

**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

<b>SCH #</b>
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**Project Title:** \_\_\_\_\_

Lead Agency: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

**Project Location:** County: \_\_\_\_\_ City/Nearest Community: \_\_\_\_\_

Cross Streets: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Longitude/Latitude (degrees, minutes and seconds): \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" N / \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" W Total Acres: \_\_\_\_\_

Assessor's Parcel No.: \_\_\_\_\_ Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: \_\_\_\_\_ Waterways: \_\_\_\_\_

Airports: \_\_\_\_\_ Railways: \_\_\_\_\_ Schools: \_\_\_\_\_

**Document Type:**

CEQA: <input type="checkbox"/> NOP	<input type="checkbox"/> Draft EIR	NEPA: <input type="checