farmland, in the County.

The most recent project of this scope was completed 16 years ago. The addition of this project would cause minimal increase to the already accounted for impact. It is worth noting that projects like Santana Ranch and Fairview Corners, while having significant impacts themselves, have been accounted for through environmental mitigation actions assessed in conjunction with those projects. This IS/MND contains mitigation to ensure that all impacts would be reduced to a Less Than Significant Impact level.



  
Signature

Assistant Planner  
Title

2/3/23  
Date



**INITIAL STUDY/  
MITIGATED NEGATIVE DECLARATION**

**for**

**County Planning File PLN220012  
Minor Subdivision  
6810 Fairview Road**

Prepared by: Jonathan Olivas, Assistant Planner

Lead Agency: County of San Benito, California  
Resource Management Agency

Applicant: San Benito Engineering

January 2023

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## **Project Data**

1. **Project Title:** County Planning File PLN220012 (Lucas/Ford 6810 Fairview Road Minor Subdivision)
2. **Lead Agency & Lead Agency Contact:** Jonathan Olivas, Assistant Planner, (831) 902-2288, jolivas@cosb.us; San Benito County Resource Management Agency, 2301 Technology Parkway, Hollister CA 95023
3. **Applicant Contact Information:** San Benito Engineering, (831) 637-1075, 502 Monterey Street, Hollister, CA 95023
4. **Project Location:** The proposed project is located at 6810 Fairview Road, Hollister, CA 95023, within San Benito County, California. The project site is made up of an approximately 10.69-acre parcel (Assessor's Parcel Number [APN] 017-010-018). The site is approximately 5 miles northeast of downtown Hollister in the northeastern portion of the unincorporated area of San Benito County, approximately 12 miles east of US 101, and approximately 1 mile north of the intersection of Fallon Road and Fairview Road. The project is located in a rural area surrounded by residences with agricultural land uses primarily row crops.
5. **Project Description:** The project proposes to subdivide an existing 10.69-acre parcel into two parcels of 5.00 and 5.69 acres. There is an existing residence on the proposed Parcel 2 and a proposed residence on Parcel 1. Applicant has concurrently submitted a separate building permit application for the proposed house on Parcel 1 (January 2023), which is currently under review.
6. **Acreage of Project Site:** The parcel is approximately 10.69 acres (APN 017-010-018).
7. **Land Use Designations:** The San Benito County General Plan designates the project site as Agricultural (A). The site is located within the Agricultural Productive (AP) Zoning District.
8. **Date Prepared:** January 2023
9. **Prepared By:** Jonathan Olivas, Assistant Planner for San Benito County.



## **Chapter 1. Introduction and Project Description**

### **1.1 Introduction**

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to evaluate the potential environmental effects associated with the minor subdivision proposed under County Planning File PLN220012 Minor Subdivision within San Benito County, California (County). This IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq.*, and the State CEQA Guidelines, California Code of Regulations (CCR) §15000 *et seq.*

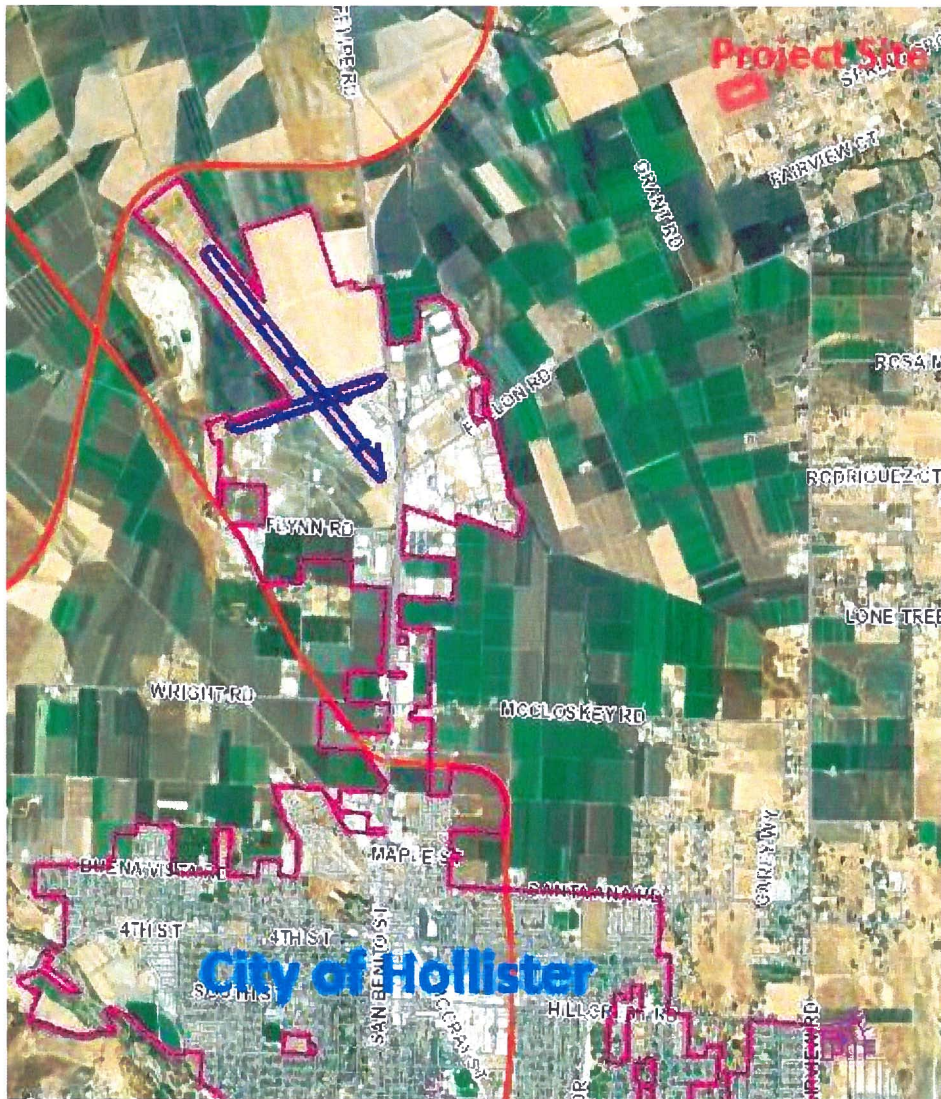
An IS/MND is an informational document prepared by a lead agency to determine if a project may have a significant effect on the environment (CEQA Guidelines §15063, subd. (a)). If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) must be prepared, in accordance with CEQA Guidelines §15064(a). However, if the lead agency determines that revisions in the project plans or proposals made by or agreed to by the applicant mitigate the potentially significant effects to a less-than-significant level, an Initial Study/Mitigated Negative Declaration may be prepared instead of an EIR (CEQA Guidelines §15070, subd. (b)). In this instance, the lead agency prepares a written statement describing the reasons a proposed project would not have a significant effect on the environment and, therefore, why an EIR need not be prepared. This IS/MND conforms to the content requirements under CEQA Guidelines §15071.

The San Benito County Resource Management Agency (County RMA) is acting as the Lead Agency pursuant to CEQA Guidelines §15050(a). As the Lead Agency, the County RMA oversaw preparation of this IS/MND pursuant to CEQA Guidelines §15063, §15070, and §15152. This IS/MND will be circulated for agency and public review during a 30-day public review period pursuant to CEQA Guidelines §15073. Comments received by the County RMA on this IS/MND will be reviewed and considered as part of the deliberative process in accordance with CEQA Guidelines §15074.

The following section is consistent with the requirements of CEQA Guidelines §15124 to the extent that it is applicable to the project. This section contains a detailed description of the project location, existing setting, project components and relevant project characteristics, and applicable regulatory requirements.

### **1.2 Project Location**

The proposed project is located at 6810 Fairview Road, Hollister, California, 95023, in San Benito County (County), at latitude 36.912870° North and longitude 121.368030° West. See **Figure 1, Vicinity Map**. The project site is comprised of an approximately 10.69-acre parcel (APN 017-010-018) that contains one single-family residence and farmland/grazing land. Local access to the project site from Hollister is San Felipe Road via Fallon Road to Fairview Road. The project site is located approximately 1 mile north of the intersection of Fallon Road and Fairview Road.



**Figure 1 Vicinity Map**

Surrounding land uses are primarily agricultural, with rural residential uses in the vicinity as well. The San Benito County General Plan designates the project site as Agriculture (A) and the project site is zoned Agricultural Productive (AP). The AP designation applies to areas that are characterized by agriculturally productive lands of various types, including crop land, vineyards, and grazing lands. The purpose of this land use designation is to maintain the productivity of agricultural land, especially prime farmland, in the County.

### **1.3 Project Description**

The proposed project consists of an application for a Minor Subdivision. The minor subdivision into two lots of 5.00 acres (Parcel 1) and 5.69 acres (Parcel 2). For the currently unbuilt Parcel 1, the applicant proposes construction of a house, septic system, and access driveway for both parcels. The application as submitted includes an existing residence on the proposed Parcel 2. The applicant has applied for permits for building, grading, and residential construction. No building

permits have been issued as of January 2023. See **Figure 2, Site Plan**. The project site has been utilized for agricultural cultivation historically.

### **Construction**

Parcel 2 will remain unchanged with the existing house and septic system. The applicant has applied for the required permits to build the proposed house on the proposed Parcel 1 as of January 2023. Construction activities, required equipment, and time frame are unknown at this time as those permits are still under review.

### **Water Supply**

No new water use is proposed as part of this project. The proposed residence will use an existing well on the proposed Parcel 1. Parcel 2 will continue to use the existing shared well located on APN 017-010-017.

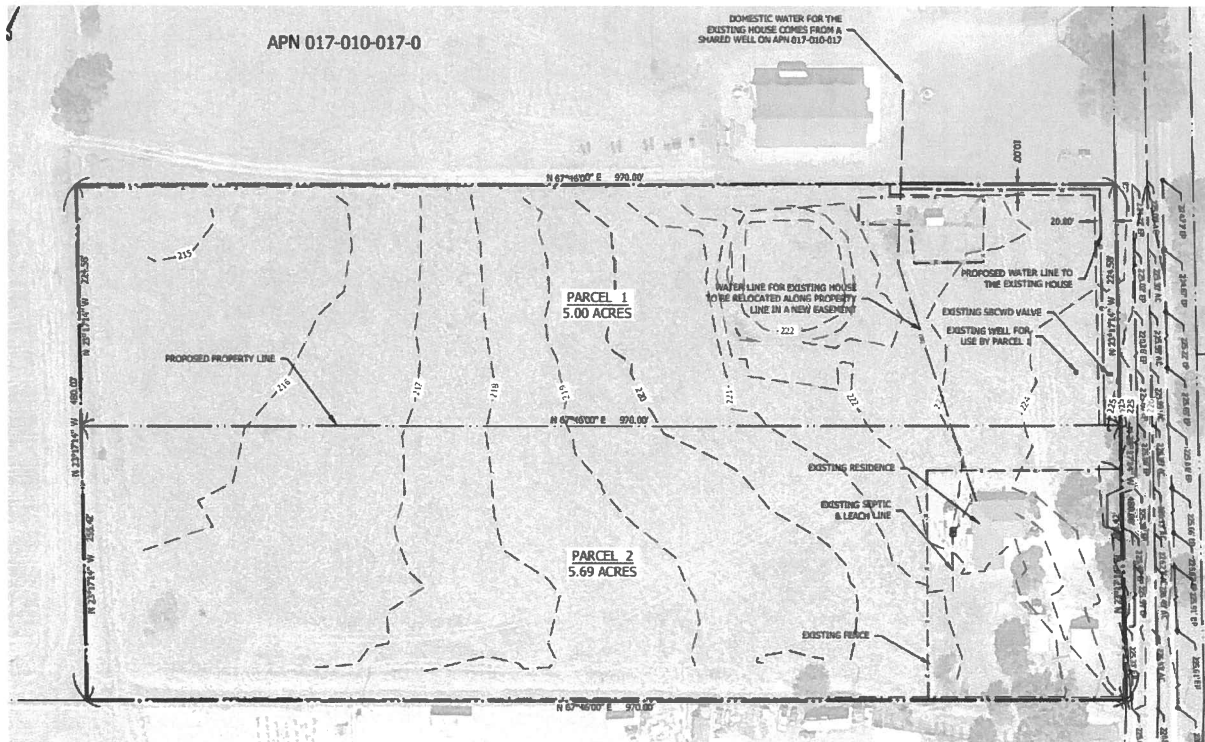
### **Septic**

With sewer service unavailable, septic system use will be required for any residential use of the parcels. Permits for the proposed new septic system on Parcel 1 have been applied for as of January 2023. The applicant will be required to provide a soils report to show the capability of the soils on the proposed Parcel 1 to support a septic system prior to any building permits being issued. The San Benito County Division of Environmental Health will review the plans for the proposed septic tank in accordance with San Benito County Code section § 15.07.001 *et seq.* Parcel 2 has an existing septic system.

### **Drainage**

Impervious surface increase is unknown at this time as the applicant has not submitted any site plans for the proposed residence on the proposed Parcel 1. The current building permit application for the proposed residence on Parcel 1 and new water detention pond are currently under review. Parcel 2 has existing drainage for the existing residence. Both proposed parcels drain to the west.





**Figure 2 Site Plan**

### **Grading**

The application for the proposed residence on Parcel 1, detention pond, and joint driveway access (currently under construction, permissible under local regulations) for both the proposed Parcel 1 and proposed Parcel 2 will require grading permits. These permits are currently under review. Parcel 2 has existing grading for the existing driveway that currently serves as the property's main access. The applicant has submitted a design level geotechnical report as part of their building permits and/or grading permits (January 2023). No permits have been issued at this time and are still under review.

### **Lighting**

The proposed project would include limited outdoor lighting for safety and security purposes. All proposed outdoor lighting would be required to conform to County requirements for Zone II nighttime lighting under County Code Chapter § 19.31.008.

### **Access and Parking**

During future construction, the project would be accessed by a joint private driveway (currently under construction, permissible under current local regulations) accessible from Fairview Road for the proposed Parcel 1 and the proposed Parcel 2. Parcel 2 currently has an existing driveway which serves as the main access to the property. Parking would be available on-site for construction and operation. No construction plans have not been submitted at this time.

## 1.4 Required Permits

This IS/MND is an informational document for both agency decision-makers and the public. The County RMA is the Lead Agency responsible for adoption of this IS/MND. It is anticipated that the proposed project will require permits and approvals from the following agencies: San Benito County Planning and Building Department, San Benito County Public Works Division, San Benito County Environmental Health Division, San Benito County Water District, San Benito County Fire (Hollister Fire). This list is not considered exhaustive and additional agencies and/or jurisdictions may have permitting authority.

## Site Photos



*Main entrance to the property facing east.*



*Property facing west.*





*Middle of property facing west.*



*Southern edge of parcel 1 facing east.*

## **1.5 Project Goals and Objectives**

The primary goal of the proposed project is to achieve approval of parcel map for a minor subdivision from the Planning Commission. The project's key objectives from the project applicant are as follows:



- Separate the 10.69-acre parcel into two parcels of 5.00 and 5.69 acres.
- Build a second primary residence, well (existing), septic tank, and retention pond on the proposed Parcel 2.

## **Chapter 2. Environmental Factors Potentially Affected**

The environmental factors identified below are discussed within Chapter 4. Initial Study Environmental Checklist Sources used for analysis of environmental effects are cited in parenthesis after each discussion and are listed in Chapter 5. References.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture / Forestry Resources | <input type="checkbox"/> Air Quality                                   |
| <input type="checkbox"/> Biological Resources        | <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Energy  |
| <input checked="" type="checkbox"/> Geology / Soils  | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards and Hazardous Materials               |
| <input 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 checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                         | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

### **Chapter 3. Determination**

#### **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.

  
Signature

2/3/23  
Date

Jonathan Olivas  
Printed Name

San Benito County  
Agency

## **Chapter 4. Initial Study Environmental Checklist**

The following chapter assesses the environmental consequences associated with the proposed project. Mitigation measures, where appropriate, are identified to address potential impacts.

### **EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
2. All answers must take into account the whole action involved, including offsite as well as on-site, 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 Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate information sources for potential impacts (e.g., general plans, zoning ordinances) into the checklist references. 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.

#### **4.1 Aesthetics**

##### **4.1.1 Environmental Setting**

The 2035 County General Plan Update Recirculated Draft EIR (RDEIR) notes that the County's most striking features are the Diablo and Gabilan Mountain Ranges and the San Benito Valley, which lies between them. There are no State designated scenic highways located in the County. However, three highways are County designated scenic highways, including Highway 101, located approximately 10 miles west of the project site; SR 156, located over 1.3 miles west of the project site; and SR 129, located approximately 10 miles west of the project site.

According to the 2035 County General Plan RDEIR, important vistas within San Benito County that define its visual character include agricultural croplands, rangelands, rolling hills, open spaces, historic towns and mining sites, and views of the Diablo and Gabilan ranges. These agricultural and rangeland areas constitute more than 75 percent of the County's total land area. Additionally, the County's topography includes valleys and rolling hills, particularly in the northern portion of the County near Hollister and San Juan Bautista, where most of the County's population dwells.

The existing site is currently used for rural residential and some agricultural activities. Surrounding lands are rural and agricultural uses primarily. The proposed project would result in the creation of one additional lot. The project would also result in one new residence on the proposed parcel 1. If this project were approved, it would also grant entitlements for a maximum potential build out of two new additional dwelling units on the proposed parcels 1 and 2. The project currently proposes no new development beyond the subdivision and one new residence, although the applicant has applied for a residential building permit that has not yet been approved or issued at this time (January 2023).

New sources of lighting for this project would be the proposed residence on the proposed Parcel 1. A Tentative Map and a site plan have been submitted for this project. However, this would

only be an estimated construction plan, official construction plans have not been submitted at this time. No permits have been applied for at this time, either. The surrounding rural and primarily agricultural lands, some with residential uses, produce varying degrees of nighttime lighting.

Section 19.31.005 of the San Benito County Code establishes three lighting zones, with Zone I having the strictest regulations and Zone III imposing the least restrictive based on proximity to Fremont's Peak. The project site is located in Zone II. General requirements are applicable to all zones, under Section 19.31.006, and the special requirements applicable to project set forth in Section 19.31.008 are listed below:

- (A) (1) Total outdoor light output (excluding streetlights used for illumination of county roadways or private roadways related to any development project in Zone II) shall not exceed 50,000 initial raw lamp lumens per net acre, averaged over the entire project.
- (2) Furthermore, no more than 5,500 initial raw lamp lumens per net acre may be accounted for by lamps in unshielded fixtures permitted in Table 19.31.006(1) of this chapter. [...]
- (D) Class 3 lighting must be extinguished at 11:00 p.m. or when the business closes, whichever is later, except that low-wattage holiday decorations may remain on all night from November 15 to January 15.

#### 4.1.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Aesthetics.</b> 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"/>



Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

#### 4.1.3 Explanation

a) **Less than Significant Impact.** As described in the County's General Plan, most of the County consists of agricultural and rangeland uses and many of the County's scenic vistas consist of views of these areas. The proposed project consists of a subdivision and one proposed house on the proposed Parcel 1. These uses are both consistent with the zoning of the project site and adjacent land use and zoning designations. The project is not visible from existing designated scenic roads. In addition, the project would not exceed the 35-foot building height maximum for the zoning district and would not block any neighboring views of distant mountain ranges. The proposed project would not impair County scenic vistas within the agricultural and rangeland uses; therefore, the impacts would be less than significant. (1, 2, 3)

b) **Less than Significant Impact.** As discussed above, there are many scenic resources in the County; however, the project site is not located within the vicinity of a County designated scenic roadway or an officially designated State Scenic Highway. Therefore, the project is not visible from a state designated scenic highway or County designated scenic roadway. As a result, the project would have a less than significant impact on scenic resources such as rock outcroppings, trees, or historic buildings within view from a scenic highway. (1, 2, 3)

While not near a scenic highway, the proposed project will include a minimal amount of tree removal along Fairview Road. The purpose of this tree removal would be to comply with County Road improvement standards set forth in § 23.15.002 Dedication of Streets, Alleys and Other Public Rights-of-Way or Easement. The General Plan Circulation Element designates Fairview Road as an arterial roadway for which § 23.15.002 requires a 110 foot right of way; therefore, the applicant is required to dedicate and construct additional right of way in order to meet this standard. The result of this removal would resemble the existing environment found along most of Fairview Road, resulting in a less than significant impact. (1, 2, 8)

c) **Less than Significant Impact.** The proposed project is located within a non-urbanized area and would involve agricultural and rural uses within and adjacent to parcels zoned for agriculture with rural or agricultural uses. Consistent with General Plan Policy NCR-8.11 Landscaping in Areas Designated for Agriculture or Rural Land Uses, the proposed project would appear similar to existing agricultural and rural uses in the vicinity. The project would be consistent with the County zoning and regulations governing land use and scenic quality as discussed above and in discussion a and b in this section. The proposed project would result in a less-than-significant impact to the visual character and quality of public views of the project site. (1, 2, 3)

d) **Less than Significant Impact.** The increased lighting into a minimally lit area would increase the extent of lighting as compared to existing conditions. The proposed project would be required to conform with applicable provisions of the County “Dark Skies” Ordinance (County Code Chapter 19.31), which requires the use of outdoor lighting systems and practices designed to reduce light pollution and glare, and protection of the nighttime visual environment by regulating outdoor lighting that interferes with astronomical observations and enjoyment of the night sky. Compliance with the County’s “Dark Skies” Ordinance would ensure that potential adverse effects associated with site lighting would be less than significant.

Additionally, as part of the County permitting process, the proposed project would go through design review and approval under San Benito County Code section § 25.02.001 Development Plan Review in order to confirm consistency with applicable standards, requirements and design guidelines. As a result, potential impacts from lighting and glare would be less than significant. (1, 2, 3)

## **4.2 Agricultural and Forest Resources**

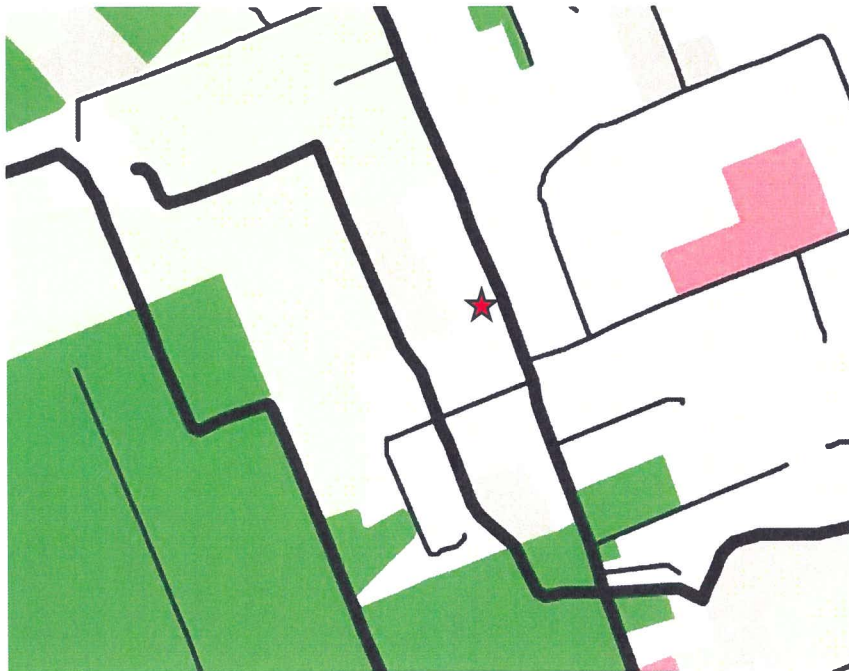
### **4.2.1 Environmental Setting**

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), established by the State Legislature in 1982, assesses the location, quality, and quantity of agricultural lands. In addition, the FMMP monitors the conversion of these lands over time. The FMMP is a non-regulatory program contained in Section 612 of the Public Resources Code and contains five farmland categories in order to provide consistent and impartial analysis of agricultural land use and land use changes throughout California. The five farmland categories consist of the following:

- Prime Farmland (P) comprises the best combination of physical and chemical features able to sustain long-term agricultural production. Irrigated agricultural production is a necessary land use four years prior to the mapping date to qualify as Prime Farmland. The land must be able to store moisture and produce high yields.
- Farmland of Statewide Importance (S) possesses similar characteristics to Prime Farmland with minor shortcomings, such as less ability to hold and store moisture and more pronounced slopes.
- Unique Farmland (U) has a production history of propagating crops with high-economic value.

- Farmland of Local Importance (L) is important to the local agricultural economy. Local advisory committees and a county specific Board of Supervisors determine this status.
- Grazing Land (G) is suitable for browsing or grazing of livestock.

The existing project site consists of “Grazing Land” and “Other Land” in the 2018 FMMP. This parcel does not meet the criteria of Prime, Statewide or Unique Farmland. No adjacent parcels to the north, south, east, and west contain lands are designated as Prime Farmland. (See **Figure 4.**)



**Figure 4** shows the project site (red star) on the 2018 FMMP.

The property now primarily serves as a rural residence with some agricultural land use as well. Per the FMMP 2018 this property is categorized as grazing land and other land. Which, formally defined, grazing land is land on which the existing vegetation is suited to the grazing of livestock. Other land is defined by the 2018 FMMP as other land is land not included in any other mapping category. Common examples of this type of land could include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as other land.

The Williamson Act, codified in 1965 as the California Land Conservation Act, allows local governments to enter into contracts with private landowners to offer tax incentives in exchange for an agreement that the land will remain as agricultural or related open space use for a 10-year period. The project site is not currently under a Williamson Act contract.

According to the California Public Resources Code §4526, the California Board of Forestry and Fire Protection defines “Timberland” as land not owned by the federal government, nor designated as experimental forest land, which is capable and available for growing any commercial tree

species. The board defines commercial trees on a district basis following consultation with district committees and other necessary parties. There are no forest land, timberland, or timberland production areas, as zoned by applicable state and local regulations located within the County.

#### 4.2.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>Agriculture and Forestry Resources.</b> 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:</p>				
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 checked="" type="checkbox"/>	<input 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"/>

#### 4.2.3 Explanation

a) **No Impact.** As noted above, the FMMP of the California Resources Agency classifies the majority of the project site as “Grazing Land” and “Other Land”. The adjacent parcels are also designated as “Grazing Land”, “Other Land”, and “Unique Farmland.” The proposed subdivision is allowable under the current Agricultural Productive zoning. The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. Therefore, the project would result in a less than significant impact. (1, 2, 3, 4, 5)

b) **Less than Significant Impact.** The proposed use for the project is consistent with the zoning designation, Agricultural Productive, and County General Plan designation, Agriculture, of the existing site. The site is consistent with General Plan Land Use Designation and Standards under Agriculture allow for one principal residential dwelling at a density of 1 dwelling per 5 Acres, which this project is consistent with. Both the zoning and general plan designations allow for the proposed subdivision and the second primary residence on the proposed Parcel 1. According to the San Benito County General Plan designation of Agriculture (PG. 3-4 Table 3-1) and the San Benito County Zoning Ordinance § 25.03.004 Agricultural and Rural Districts (C) AP allows for residencies by definition and is consistent with the intent of AP to allow for additional housing in agricultural and rural land designations as per the aforementioned General Plan and Zoning policies. Additionally, the additional residence would help to accommodate the growing housing needs of San Benito County. This subdivision would also allow for the potential future development of two additional accessory dwelling units and accessory structures. See section 4.7 Geology and Soils for discussion on soils. This project is not subject to any California Land Conservation Act (Williamson Act) Contract either. As part of the County permitting process, the proposed project would go through design review and approval, under San Benito County Code section § 25.02.001 Development Plan Review, in order to confirm consistency with applicable standards, requirements and design guidelines. As a result, potential impacts would be minimized at that time, and the project as proposed would have no impact. (1, 2, 3, 5)

c-e) **No Impact.** As noted above, there are no forest land, timberland, or timberland production areas, as zoned by applicable state and local laws and regulations within the County, or otherwise present onsite. As the project site is not designated as forest land, the proposed project would not convert these lands to a non-forest use. The project would not conflict with or require rezoning of forest land or timberland; would not result in the loss or conservation of forest land; and would not involve other changes in the existing environment which could result in conversion of forest land to non-forest land; therefore, there is no impact. (1, 2, 3, 4, 5)

#### 4.3 Air Quality

##### 4.3.1 Environmental Setting

The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of certain air pollutants. Under these Acts, the United States Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for specific “criteria” pollutants. These pollutants are carbon monoxide (CO<sub>2</sub>), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), particulate matter less than 10 microns in diameter (PM<sub>10</sub>), lead, and particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>). The project



site is located within the North Central Coast Air Basin (NCCAB), which is comprised of Santa Cruz, San Benito, and Monterey Counties, and is regulated by the Monterey Bay Air Resources District (MBARD), which was formally known as the Monterey Bay Unified Air Pollution Control District. The U.S. EPA administers the National Ambient Air Quality Standards (NAAQS) under the Federal Clean Air Act. The U.S. EPA sets the NAAQS and determines if areas meet those standards. Violations of ambient air quality standards are based on air pollutant monitoring data and evaluated for each air pollutant. Areas that do not violate ambient air quality standards are considered to have attained the standard. The NCCAB is in attainment for all NAAQS and for all California Ambient Air Quality Standards (CAAQS) except O<sub>3</sub> and PM<sub>10</sub>. The primary sources of O<sub>3</sub> and PM<sub>10</sub> in the NCAAB are from automobile engine combustion. To address exceedance of these CAAQS, MBARD has developed and implemented several plans including the 2005 Particulate Matter Plan, the 2007 Federal Maintenance Plan, and the 2012-2015 Air Quality Management Plan (AQMP), a revision to the 2012 Triennial Plan. NCCAB Attainment Status to National and California Ambient Air Quality can be found in **Table 1 below**.

Table 1 North Central Coast Air Basin Attainment Status		
Pollutant	State Designation <sup>1</sup>	National Designation <sup>2</sup>
Ozone (O <sub>3</sub> )	Nonattainment - Transitional	Attainment
Inhalable Particulates (PM <sub>10</sub> )	Nonattainment	Attainment
Fine Particulates (PM <sub>2.5</sub> )	Attainment	Attainment
Carbon Monoxide (CO)	Unclassified	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Attainment	Attainment
Lead	Attainment	Attainment
<b>Notes:</b> 1) The State Designations apply to the entire NCCAB and are based on air quality data from 2017. Source: Monterey Bay Air Resources District Air Quality Management Plan 2012-2015; <a href="https://www.mbard.org/files/6632732f5/2012-2015-AQMP_FINAL.pdf">https://www.mbard.org/files/6632732f5/2012-2015-AQMP_FINAL.pdf</a> 2) The National Designations apply to San Benito County only and are based on air quality data from as recent as January 31, 2021. Source: California Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants; <a href="https://www3.epa.gov/airquality/greenbook/anayo_ca.html">https://www3.epa.gov/airquality/greenbook/anayo_ca.html</a>		

**Table 1**

Plans to attain these standards already accommodate the future growth projections available at the time these plans were prepared. Any development project capable of generating air pollutant emissions exceeding regionally established criteria is considered a significant impact for purposes of CEQA, regardless of whether such emissions have been accounted for in regional air planning. Any project that would directly cause or substantially contribute to a localized violation of an air quality standard would generate substantial air pollution impacts. The same is true for a project that generates a substantial increase in health risks from toxic air contaminants.

Sensitive receptors are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors include residences, schools, and health care facilities. There are no sensitive receptors in the vicinity of the project site.



#### 4.3.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Air Quality.</b> 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

#### 4.2.3 Explanation

a) **Less than Significant Impact.** CEQA Guidelines §15125(b) requires an evaluation of project consistency with applicable regional plans, including the AQMP. As stated above, MBARD has developed and implemented several plans to address exceedance of State air quality standards, including the 2012-2015 AQMP. MBARD is required to update their AQMP once every three years; the most recent update was the 2012-2015 AQMP (MBARD, 2017) was approved in March of 2017. This plan addresses attainment of the State ozone standard and federal air quality standard. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments (AMBAG) and other indicators. The proposed project would not result in any increase in employment and would result in a minimal increase in population growth. The proposed project would be consistent with the MBARD 2012-2015 AQMP. In addition, as noted below, the proposed project would not result in a significant increase in emissions. For these reasons, implementation of the proposed project is not anticipated to result in a substantial increase in either direct or indirect emissions that would conflict with or obstruct implementation of the AQMP. The impact of this project is less than significant. (1, 2, 6, 7)

b) **Less than Significant Impact.** Minor grading and cut/filling are proposed as part of this project. However, official plans have applied for and are under review as of January 2023. No permits have been issued at this time. When construction occurs, construction equipment could result in impacts

to air quality. The drainage plan for the project would need to provide the grading quantities for cut and fill associated with the project: Site disturbance activities could result in a short-term, localized decrease in air quality due to the generation of particulate emissions (PM<sub>10</sub>). The MBARD 2016 Guidelines for Implementing CEQA contain standards of significance for evaluating potential air quality effects of projects subject to the requirements of CEQA. According to MBARD, a project would not violate an air quality standard and/or contribute to an existing or projected violation during construction if it would:

- Emit (from all sources, including exhaust and fugitive dust) less than:
  - 137 pounds per day (lb/day) of oxides of nitrogen (NO<sub>x</sub>);
  - 137 lb/day of reactive organic gases (ROG);
  - 82 lb/day of respirable particulate matter (PM<sub>10</sub>);
  - 55 lb/day of fine particulate matter (PM<sub>2.5</sub>); and
  - 550 lb/day carbon monoxide (CO)
- Not cause or contribute to a violation of any California or National Ambient Air Quality Standard;
- Not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment;
- Not exceed the health risk public notification thresholds adopted by the Air District;
- Not create objectionable odors affecting a substantial number of people; and
- Be consistent with the adopted federal and state Air Quality Plans.

c) **Less than Significant Impact.** A “sensitive receptor” is generally defined as any residence including private homes, condominiums, apartments, or living quarters; education resources such as preschools and kindergarten through grade twelve (“K-12”) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes. There are 6 existing residences within 1,000 feet of the project site. MBARD’s 2008 CEQA Air Quality Guidelines state that a project would have a significant impact to sensitive receptors if it would cause a violation of any CO<sub>2</sub>, PM<sub>10</sub>, or toxic air contaminant standards at an existing or reasonably foreseeable sensitive receptor.

As stated above, if the project were to have construction, the project would implement standard air quality Best Management Practices (BMPs). Additionally, the proposed project would not exceed any MBARD thresholds, including CO and PM<sub>10</sub>. For these reasons, if were to occur construction activities would have a less-than-significant impact to sensitive receptors. (1, 2, 6, 7)

d) **Less than Significant Impact.** Pollutants associated with substantial emissions include sulfur compounds and methane. Typical sources of odors include landfills, rendering plants, chemical plants, agricultural uses, wastewater treatment plants, and refineries (MBARD, 2008).

The proposed project will continue to be used for agriculture and a residence, with a slight intensification of the current land use found on the subject property and in its surroundings. This would generate odors similar to the current land use and would have no increased or adverse effects to sensitive receptors. Therefore, the project would not result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people and there would be less than significant impact. (1, 2, 6, 7)

## 4.4 Biological Resources

### 4.4.1 Environmental Setting

The entire site is within an area of active agriculture. Active agriculture areas are subject to an anthropogenic disturbance regime related to the cultivation of row cropping and rangeland. Due to this disturbance regime all other species or vegetation, besides those species associated with the row cropping and a few weedy species able to persist on the edges, are nonexistent within this habitat type. Ruderal/disturbed habitat occurs within the project site, this habitat type is associated with areas which have been developed or have been subject to historic and ongoing disturbance by human activities and are devoid of vegetation or dominated by non-native and/or invasive weed species. Ruderal/disturbed areas within the project site consist of the new driveway, new residence, septic, and detention pond for the proposed parcel 1. The other parcel has existing infrastructure, and the areas along the roadway/driveway with one existing residence on the proposed parcel 2.

There are several species of note within a three-mile radius of the project site according to the California Department of Fish and Wildlife. The species of note are the San Joaquin kit fox, California red legged frog, and California tiger salamander. However, given the size and scope of the project and proximity to these habitats the species mentioned would have a low likelihood of being impacted by this project. Additionally, none of these habitats are located within the boundaries of the project site. The nearest occurrence is more than a mile away from the project site.

### 4.4.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Biological Resources.</b> 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, 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"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>

#### 4.4.3 Explanation

a) **Less than Significant Impact.** The project site is currently graded, and future grading will occur. Though no permits have been applied for at this time. The site is in use as agricultural and has a residence with a driveway. There are no native, sensitive, or wetland habitats on the site. Due to the lack of these habitats and the extent of human disturbance and past development on the project site, no disturbance to any special-status plant and animal species is expected to occur.

b) **Less than Significant Impact.** The project site does not contain any riparian or other sensitive natural communities. Therefore, the proposed project would not result in any significant impacts to sensitive habitats. (1, 2)

c) **No Impact.** The project site does not contain any federally protected wetlands. Therefore, the proposed project would not result in any impacts to federally protected wetlands. (1, 2)

d) **Less than Significant Impact.** The project site is primarily developed or in use for agricultural purposes and does not provide any valuable migratory wildlife corridors. This project site also contains no native wildlife nursery sites for native fish or wildlife species. Therefore, proposed project would not impede the use of any wildlife corridors or interfere with wildlife movement and would result in no impact. (1, 2)

e) **Less than Significant Impact.** The proposed project will include a minimal amount of tree removal along Fairview Road. The purpose of this tree removal would be to comply with County

Road improvement standards set forth in § 23.15.002 Dedication of Streets, Alleys and Other Public Rights-of-Way or Easement. The General Plan Circulation Element designates Fairview Road as an arterial roadway for which § 23.15.002 requires a 110 foot right of way; therefore, the applicant is required to dedicate and construct additional right of way in order to meet this standard. The project would result in a minimal impact and would not conflict with any tree preservation policy or ordinance, resulting in a less than significant impact. (1, 2, 8)

f) **No Impact.** There are no adopted habitat conservation plans associated with the project site. (1, 2)

## 4.5 Cultural Resources

### 4.5.1 Environmental Setting

The County of San Benito General Plan notes that only three percent of the land area of San Benito County has been surveyed for cultural resources, yet over 1,300 cultural sites have been documented, including over 500 prehistoric and historic archaeological sites and over 850 historic buildings. The 2035 County General Plan Revised Draft Environmental Impact Report (RDEIR) identified that the majority of historic properties in the County are in the incorporated cities of Hollister and San Juan Bautista, with the exception of two small historic communities, Paicines, and Tres Pinos.

This is further addressed in San Benito County Code under § 19.05.001 *et seq.* The intent of this chapter is to protect, preserve and show respect for Native American, Spanish, Mexican, Euroamerican and other archaeological sites and resources within the county of San Benito. See also related discussion in Section 4.18 Tribal Cultural Resources.

### 4.5.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Cultural Resources.</b> 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



#### 4.5.3 Explanation

a) **No Impact.** CEQA Guidelines §15064.5 describes a historical resources as: 1) any resource that is listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; 2) a resource included in a local register of historical resources; and, 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant based on substantial evidence in light of the whole record. A substantial change includes the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance would be materially impaired (CEQA Guidelines §15064.5(b)).

The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5. The project site does not contain any historic resources listed in the California Inventory of Historical Resources, California Historical Landmarks, or the National Register of Historic Places. The proposed project consists of the proposed subdivision of the existing 10.69-acre parcel into two parcels of 5.00 and 5.69 acres. The property has an existing residence and existing agricultural uses. The proposed future construction would not have any impact on a historical resource as defined in accordance with the requirements of CEQA. The project proposal includes a building envelope that would avoid the areas of concern in regard to archaeological resources. The mitigation measure CR-1 (see discussion b and c below) would also provide additional protection against the disturbance of any archaeological resources. There would be no impact as a result of the proposed project. (1, 2, 3)

b) **Less than Significant Impact with Mitigation Incorporated.** Public Resources Code §21083.2 requires that lead agencies evaluate potential impacts to archaeological resources. Specifically, lead agencies must determine whether a project may have a significant effect or cause a substantial adverse change in the significance of an archaeological resource. While no archaeological resources have been documented or found on-site, previously unknown or buried archaeological resources could, nevertheless, be present. The project could impact potentially unknown or buried resources during construction. In order to minimize potential impacts to a less-than-significant level, mitigation is necessary. The implementation of the following mitigation measure CR-1 (see discussion c below) would ensure that potential impacts would be less-than-significant. See also Section 4.18 Tribal Cultural Resources for further, tribal-related discussion and mitigation. (1, 2, 3)

c) **Less than Significant Impact with Mitigation Incorporated.** No human remains, including those interred outside of formal cemeteries, are known to occur within the project site. While the likelihood of human remains, including those interred outside of a formal cemetery, within the project site is low, it is possible that previously unknown human remains may be present. Previously unknown human remains could be impacted if construction were to occur. In order to reduce potential impacts to a less-than significant level, mitigation is necessary. The implementation of the following mitigation measure CR-1 would ensure that potential adverse impacts would be reduced to a less than significant level. See also Section 4.18 Tribal Cultural Resources for further, tribal-related discussion and mitigation. (1, 2, 3)

#### Mitigation

**CR-1** A note shall be placed on project improvement plans stating the following:

If human remains are found at any time on the project site, work shall be stopped by the construction manager, and the County Coroner must be notified immediately. If the Coroner determines that the remains are Native American, the Native American Heritage Commission will be notified as required by law. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. (Ref: California Public Resources Code Section 5097.98; and Health and Safety Code Section 7050.5) Specific County of San Benito provisions and further measures shall be required as follows if human remains are found:

- a) If, at any time in the preparation for, or process of, excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:
- b) 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.
- c) 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.
- d) Notify Resource Management Agency Director shall also be notified within 24 hours if human and/or questionable remains have been discovered. The Sheriff–Coroner shall be notified immediately of the discovery as noted above.
- e) 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.

## **4.6 Energy**

### **4.6.1 Environmental Setting**

Starting in 2018, all Pacific Gas & Electric (PG&E) customers within Monterey, San Benito, and Santa Cruz Counties were automatically enrolled in Central Coast Community Energy (3CE), formerly known as Monterey Bay Community Power. 3CE is a locally controlled public agency providing carbon-free electricity to residents and businesses. Formed in February 2017, 3CE is a joint powers authority, and is based on a local energy model called community choice energy. 3CE partners with PG&E, which continues to provide billing, power transmission and distribution, customer service, grid maintenance services and natural gas services to San Benito County. 3CE's standard electricity offering, is carbon free and is classified as 30 percent renewable. Of the electricity provided by 3CE in 2018, 40 percent was hydroelectric, and 30 percent was solar and wind (eligible renewables) (MBCP, 2019).

#### 4.6.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Energy.</b> 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"/>

#### 4.6.3 Explanation

a) **Less than Significant Impact.** The construction currently proposed would involve an amount of energy use typical for the site's residential and agricultural land use. Even with the addition of two additional dwelling units with the maximum entitlement granted by this subdivision the energy use would still be less than significant. As a result, implementation of the proposed project would not result in a substantial environmental impact on energy resources.

Based on the discussion above, the project as proposed would not result in potentially significant environmental impact, during operation or construction, due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use or energy resources during project operation or construction. This results in no impact. (1, 2, 3, 4, 7, 8)

b) **Less than Significant Impact.** As mentioned in discussion (a) above, construction and operation of the proposed project would have a less than significant impact since the project proposes the construction of one additional dwelling with one existing house that would result in a minimal energy increase. Even with the addition of two additional dwelling units with the maximum entitlement granted by this subdivision, the project would still comply with existing state energy standards, and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The result would be less than significant impact. (1, 2, 3, 4, 7, 8)

#### 4.7 Geology and Soils

##### 4.7.1 Environmental Setting

**Site Conditions:** Site topography is mostly flat throughout the property, and the site has historically been used for agricultural production and is minimally vegetated. The existing site is graded for the existing driveway access directly off Fairview Road, which serves the existing residence and detached garage. The project would allow a new primary residence on the proposed Parcel 1, and the applicant has applied for building permits to build the Parcel 1 residence; however, the

applicant has not yet submitted any construction plans. There permits are currently under review as of January 2023.

**General Subsurface Conditions:** There are several soil types that occur at this site. The first one we will discuss is, Pacheco Clay Loam over clay. These soils are classified as Grade 3, and the capability unit of these soils are IIw-2 (14), soils in this unit are very deep and somewhat poorly drained. They have a moderately coarse texture to moderately fine texture and are nearly level. These soils are in the Metz and Pacheco series. The surface layer ranges from sandy loam to clay loam. In some places the lower layers are considerably stratified with loamy sand and sand. Permeability ranges from rapid to moderately slow.

Originally these soils had a water table that generally fluctuated between the depths of 36 and 60 inches. In some places it was even temporarily nearer to the surface than 36 inches. By pumping and improving drainage, the water table was lowered in many areas, and it rises only a little above 60 inches. Available water holding capacity generally ranges from 5 to 12 inches. These soils are found along the western most edge of the property.

The second soil type is Rincon silty clay loam with 0 to 2 percent slopes eroded. These soils are classified as Grade 2, the capability units of these soils are IIs-5 (14), soils in this unit are very deep, well drained to moderately well drained. They are moderately fine textured to fine textured and are nearly level. These soils are in the Clear Lake, Cropley, Pacheco, and Rincon series. Their surface layer is clay, silty clay, silty clay loam, or loam, and the subsoil ranges from clay-to-clay loam. Permeability is generally slow but is moderately slow to very slow in some places. Available water holding capacity is about 8 to 12 inches. These soils are found throughout most of the property.

The final soil type is Rincon Loam, 0 to 2 percent slopes eroded. These soils are classified as Grade 1 soils, the capability units of these soils are IIs-5 (14), soils in this unit are very deep, well drained to moderately well drained. They are moderately fine textured to fine textured and are nearly level. These soils are in the Clear Lake, Cropley, Pacheco, and Rincon series. Their surface layer is clay, silty clay, silty clay loam, or loam, and the subsoil ranges from clay-to-clay loam. Permeability is generally slow but is moderately slow to very slow in some places. Available water holding capacity is about 8 to 12 inches. These soils are found throughout most of the property. (17)

**Groundwater Conditions:** According to the latest State data this property is located within the SGMA ground water basin of North San Benito. The San Benito County Water District's (SBCWD's) annual report has this property as located in the local subbasin Hollister East (North), as part of the Hollister Management area. By both the SBCWD's assessment and the State (SGMA) this basin is not critically over drafted. There are no new wells proposed for this proposed subdivision at this time. The applicant has not indicated at this time that any new water connections will be made as of January 2023.

**Slope Stability:** According to the Landslide Identification Map, the site area is currently unmapped for susceptibility to landslides to landslides. This property is not located in a FEMA Flood Zone either.

**Faulting and Ground Shaking:** Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces of active faults in California (see Figure 5 – Fault Map). There are no active faults or fault zones that traverse the project site per the California Department of



Conservation (Earthquake Hazard Zone App). However, the project site is located in the seismically active Monterey Bay region. The faults in the vicinity of the proposed project include: the San Andreas Fault, located approximately 10 miles southwest of the site; the Quien Sabe Fault, located approximately 1 mile northeast of the site; Calaveras Fault, located approximately 3 miles west of the project site; and the Sargent Fault, located about 4 miles southwest of the site.

An earthquake of moderate to high magnitude generated within Northern California region could cause considerable ground shaking at the site, similar to that which has occurred in the past. Potential seismic hazards include surface ground rupture, strong seismic shaking and potential liquefaction, and dynamic settlement. No fault traces cross the property, the potential for surface ground rupture at the site is low. Due to the proximity of the referenced nearby faults, there is potential for some seismic shaking at the site during the life of the proposed subdivision.

***Liquefaction, Lateral Spreading, and Seismic Induced Settlement:*** The term liquefaction refers to the liquefied condition and subsequent softening that can occur in soils when they are subject to cyclic strains, such as those generated during a seismic event. Studies of areas where liquefaction has occurred have led to the conclusion that saturated soil conditions, low soil density, grain sizes within a certain range, and a sufficiently strong earthquake, in combination, create a potential for liquefaction. The effects of liquefaction can include ground settlement, lateral soil spreading, and localized loss of foundation support. The project site has not been studied for liquefaction nor has a geotechnical investigation been done as there is no development proposed. (17)

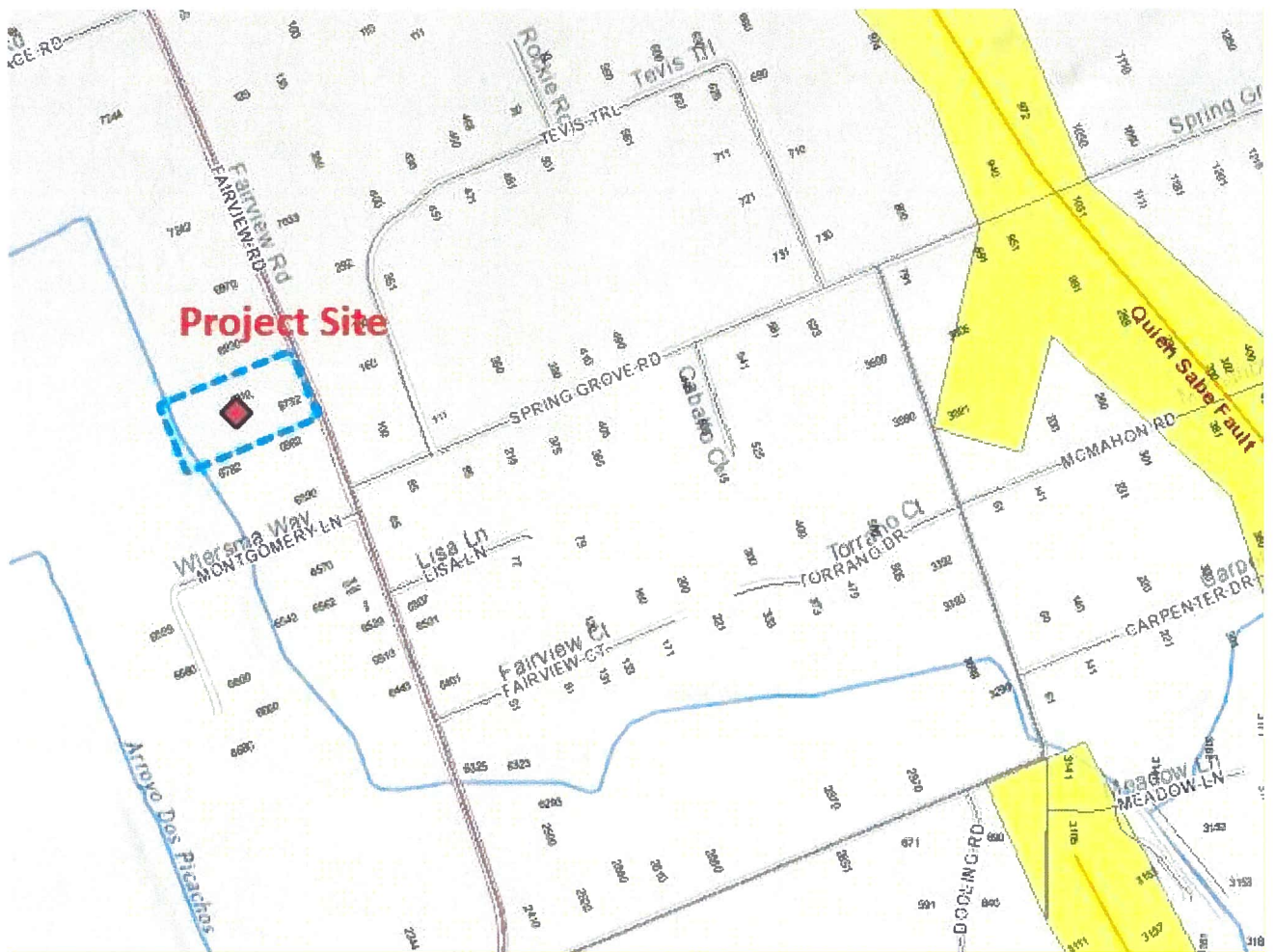
#### 4.7.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Geology and Soils.</b> Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist–Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 4.7.3 Explanation

a) **Less than Significant Impact.** There are no known active faults crossing the proposed project site and the site is not located within an Earthquake Fault Special Study Zone, the risk of loss, injury, or death related to rupture of a known fault is considered low. There is one new residence proposed as part of this subdivision as of January 2023. Therefore, the impact would be less than significant. (See **Figure 5.**)



**Figure 5 (above)**

a.i) **Less Than Significant Impact.** The potential for surface rupture is low as no active faults cross the project site and the project site is located outside Alquist-Priolo Earthquake Zones. Potential effects associated with the rupture of known faults are discussed separately below; please refer to Response a.ii for more information. This project would represent a Less Than Significant Impact.

a.ii) **Less Than Significant Impact.** The site is not located within the Alquist-Priolo Earthquake Zones. Due to the site's location in a non-seismically active region and not within any Earthquake Zone, the proposed project would be subject to a low likelihood of strong seismic ground shaking during its design life. Potential future development would be required to be in compliance with all applicable building requirements related to seismic safety, including applicable provisions of the California Building Code and Title 24 of the California Administrative Code would ensure that potential adverse impacts would be reduced to a Less Than Significant Impact level.

a.iii) **Less Than Significant Impact.** Based on USDA Soil Report (17) liquefaction potential of the soil should be low. As a result, the proposed project is not expected to result in any adverse environmental effects due to liquefaction hazards. Any future development proposals for the proposed subdivision would be required to have a design-level geotechnical analysis. As part of

that analysis, liquefaction potential of site soils should be mapped to ensure building envelopes are not cited within these areas; if development is proposed within areas of liquefaction potential the design-level geotechnical analysis shall incorporate recommendations to reduce adverse impacts. The result would be less than significant impact. (17)

a.iv) **Less than Significant Impact.** The proposed subdivision is located on relatively flat land. This area has not been mapped as a landslide hazard area. The proposed residence (proposed on Parcel 1) shall submit a detailed design-level geotechnical analysis to the County for review and approval. The design-level geotechnical analysis shall incorporate the recommendations of Geotechnical Investigation Report and the analysis shall identify recommendations for the design and construction of project improvements. The proposed development on the project site would result in a less than significant impact.

b) **Less than Significant with Mitigation Incorporated.** The subdivision proposes one additional residence. The applicant as of January 2023 has applied for building permits, which are being reviewed for compliance with San Benito County Code Chapter 19.17, regulating grading, drainage and erosion. This chapter also contains requirements regarding discharge and construction site stormwater runoff control. Grading associated with site preparation and construction activities on the project site will be minimal and are not expected to significantly disturb soil or increase its susceptibility to erosion. Construction contractors would be required to conform to all legal requirements for avoiding erosion and sedimentation to protect water quality. Any temporary erosion related to construction would be minimized through the implementation of Mitigation Measure GEO-1 as described below.

Compliance with the Mitigation Measures, as well as local grading requirements would ensure that construction activities associated with the proposed project would not cause substantial soil erosion or the loss of topsoil and would result in a less-than-significant impact. (1, 2, 8)

Lateral spreading is a phenomenon in which soils move laterally during seismic shaking and is often associated with liquefaction. The amount of movement depends on the soil strength, duration and intensity of seismic shaking, topography, and free face geometry. Due to the relatively flat site topography the likelihood of lateral spreading should be very low based on soils type, the Mitigation Measure previously discussed, would further reduce this potential impact to less than significant impact. (1, 2, 8, 11)

### **Mitigation**

**GEO-1** Erosion control measures and associated BMPs include the following: Mitigation during construction activities, the construction contractor shall implement the following erosion control measures and associated BMPs to reduce soil disturbance and the potential for erosion and sedimentation as a result of the project:

- Stockpiling and disposing of demolition debris, concrete, and soil.
- Protecting existing storm drain inlets and stabilizing disturbed areas.
- Hydroseeding/re-vegetating disturbed areas.
- Minimizing areas of impervious surfaces.
- Implementing runoff controls (e.g., percolation basins and drainage facilities).
- Properly managing construction materials.

- Managing waste, aggressively controlling litter, and implementing sediment controls.
- Limiting grading to the minimum area necessary for construction and operation of the project. County staff shall verify that the above conditions are shown on project plans prior to issuance of any grading or building permit.

c) **Less than Significant Impact.** As described in a.iii and a.iv above, the potential for the project to result in liquefaction, on- or off-site landslides, lateral spreading, subsidence, or collapse is low based on the County soil survey. The geologic unit on which the project is located would not become unstable because of the project as proposed. This would result in a Less than significant Impact. (1, 2, 8, 11)

d) **Less than Significant Impact.** The future development proposed as part of this subdivision as of January 2022, per previous discussion in this report, any future development to occur would be required to go through additional review by County Staff. This review will assure compliance with all applicable State and Local building codes. The project as proposed will also be required to produce a design-level geotechnical report. The geotechnical report will be required to address and to determine shrink-swell potential due to potential liquefaction and if the soil is expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994). This report, in conjunction with County Staff review, would be able to make a determination as to the proposed project would create substantial direct or indirect risks to life or property. As a result, the project would have a Less than significant impact.

e) **Less than Significant Impact.** The proposed project involves the creation of a 2-parcel subdivision and a proposed residence on the proposed Parcel 1 and would require a connection to a septic system. The San Benito County Division of Environmental Health will review the plans for the proposed septic tank in accordance with San Benito County Code section § 15.07.001 *et seq.* as well as San Benito County General Plan Policies PFS-5.5 Individual Onsite Septic Systems and PFS-5.6 Septic System Design. Accordingly, the Division of Environmental Health will require as a condition of approval that property owners show proof that all properties are feasible for installation of a septic system, with proposed Parcel 1 and its existing SFD having earlier been subject to this requirement. This will result in a less than Significant Impact. (1, 2, 8, 11)

## 4.8 Greenhouse Gas Emissions

### 4.8.1 Environmental Setting

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), O<sub>3</sub>, water vapor, nitrous oxide (N<sub>2</sub>O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural



ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs.

#### 4.8.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Greenhouse Gas Emissions.</b> 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 type="checkbox"/>	<input checked="" type="checkbox"/>

#### 4.8.3 Explanation

a) **Less than Significant Impact.** The project is located in the NCCAB, where air quality is regulated by MBARD. Neither the State, MBARD, nor San Benito County have adopted GHG emissions thresholds or a GHG emissions reduction plan that would apply to the project. However, it is important to note, that other air districts within the State of California have recently adopted recommended CEQA significance thresholds for GHG emissions. For instance, on March 28, 2012, the San Luis Obispo Air Pollution Control District (SLOAPCD) approved thresholds of significance for the evaluation of project-related increases of GHG emissions. The SLOAPCD's significance thresholds include both qualitative and quantitative threshold options, which include a qualitative threshold that is consistent with the AB 32 scoping plan measures and goals and a quantitative brightline threshold of 1,150 metric tons of carbon dioxide equivalent ("MTCO<sub>2</sub>e")/year. The GHG significance thresholds are based on AB 32 GHG emission reduction goals, which take into consideration the emission reduction strategies outlined in the CARB's Scoping Plan. Development projects located within these jurisdictions that would exceed these thresholds would be considered to have a potentially significant impact on the environment which could conflict with applicable GHG reduction plans, policies, and regulations. Projects with GHG emissions that do not exceed the applicable threshold would be considered to have a less-than-significant impact on the environment and would not be anticipated to conflict with AB 32 GHG emission reduction goals. Given that the MBARD has not yet adopted recommended GHG significance thresholds, the above thresholds were relied upon for evaluation of the proposed project.

Implementation of the proposed project would contribute GHG emissions that are associated with global climate change. GHG emissions attributable to future development would be primarily associated with increases of CO<sub>2</sub> and, to a lesser extent, other GHG pollutants, such as CH<sub>4</sub> and N<sub>2</sub>O. Greenhouse gas emissions would be generated by the proposed project from sources that

include vehicle trips, on-site electricity consumption, on-site natural gas combustion, and solid waste disposal (decomposition of solid waste disposed in a landfill).

The project would generate temporary and minor construction related GHG emissions and will not generate GHG emissions in excess of the above thresholds. However, since the proposed project is not expected to generate additional trips compared to the existing operation of the site (see Section 4.17, Transportation/Traffic), this is not considered a significant impact. Any potential impacts from GHG generation during construction would be short-term and temporary. The proposed project would be consistent with the surrounding land use as well as current zoning for the property. As a result, the project is not anticipated to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, the project would have a less-than-significant impact. (1, 2, 6, 7)

b) **No Impact.** Neither the State, MBARD, nor San Benito County have adopted GHG emissions thresholds or a GHG emissions reduction plan that would apply to the project. As described above, the project would not exceed acceptable thresholds. Also, consistent with the General Plan Goals and Policies, the project would be required to include energy and water-efficient appliances, fixtures, lighting, and windows that meet applicable State energy performance standards if construction were to occur. The proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases as described above. This represents no impact. (1, 2, 6, 7)

## **4.9 Hazards and Hazardous Materials**

### **4.9.1 Environmental Setting**

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer.

The State of California uses databases such as EnviroStor, GeoTracker, and the Cortese List to map the location of hazardous waste sites including sites that have been remediated, sites currently undergoing remediation, and sites that require cleanup. Based on a search of the above databases, no hazardous materials contamination has been documented within the project site.

To address airport safety hazards, San Benito County created an Airport Land Use Commission (ALUC) to provide orderly growth of San Benito's two publicly usable airports. The Commission ensures compatible land uses around the Hollister Municipal Airport and the Frazier Lake Airpark through the implementation of their respective Comprehensive Land Use Plans. The nearest airport to the project site is the Hollister Municipal Airport, which is approximately 2 miles southwest of the proposed project. This project is located within the airport land use plan and mapped within ALUC Review Area 2, which includes locations where airspace protection and/or overflight are compatibility concerns, but not noise or safety. This project would not interfere with flight paths as no buildings are proposed and no potential heights above the FAA limit of 499 feet could occur

under the current zoning of this property. No structure could be built to trigger the 200 feet minimum threshold for FAA review, either. This property is not located in the ALUC Safety Zone, either. However, this property is located within the ALUC Real Estate Disclosure requirement as a result of being within the Routine Overflight Zone and within the airport influence area.

The California Department of Forestry and Fire Protection (CAL FIRE) prepares maps of Fire Hazard Severity Zones (FHSZ), which are used to develop recommendations for local land use agencies and for general planning purposes. The project site is not located in a moderate, high, or very high fire hazard severity zone, as delineated by CAL FIRE.

#### 4.9.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Hazards and Hazardous Materials.</b> 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<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
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"/>

#### 4.9.3 Explanation

a) **No Impact.** The proposed project consists of a proposed subdivision resulting in two lots. The project will also add one additional residence, septic system, and detention pond on the proposed parcel 2. This project as it will be a residence will involve no routine transport, use, or disposal of hazardous materials. Therefore, it will have No Impact. (1, 2, 3, 4)

b) **Less than Significant Impact.** When permits and site plans are submitted for the eventual implementation of the proposed project, it is not anticipated to create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. While construction activities would require the use of hazardous materials (e.g., fuel for construction equipment, oil, solvents, or paints), these materials would be required to be stored properly within the staging area in accordance with BMPs (Best Management Practices) and applicable regulations, and the staging area would be required to be secured from public access and identified per the San Benito County Division of Environmental Health's requirements as they oversee the hazardous materials business plans per California Health and Safety Code, Division 20, Chapter 6.95, Article 1 [§§25500-25519]. This will also be included in the standard conditions of approval. Runoff controls would be implemented to prevent water quality impacts and a spill plan would be developed to address any accidental spills. (See Section 4.10, Hydrology.) Any waste products resulting from construction and operations would be stored, handled, and recycled or disposed of in accordance with federal, state, and local laws. For these reasons, this is considered a less-than significant impact. (1, 2, 3)

c) **No Impact.** There are no schools within one-quarter mile radius of the project boundaries. As a result, the project would not result in the generation of a hazardous emission within a one-quarter mile radius of a school. There would be no impact in connection with the proposed project. (1, 2, 4)

d) **No Impact.** The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5. There would be no impact in connection with the proposed project. (1, 2, 12)

e) **Less than Significant Impact with Mitigation Incorporated.** As stated, earlier, the project site is located within two (2) miles of an airport. The proposed project involves a subdivision and the potential construction of a residence, septic system, and detention pond and would not create

a safety hazard or excessive noise for people residing in the vicinity of the project area, so long as, proper mitigation measures are taken as discussed earlier in this document (see mitigation measure GEO-1). As a result, there would be a less than significant impact in connection with the proposed project. (1, 2, 3, 4)

f) **Less than Significant Impact.** San Benito County has prepared a Multi-Jurisdiction Local Hazard Mitigation Plan (LHMP) with the cities of Hollister and San Juan Bautista, and with two water agencies. The LHMP designates certain roadways in the County for primary evacuation routes. Panoche Road is the primary evacuation roadway for the County. The project site, located on John Smith Road, would not impair implementation of or physically interfere with designated evacuation routes or otherwise conflict with an adopted emergency response plan or emergency evacuation plan. The proposed project would comply with the Municipal Code and Fire Department standards for emergency vehicle access and would not conflict with the approved LHMP. The project would not interfere with any emergency response or evacuation plans. There would be no impact in connection with the proposed project. (1, 2, 3, 4, 14)

g) **Less than Significant Impact.** CAL FIRE prepares maps of FHSZs, which are used to develop recommendations for local land use agencies and for general planning purposes. The project site is not located within a fire hazard severity zone as delineated by CAL FIRE. The project is not located in a rural area and wildfire and would not expose people or structures directly or indirectly, to a significant risk of loss. The proposed project would comply with all applicable fire safety provisions of the California Building Code as well as standard conditions of approval, thereby reducing the risk of damage from fire to the maximum extent practicable. The result would be a less-than-significant impact. (1, 2, 12)

## 4.10 Hydrology and Water Quality

### 4.10.1 Environmental Setting

San Benito County has a moderate California coastal climate with a hot and dry summer season lasting May through October. Average annual rainfall ranges from seven inches in the drier eastern portion of the County, to 27 inches per year in high elevations to the south. Most of the annual rainfall occurs in the fall, winter, and to a lesser extent, spring, generally between November and April (3).

Groundwater is the major source of water supply in the County. Groundwater is generally available throughout the County. The project is located in the Gilroy–Hollister Subbasin (locally). According to the SBCWD Annual report for 2021, the ground water elevation for this site is approximately 200ft. This would mean that water in this area, based on USGS contour lines would be approximately 20 to 40 feet below the surface. As stated, earlier in this report this basin is not currently critically overdrafted per SGMA.

The applicant has indicated that there is an existing water line from a shared well with APN 017-010-017 located to the north of the project site at 6930 Fairview Road. For the proposed parcel 1 the applicant has stated that there is an existing well for potable water use for a potential future residence.

San Benito County Division of Environmental Health and the San Benito County Water District as part of the development review process, ensure that adequate water supply, treatment and

delivery facilities are sufficient to serve new development, and are able to be expanded to meet capacity demands when needed. These agencies ensure that facilities have the capacities necessary to comply with all water quality and public safety requirements. This is also consistent with PFS-4.1 Adequate Water Treatment and Delivery Facilities and General Plan Policy PFS-E: Groundwater Monitoring Program.

The existing site is currently rural and has historically been used for agricultural uses. The site drains to the west. For the proposed development to occur the applicant must indicate building pad and stormwater detention to be designed as part of any future building application after completion of the subdivision.

#### 4.10.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Hydrology and Water Quality.</b> 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 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
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

#### 4.10.3 Explanation

a) **Less than Significant Impact.** Temporary soil disturbance will occur during construction of the proposed residence on the proposed Parcel 1 as a result of earth-moving activities. These earth moving activities would include such activities such as excavation and trenching for utilities, soil compaction and moving, cut and fill activities, and grading. If not managed properly, disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project site. Moreover, the project would increase the extent of impervious surfaces on the site thereby potentially generating additional sources of polluted runoff. The types of pollutants contained in runoff would be typical of urban areas, and may include sediments and contaminants such as oils, fuels, paints, and solvents. Additionally, other pollutants, such as nutrients, trace metals, and hydrocarbons, can attach to sediment and be transported to downstream drainages and ultimately into collecting waterways, contributing to degradation of water quality.

Chapter 19.17 of the San Benito County Code regulates grading, drainage and erosion, and contains requirements regarding discharge and construction site stormwater runoff control. Compliance with existing laws and regulations would limit erosion, which would reduce temporary impacts to surface water quality. As such, if construction were proposed, the project would not violate water quality standards or contribute additional sources of polluted runoff. Construction impacts to water quality would be less-than-significant. Please refer to discussion (c) below for more information. (1, 2, 8, 13)

b) **Less than Significant Impact.** The proposed project of a new residence, well, septic system, and detention pond would not substantially decrease groundwater supplies. The project would also not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. This project would potentially affect groundwater recharge due to the increase in impervious surface. It would also draw existing water from the water table via the existing well for a potential residence on Parcel 1. However, the proposed project would not significantly decrease groundwater and would adhere to San Benito County Code Article I. Groundwater Aquifer Protections, which limits extraction of groundwater. Additionally, this is required to adhere to San Benito County Code §15.05.001 *et seq.*

(Groundwater Aquifer Protections), regarding prevention of unfettered extraction of groundwater and undue lowering of the water table.

Stormwater runoff from the site would be required to be captured in a detention pond, which would allow for some groundwater recharge. A potential project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table level at the site. Therefore, impacts would be less than-significant. (1, 2, 8, 13, 15)

c.i-c.iii) **Less than Significant Impact.** The proposed project would not substantially alter the existing drainage pattern of the site or area such that it would result in substantial erosion or siltation or flooding on or off-site. Site topography is relatively flat, Arroyo Dos Picachos is located approximately 1,900 feet to the west of the site. As described in Responses a) and b) above. Future development would need to include stormwater improvements and retain stormwater runoff in accordance with Best Management Practices (BMPs) standards and requirements of the County ordinances and permit requirements. The proposed future residence on the proposed Parcel 1 would not alter the course of a stream or river. The project would be required to comply with standard BMPs, including standard County requirements related to erosion control. The project site is relatively flat, and only minimal grading is proposed. As a result, the project would have a less-than-significant impact to drainage and erosion potential. (1, 2)

The project would create or contribute runoff water during construction of the potential project. The proposed project would need to prepare a route for all runoff from the site to a new required detention pond at the project site. This detention pond would need to be designed to detain the difference between a 10-year pre and 100-year post development, in accordance with County standards, and detain flows in excess of this to release post-development flows at pre-development levels, satisfying Central Coast Regional Water Quality Control Board's (RWQCB) post construction requirements, Low Impact Development (LID) requirements, and County stormwater management requirements. The project would need to include various stormwater management BMPs to control runoff in accordance with applicable standards. Compliance with applicable regulations and implementation of the proposed project drainage features and BMPs that would reduce impacts due to runoff and water quality to a less-than-significant level. (1, 2, 8, 13)

c.iv) **Less than Significant Impact.** The project site is not located within a FEMA designated 100-year flood hazard area. Along with the measures discussed and the discussion in a, b, and c.i-c.iii, impacts would be less-than-significant. (1, 2, 4, 13, 15)

d) **No Impact.** The proposed project site is not located in an area subject to flood hazard, seiche hazard zone, tsunami, or mudflow risk. There would be no impact in connection with the proposed project. (1, 2, 4, 13)

e) **No Impact.** The project site is not subject to any water quality control plans or sustainable groundwater management plans. Water quality is regulated for this area; See discussion b regarding groundwater supplies. The project is located in the Hollister-Gilroy Water Basin, which is not critically over-drafted as defined by the Sustainable Groundwater Management Act (SGMA) (see North San Benito Water Basin) and has been marked as low priority. These issues are otherwise subject to General plan policy. Therefore, the proposed project would have no impact. (1, 2, 3, 4, 15)

## 4.11 Land Use and Planning

### 4.11.1 Environmental Setting

The project site is located in an agricultural, rural area of unincorporated San Benito County, California. The project site consists of an existing residence and agricultural uses. Surrounding land uses are primarily agricultural and rural residential uses in the vicinity.

The San Benito County 2035 General Plan is the planning document that guides development within the County. Surrounding lands are rural and currently consist primarily of agricultural uses. The project site is within the General Plan Agricultural (A) designation and Agricultural Productive (AP) Zoning District.

### 4.11.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Land Use and Planning.</b> 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"/>

### 4.11.3 Explanation

a) **No Impact.** The proposed project consists of a subdivision and could the construction of an additional residence, septic system, and detention pond. This parcel has existing agricultural land and rural land and would not physically divide an established community. There would be no impact in connection with the proposed project. (1, 2)

b) **Less than Significant Impact.** The project site is designated for agricultural use and would not conflict with applicable land use plans and regulations adopted for the purpose of avoiding or mitigating an environmental effect. Thus, impacts would be less-than-significant. (1, 2, 3)

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

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

### **Land Use Element**

- **LU-1.1 Countywide Development.** The County shall focus future development in areas around cities where infrastructure and public services are available, within existing unincorporated communities, and within a limited number of new communities, provided they meet the requirements of goal section LU-7.
- **LU-1.2 Sustainable Development Patterns.** The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use; and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill development, unincorporated communities, and the New Community Study Areas. The County recognizes that the New Community Study Areas comprise locations that can promote such sustainable development.
- **LU-1.3 Future Development Timing.** The County shall ensure that future development does not outpace the ability of either the County or other public/private service providers to provide adequate services and infrastructure. The County shall review future development proposals for their potential to reduce the level of services provided to existing communities or place economic hardships on existing communities, and the County may deny proposals that are projected to have these effects.
- **LU-1.8 Site Plan Environmental Content Requirements.** The County shall require all submitted site plans, tentative maps, and parcel maps to depict all environmentally sensitive and hazardous areas, including: 100-year floodplains, fault zones, 30 percent or greater slopes, severe erosion hazards, fire hazards, wetlands, and riparian habitats.
- **LU-1.10 Development Site Suitability.** The County shall encourage specific development sites to avoid natural and manmade hazards, including, but not limited to, active seismic faults, landslides, slopes greater than 30 percent, and floodplains. Development sites shall also be on soil suitable for building and maintaining well and septic systems (i.e., avoid impervious soils, high percolation or high groundwater areas, and provide setbacks from creeks). The County shall require adequate mitigation for any development located on environmentally sensitive lands (e.g., wetlands, erodible soil, archaeological resources, important plant and animal communities).
- **LU-2.1 Sustainable Building Practices.** The County shall promote, and where appropriate, require sustainable building practices that incorporate a “whole system”

approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.

- **LU-2.7 Sustainable Location Factor.** The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.
- **LU-3.8 Urban Residential Buffer Requirement.** The County shall encourage the establishment of a buffer, by the residential developer, between new urban density residential development (i.e., greater than two dwelling units per acre) and existing conventional agricultural operations.
- **LU-3.9 Right to Farm and Ranch.** The County shall protect the rights of operators of productive agricultural properties (as defined in the Glossary) and ranching properties to commence and continue their agricultural and ranching practices (a “right to farm and ranch”) even though established urban uses in the general area may foster complaints against those agricultural and ranching practices. The “right to farm and ranch” shall encompass the processing of agricultural and ranching products and other activities inherent in the definition of productive agriculture and in ranching activities. The County shall require all parcel maps approved for locations in or adjacent to productive agricultural areas and ranching areas to indicate the “right to farm and ranch” policy. The County shall require the program to be disclosed to buyers of property in San Benito County.
- **LU-4.1 Housing Stock Diversity.** The County shall encourage a balance of housing types, locations, and price ranges within the county to accommodate a variety of families from all socio-economic backgrounds.
- **LU-4.2 Urban Residential Development.** The County shall ensure new urban residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.
- **LU-7.10 New Development Design.** The County shall encourage the design of new development to complement its surroundings, including nearby development, nearby open landscapes, and gateways into populated areas, as well as to show coherence within itself, including with regard to architectural style, human-scale development, and street layout.
- **LU-9.7 County General Plan Consistency Report.** The County shall monitor and report to the Local Agency Formation Commission (LAFCO) regarding the consistency with the General Plan with any proposed changes in the sphere of influence or other urban boundaries for governmental entities that provide water or sewer services.

## **Housing Element**

- **HOU-2C.** The County shall assure that new housing efficiently uses land and causes minimum environmental impact.
- **HOU-2L.** The County shall require, through specific plans, neighborhood design standards and development review, a mix of housing types, densities, designs and prices/rents in each planning area where land is available.
- **HOU-5A.** The County shall require energy-conserving construction, as required by State law.
- **HOU-5G.** The County shall require solar access to be considered in environmental review and/or decision-making for all subdivisions.

## **Circulation**

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

## **Public Facilities and Services Element**

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

## **4.12 Mineral Resources**

### **4.12.1 Environmental Setting**

The California Public Resource Code, Division 2- Geology, Mines and Mining, Chapter 9-The California Surface Mining and Reclamation Act (SMARA) of 1975, this act mandates that the State Board of Mining and Geology Board (SMGB) and Division of Mines and Geology (SMGB or DMG) prepare a mineral resource report for each county. SMARA is administered by the California Department of Conservation, Office of Mine Reclamation (OMR) and requires cooperative efforts from the California Geological Survey (CGS) and the SMGB to identify and



classify mineral areas in the state. According to the map produced from this survey, the project site does not fall within any area of mapped mineral resource zones (MRZs).

#### 4.12.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Mineral Resources.</b> 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

#### 4.12.3 Explanation

a-b) **No Impact.** As stated in the earlier discussion according to the SMGB and DMG maps the project site contains no mapped minerals and therefore would not result in loss of availability of any known mineral resource of value to the region and the residents of this state. This project would also not result in any loss of availability a locally important mineral resource recovery site as there is none indicated in the local general plan, specific plan, or and other land use plan for the area. This project would result in no impact.

#### 4.13 Noise

##### 4.13.1 Environmental Setting

Noise is generally defined as unwanted sounds that is disturbing or annoying. The policies in the County 2035 General Plan identify noise standards to avoid conflicts between noise-sensitive uses and noise source contributors. Among the policies, General Plan Policy HS-8.3 (Construction Noise), which states: "The County shall control the operation of construction equipment at specific sound intensities and frequencies during daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays."

Health and safety policies under Goal HS-8 of the San Benito County 2035 General Plan identify noise and land use compatibility guidelines. San Benito County Code, Title 19, Chapter 19.39, Article IV, Sound Level Restrictions, limits received noise generated by any sources at any property line. The noise guidelines generally utilize an exterior noise limit of 70 decibels Ldn (day/night level) at residential properties.

The project site is located in an agricultural and rural residential area; there are 10 residences located within 1000 feet of the project. Existing noise levels on the site were not measured but given the site's location in a rural/agricultural area, they are expected to be low, in the range of 45 to 55 decibels Ldn. The Ldn represents the average sound level over a 24-hour period, accounting for greater noise sensitivity during night hours by adding five (5) decibels to noise between 7 to 10 p.m. and 10 decibels to noise between 10 p.m. to 7 a.m.

#### 4.13.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Noise.</b> 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 ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

#### 4.13.3 Explanation

a-b) **Less than Significant Impact.** Potential future construction and implementation of the proposed project would require temporary increases in ambient noise levels in the vicinity of the project in excess of the standards established in the local general plan and noise ordinance.

This project is located within the Agricultural Productive zoning which also allows for higher noise levels up to 75 dB to be "normally acceptable" according to the Land Use Compatibility Guidelines for Community Noise Environments under the San Benito County General Plan. This noise exposure level per the general plan is "great enough to be of some concern, but common building construction will make the indoor environment acceptable, even for sleeping quarters."

When construction plans are submitted, they will be reviewed and are subject to all applicable local and state ordinances for noise including County Code Chapter 19.39 (Noise Control Regulations). Given the current County standards in the General Plan, California Health and

Safety Code §§ 14930 and 14931, and County Code Chapter 19.39, any noise resulting from this project would have a less-than-significant impact. (1, 2, 3)

c) **No Impact.** This project is located just over 2 miles from the nearest public airport or public use airport, the Hollister Municipal Airport, and is within this airport's land use plan. With the provisions and standards in the San Benito County General Plan, County Code Chapter 19.39, and all applicable state law the project would not expose people to excessive noise levels. Therefore, this project would generate no impact. (1, 2, 4)

#### 4.14 Population and Housing

##### 4.14.1 Environmental Setting

San Benito County's estimated population, including the incorporated cities of Hollister and San Juan Bautista, was 65,997 in 2022 with a growth rate of 1.37% in the preceding year according to the most recent United States Census data. Of California's 58 counties, San Benito County has the 42<sup>nd</sup> largest population, or the 17<sup>th</sup> lowest population. Since 2010, the population, at that time 55,269, has grown by 19.41%. This property is located within unincorporated San Benito County, with a current population of 22,230 (subtracting Hollister and San Juan Bautista which are incorporated) based on the 2020 US Census numbers.

##### 4.14.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Population and Housing.</b> 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"/>

##### 4.14.3 Explanation

a) **Less than Significant Impact.** This project will result in one additional single-family residence. At the maximum entitlement granted by this subdivision, if approved, could result in an additional two ADUs. This subdivision includes no features that would induce substantial unplanned population growth in the area either directly or indirectly. This subdivision and residence will not require any extension of infrastructure other than minimal impact to police, fire,

and emergency services as required for a single-family home. Therefore, this project would result in a less than significant impact.

b) **No Impact.** The project potential, at a maximum entitlement would consist of the one proposed single-family residential home and two additional dwellings. However, this would not result in any displacement of existing people or housing. It would also not create a need for replacement housing elsewhere. Therefore, this project would result in no impact. (1, 2)

## **4.15 Public Services**

### **4.15.1 Environmental Setting**

Construction of the proposed project would result in a minimal number of new residents, resulting in a less than significant impact. However, the overall cumulative effects of population in the area would eventually require the expansion of public facilities. The most recent project of this scale, within the vicinity of the project site, were completed 16 years ago. It is worth noting that projects like Santana Ranch and Fairview Corners, while having significant impacts themselves, have been accounted for through environmental mitigation actions assessed in conjunction with those projects.

**Fire Protection:** This project site is located within Non-Wildland/Non-Urban, an area of local responsibility, with the Hollister Fire Department (serving as the County Fire Department) being the main response for incidents in the area. The nearest Hollister Fire Station is station No. 1 which is located at 110 5<sup>th</sup> Street. This station is approximately 5.5 miles southwest from the project site by road. Hollister Fire Station No. 2 is approximately 7 miles south by road from the project site. Additional support would be provided by CAL FIRE. The nearest CAL FIRE station is located at 1979 Fairview Road, Hollister, CA 95023, approximately 5 miles south from the project site by road.

**Police Protection:** Police protection services are provided to the project site by the San Benito County Sheriff's Office. The County operates one Sheriff's Office located at 2301 Technology Pkwy in the City of Hollister, which is located approximately 3 miles southwest of the project site by road.

**Schools:** The project is located within the North Joint Union School District and the San Benito Joint Union High School District. The closest school to the proposed project is Spring Grove Elementary, which is located approximately a half-mile east from the project site.

**Parks:** The closest park to the proposed project is Jerry Gabe Memorial Park, which is located approximately 2.5 miles southwest of the project site.

#### 4.15.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Public Services.</b> 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

#### 4.15.3 Explanation

a-e) **Less Than Significant Impact.** Construction and implementation of the proposed project would require fire and police protection services. As this project is involving the addition of one new residence and even at maximum potential build out two new accessory dwellings, this is still a relatively minor addition and would not require an increase in service to accommodate the proposed parcels. The current impact fees charged for a project of this scale also offset and allow the infrastructure to have appropriate staff to accommodate this minimal increase to service demand. As a result, this project would not require additional police staff and vehicles such that new or expanded fire or police facilities would need to be constructed.

Hollister Fire Department, CAL FIRE, and San Benito County Sheriff already serve adjacent properties, including the project site. The proposed project would not trigger the need to construct new stations or expand existing services. The impacts from this project in particular represents a less-than-significant impact. (1, 2, 3, 4)

The proposed project would not require any additional public services, such as schools, parks, or other public services. The project does not include new or physically altered schools, parks or other

public services or facilities. In addition, the proposed project would not require new schools, parks or other facilities, as the population would minimally increase as a result of the project. Therefore, this project would result in a less than significant impact. (1, 2)

#### 4.16 Recreation

##### 4.16.1 Environmental Setting

Please refer to the discussion under Section 4.15.1, Public Services, above.

##### 4.16.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Recreation.</b>				
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"/>

##### 4.16.3 Explanation

a, b) **Less than Significant Impact.** The project consists of the creation of a subdivision and the construction of a single residence and possibly two ADUs at maximum entitlement. This could result in a minor increase in population, and, therefore, the project could potentially result in only a minimal increase in use of existing parks and recreational facilities and would not require the increase or plans for the construction of recreational facilities. This result is less than significant impact. (1, 2)

#### 4.17 Transportation/Traffic

##### 4.17.1 Environmental Setting

The site fronts on Fairview Road, an arterial leading southward to eastern Hollister. The road also leads northwestward to U.S. Route 101 via Shore Road and State Route 25. Other roadways in the



study area include Fallon Road and private driveways to neighboring properties. There are no sidewalks, marked crosswalks, bicycle facilities, or bus stops within the vicinity of the project site.

#### 4.17.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Transportation.</b> 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 4.17.3 Explanation

a) **Less than Significant Impact.** The Circulation element of the 2035 General Plan includes policies directing the development of the County transportation network. The 2035 General Plan (Policy C-1.12) states the County shall endeavor to maintain a General Plan target goal on LOS D at all locations. The proposed subdivision and single-family home do not affect the traffic during AM or PM peak hours. The level of service as laid out in the general plan would still be maintained. As mentioned in discussion 4.15 Public Services with the exception of projects of Santana Ranch and Fairview Corners, the only projects of this scale were done 16 years ago, and the level of service has already been accounted for in the most recent General Plan update in 2015 (see Land Use discussion section 4.11.3 (b)). The further cumulative effect on circulation has been accounted for with the environmental review and mitigations of Santana Ranch and Fairview corners with respect to those projects. This project being of a much smaller scale would have minimal impact on the circulation system and would minimally affect the current level of service (LOS). As a result, the proposed project would not conflict with existing policies addressing circulation. This project would have less than significant impact. (1, 2, 3)

b) **Less than Significant Impact.** Section 15064.3 (b)(1) of the CEQA Guidelines identifies that VMT exceeding an applicable threshold of significance may indicate that a project has a significant transportation related effect. Currently, the County of San Benito does not have adopted VMT thresholds. As a result, the analysis completed for the proposed project used state published guidance to determine the threshold for significance. Technical Advisory on Evaluating

Transportation Impacts in CEQA (Page 10) provides “screening thresholds” for the project description that indicate whether a project may have a significant impact. It states that “Screening thresholds such as project size, maps, transit availability, and provision of affordable housing, quickly identify when a project is expected to cause a less-than-significant impact without conducting a detailed study. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (“SCS”) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.” As described above, trips generated by the proposed project are not expected to change from those generated by current operations; project trips also would be under the 110 trips per day threshold. Therefore, the proposed project would not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2). This is a less-than-significant transportation impact under CEQA. (1, 2, 3)

c) **Less than Significant Impact.** The project’s driveway is proposed to meet Fairview Road at the midpoint of the property’s frontage and run into the project site directly on the boundary between the proposed Parcel 1 and proposed Parcel 2. This proposed driveway would be 16 feet in width and would be considered adequate as defined in Section 202 of the California Fire Code for the anticipated traffic demand to and from the proposed residence. The driveway would be designed to comply with all current design and safety criteria. The proposed project would not increase hazards or introduce incompatible uses onto a public roadway. This represents a less-than-significant impact. (1, 2, 3)

d) **Less than Significant Impact.** San Benito County has prepared a Multi-Jurisdiction Local Hazard Mitigation Plan (LHMP) with the cities of Hollister and San Juan Bautista, and with two water agencies. The LHMP designates certain roadways in the County for primary evacuation routes, consistent with General Plan Policy HS-1.7 Multi-Hazard Mitigation Plan. Panoche Road was identified in the LHMP general strategies as the primary evacuation roadway for the County. The project site, located on Fairview Road, and would not impair implementation of or physically interfere with designated evacuation routes or otherwise conflict with an adopted emergency response plan or emergency evacuation plan. The proposed project would comply with the Municipal Code and Fire Department standards for emergency vehicle access and would not conflict with the approved LHMP. The project would not interfere with any emergency response or evacuation plans. Additionally, a 16-foot-wide access driveway would be constructed on the property which would be available for emergency vehicle access. This represents a less-than-significant impact. (1, 2, 3, 4)

## 4.18 Tribal Cultural Resources

### 4.18.1 Environmental Settings

California Assembly Bill (AB) 52, in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code §21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the California Register of Historical

Resources (CRHR) or a local historic register, or that the lead agency has determined to be of significant tribal cultural value. In compliance with AB 52, the County RMA sent notices to California Native American Tribes notifying the tribes of the proposed project and soliciting requests for consultation. The County received responses from the AB 52 Consultation letters, and the discussion below reflects the results of this consultation process.

#### 4.18.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Tribal Cultural Resources.</b>				
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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### 4.18.3 Explanation

a) **Less Than Significant Impact.** Per site visit with representatives of interested tribal groups under tribal consultation (AB 52) this project would not cause a substantial or adverse change to a tribal cultural resource as defined by Public Resources Code § 21074. The interested tribe has not identified the project site as a site, feature, place, or cultural landscape that is defined as a sacred place or object of cultural value to a California Native American tribe. Therefore, the impact of this project would be less than significant. (1, 2, 3)

i) **No Impact.** The project site is not listed or eligible for a listing in the California register of Historical Resources or the local register of historical resources as defined in Public Resources Code § 5020.1(k). Therefore, the result is no impact. (1, 2, 3)

ii) **Less than Significant Impact with Mitigation Incorporated.** Per the tribal site visits conducted under AB 52 with the interested tribe, no tribal cultural resources or Native American resources have been documented on the project site. However, as described above in Section 4.5 Cultural Resources, previously unknown or buried resources could be present. The interested tribe requests that an archaeological and Native American monitor be present during and grading or ground disturbance at this location due to prior archaeological sensitivity designation. With the practices found in Mitigation Measures CR-1 (see Section 4.5) and TCR-1, any impact would be maintained at a level less than significant. (1, 2, 3)

### **Mitigation**

**TCR-1:** A tribal monitor shall be present during any ground disturbing or construction activities. If any suspected tribal cultural resources or unique archaeological resources are discovered during ground disturbing or construction activities, all work shall cease within 100 feet of the find, and the County of San Benito Planning Department shall be immediately notified. An archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained by the applicant, as approved by the County, to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The archaeologist shall determine if the find is a tribal cultural resource and will make recommendations for further evaluation and culturally appropriate treatment of discovered tribal cultural resources as necessary. The County will work with the archaeologist and the tribe of the area for the proper handling of any inadvertently discovered cultural resources. No data recovery or curation of any physical tribal cultural resource will be allowed unless this is the preference of the tribe, as confirmed in writing. Preservation in place is the preferred mitigation. If the County determines that preservation in place is not feasible, reburial if culturally appropriate will take place on site in a location not subject to further disturbance. The reburial site will be agreed upon in advance by the tribe and the project applicant.

## **4.19 Utilities and Service Systems**

### **4.19.1 Environmental Setting**

**Water and Wastewater:** The proposed residence will require water via an existing private well that has been permitted and drilled by the applicant. The applicant will also provide a private new septic system with detention pond. Water and/or wastewater service are provided by five service providers and several CSAs. However, this project will have no new utility connections to off-site sewer or water services.

**Storm Drainage:** The San Benito River, Pajaro River, and the Santa Ana Creek tributary are the three natural channels that receive storm water from the County. This property itself lies within the Arroyo Dos Picachos Creek Drainage Basin. This project like most residents and businesses in the unincorporated County will rely on an individual drainage solution/small-scale drainage system. Impervious surface would be increased as a result of the proposed residence in the proposed Parcel 1 and could potentially be increased by other potential future dwellings. The project would have a maximum potential of one residence and two accessory dwellings (ADUs.)

The applicant has not proposed any development beyond the one new residence at this time. To offset the increased impervious surface of the one additional residence, the applicant will be building a new retention pond on the proposed parcel 1. These specifications will be reviewed for compliance with conditions set forth by San Benito County Division of Public Works before any building permits will be issued.

**Solid Waste:** The current solid waste disposal and recycling service provider for the City of Hollister, the City of San Juan Bautista, and most parts of unincorporated San Benito County is Recology. Recology transports solid waste to the John Smith Road Landfill (JSRL), which is owned by the San Benito County Integrated Waste Management Department (IWMD) and operated by Waste Connections, Inc. The JSRL is the only operating active solid waste landfill in the County. The JSRL is located at 2650 John Smith Road, approximately 5 miles southeast of downtown Hollister, in the unincorporated County. It has a maximum permitted throughput of 1,000 tons per day. As of March 31, 2018, the John Smith Road Landfill (JSRL) has a remaining capacity of approximately 3,499,000 cubic yards (CalRecycle, 2018). According to available information from the Central Coast RWQCB regarding the JSRL, based on current waste disposal rates, the estimated closure date (when capacity is expected to be reached) is 2032 (CalRecycle, 2018).

**Electric and Gas:** Starting in 2018, all PG&E customers within Monterey, San Benito, and Santa Cruz Counties were automatically enrolled in 3CE. 3CE is a locally controlled public agency providing carbon-free electricity to residents and businesses. 3CE partners with PG&E, which continues to provide billing, power transmission and distribution, customer service, grid maintenance services and natural gas services to San Benito County. 3CE's standard electricity offering, is carbon free and is classified as 30 percent renewable. Of the electricity provided by 3CE in 2018, 40 percent was hydroelectric, and 30 percent was solar and wind (eligible renewables) (3CE, 2019).

#### 4.19.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Utilities and Service Systems.</b> 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"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

#### 4.19.3 Explanation

a) **Less than Significant Impact.** The project would require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects. The potential proposes project, even at maximum build out of one new residence, and two ADUs would only potentially require minimal facilities to serve the potential residence and potential ADUs.

As discussed above, the proposed residence and potential ADUs would require hookups to the new septic system(s) on the project site, new well for water service, and new septic tank. The County would additionally review the detention and drainage plans to ensure the facility is designed to detain the difference between a 10-year pre and 100-year post development, in accordance with County standards, and detain flows in excess of this to release post-development flows at predevelopment levels, satisfying post construction requirements, Low Impact Development (LID) requirements, and County stormwater management requirements. Electricity for the proposed project would be provided by PG&E by way of existing electrical infrastructure in the project vicinity. The proposed project will require natural gas and new telecommunications service. The proposed project would require additional electricity compared to what is currently used on-site. While additional electricity would be consumed, the use would be consistent with what would be expected from a standard residency. Thus, impacts to electricity, natural gas, and telecommunications infrastructure would be less-than-significant. Based on the above, the



proposed project would include the necessary installation or improvements to infrastructure in order to provide stormwater treatment and electrical power to the proposed project. The rest of the subdivision will use the existing infrastructure. With the installation of these services, the project would have a less-than-significant impact would occur in these areas. (1, 2, 3, 11)

b) **Less than Significant Impact.** The proposed project is not anticipated to have a substantial increase in water supply. The project is located in the North San Benito Basin (locally Gilroy–Hollister Valley Basin), which is not critically over drafted as defined by the Sustainable Groundwater Management Act (SGMA) and has been marked as low priority. The proposed residence will not require a new well to be constructed, as it would use the existing well on the proposed parcel 1, and therefore would not increase demand on available water supplies. Additionally, distance to the nearest municipal water system makes connection to the system infeasible. If the project were to propose an additional residence and 2 accessory dwellings, as would be the maximum entitlement, the project would still not require or increase demand on the current municipal water supply as it would not require any additional connections. As with for the remainder of the subdivision, this proposed residence, and all future dwellings would be served by the existing well and future potential wells as necessary per San Benito County Water and Environmental Health Division’s standards. This represents a less-than-significant impact. (1, 2, 15)

c) **Less than Significant Impact.** The proposed residence would be served by a new septic system. The proposed new residence would not include any hookups to the existing septic system and would not affect existing treatment capacity. If any future development were to occur it would be subject to further review by San Benito County Environmental Health Division, with each residence requiring use of a septic system. This represents a less-than-significant impact. (1, 2)

d-e) **Less Than Significant Impact.** The project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, negatively impact solid waste services, impair the attainment of solid waste reduction goals. Additionally, the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. General trash and recycling would be transported to the JSRL in Hollister, CA. There would be less-than-significant impact associated with solid waste generation. (1, 2)

## 4.20 Wildfire

### 4.20.1 Environmental Setting

The project site is located within an area of local responsibility. It is not in an area of Very High Fire Hazard Severity Zones (FHSZ), as designated by the California Department of Forestry and Fire Protection (Cal Fire, California Fire Hazard Severity Zone Viewer, 2020).

#### 4.20.2 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Wildfire.</b> 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

#### 4.20.3 Explanation

a) **Less than Significant Impact.** San Benito County has prepared a Multi-Jurisdiction Local Hazard Mitigation Plan (LHMP) with the cities of Hollister and San Juan Bautista, and with two water agencies. The LHMP designates certain roadways in the County for primary evacuation routes. Panoche Road is the primary evacuation roadway for the County, as indicated in the LHMP. The project site, located on Fairview Road, would not impair implementation of or physically interfere with designated evacuation routes or otherwise conflict with an adopted emergency response plan or emergency evacuation plan. The proposed project would comply with the Municipal Code and Fire Department standards for emergency vehicle access and would not conflict with the approved LHMP. The project would not interfere with any emergency response or evacuation plans. Additionally, a 16-foot-wide access driveway would be constructed on the property which would be available for emergency vehicle access. The proposed subdivision and the proposed new residence would therefore result in a less than significant impact.

b-d) **No Impact.** The project site is not located within or near a Very High Fire Hazard Severity Zones for wildfires; therefore, the proposed project would not expose project occupants or structures to a significant wildfire. The proposed project would comply with the applicable fire safety provisions of the California Building Code, as well as standard conditions of approval, thereby reducing the risk of damage from fire. As a result, no impact would occur. (1, 2, 3, 4, 14)

## 4.21 Mandatory Findings of Significance

### 4.21.1 Environmental Impacts

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Mandatory Findings of Significance.</b>				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 4.21.2 Explanation

a) **Less than Significant Impact with Mitigation.** The proposed project would result in temporary and permanent impacts that would be mitigated to a less-than significant level through the incorporation of mitigation measures identified in this IS/MND. With these mitigation

measures, the proposed project would not 1) degrade the quality of environment, 2) substantially reduce the habitat of a fish or wildlife species, 3) cause a fish or wildlife population to drop below self-sustaining levels, 4) threaten to eliminate a plant or animal community, 5) reduce the number or restrict the range of a rare or endangered plant or animal, or 6) eliminate important examples of major periods of California history or prehistory.

Compliance with the mitigation measures contained in this document would ensure that all impacts are less than significant. Moreover, the proposed project would not adversely impact a cultural or historic resource that is an important example of a major period in California history. The County has conducted AB 52 tribal consultation along with site visits with all of the relevant tribes as stated in section 4.18 Tribal Cultural Resources and the interested tribe had no specific concerns with the project site and none were identified at the visits. However, as discussed in section 4.18, the interested tribe requests archaeological and Native American monitoring during grading and ground disturbance at this location due to prior archaeological sensitivity designation. With implementation of the measure, as described in this IS/MND, the project would not have the potential to degrade the quality of the environment and, overall, impacts would be less-than-significant impact. No additional mitigation is necessary beyond mitigation identified in each of the respective topical CEQA sections contained in this IS/MND.

**b) Less Than Significant Impact.** Under CEQA “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. The proposed project would not result in a cumulatively considerable adverse environmental effect. The most recent projects of this scale are from 2007 and the addition of this project would cause minimal increase to this already accounted for impact. It is worth noting that projects like Santana Ranch and Fairview Corners, while having significant impacts themselves, have been accounted for through environmental mitigation actions assessed in conjunction with those projects.

This IS/MND contains mitigation to ensure that all impacts would be reduced to a less-than-significant impact level. The project would have temporary air quality impacts, and greenhouse gas (GHG) emissions that would contribute to the overall regional and global GHG emissions. However, air quality impacts and GHG emissions would not exceed the Monterey Bay Air Resources District’s (MBARD) thresholds of significance. In addition, the proposed project would not induce population growth beyond that incorporated in the San Benito County General Plan; therefore, the project would not conflict with and/or obstruct the implementation of the MBARD 2012-2015 AQMP, or any other plans to address exceedance of State air quality standards. For these reasons, the project would have a less-than-significant cumulative impact on the air quality and GHG. This project is consistent with the General Plan land use designation; thus, the potential effects of the project were already considered programmatically as part of the General Plan Recirculated Environmental Impact Report (REIR). Overall, the project would not result in impacts that are individually limited, but cumulatively considerable.

**c) Less Than Significant Impact.** The proposed project would cause only minimal adverse effects on human beings. Construction impacts, including impacts to sensitive receptors, would be temporary in nature and mitigated to a less-than-significant extent of impact. The project would

not have a substantial adverse effect on human beings, either directly or indirectly. This is considered a less-than-significant impact with mitigation incorporated.

**Table 2. Summary of Mitigation Measures**

<b>Mitigation Measure</b>	<b>Requirements of Measure</b>
<b><i>Cultural Resources</i></b>	
<b>CR-1</b>	<p>A note shall be placed on project improvement plans stating the following:</p> <p>If human remains are found at any time on the project site, work shall be stopped by the construction manager, and the County Coroner must be notified immediately. If the Coroner determines that the remains are Native American, the Native American Heritage Commission will be notified as required by law. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. (Ref: California Public Resources Code Section 5097.98; and Health and Safety Code Section 7050.5) Specific County of San Benito provisions and further measures shall be required as follows if human remains are found:</p> <ul style="list-style-type: none"><li>a) If, at any time in the preparation for, or process of, excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:</li><li>b) 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.</li><li>c) 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.</li><li>d) Notify Resource Management Agency Director shall also be notified within 24 hours if human and/or questionable remains have been discovered. The Sheriff–Coroner shall be notified immediately of the discovery as noted above.</li><li>e) 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.</li></ul>

Mitigation Measure	Requirements of Measure
<i>Geology and Soils</i>	
<b>GEO-1</b>	<p>Erosion control measures and associated BMPs include the following: Mitigation during construction activities, the construction contractor shall implement the following erosion control measures and associated BMPs to reduce soil disturbance and the potential for erosion and sedimentation as a result of the project:</p> <ul style="list-style-type: none"><li>• Stockpiling and disposing of demolition debris, concrete, and soil.</li><li>• Protecting existing storm drain inlets and stabilizing disturbed areas.</li><li>• Hydroseeding/re-vegetating disturbed areas.</li><li>• Minimizing areas of impervious surfaces.</li><li>• Implementing runoff controls (e.g., percolation basins and drainage facilities).</li><li>• Properly managing construction materials.</li><li>• Managing waste, aggressively controlling litter, and implementing sediment controls.</li><li>• Limiting grading to the minimum area necessary for construction and operation of the project. County staff shall verify that the above conditions are shown on project plans prior to issuance of any grading or building permit.</li></ul>



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Mitigation Measure	Requirements of Measure
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***Tribal Cultural Resources***

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<b>TCR-1</b>	<p>A tribal monitor shall be present during any ground disturbing or construction activities. If any suspected tribal cultural resources or unique archaeological resources are discovered during ground disturbing or construction activities, all work shall cease within 100 feet of the find, and the County of San Benito Planning Department shall be immediately notified. An archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained by the applicant, as approved by the County, to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The archaeologist shall determine if the find is a tribal cultural resource and will make recommendations for further evaluation and culturally appropriate treatment of discovered tribal cultural resources as necessary. The County will work with the archaeologist and the tribe of the area for the proper handling of any inadvertently discovered cultural resources. No data recovery or curation of any physical tribal cultural resource will be allowed unless this is the preference of the tribe, as confirmed in writing. Preservation in place is the preferred mitigation. If the County determines that preservation in place is not feasible, reburial if culturally appropriate will take place on site in a location not subject to further disturbance. The reburial site will be agreed upon in advance by the tribe and the project applicant.</p>
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## 5.1 Checklist Sources

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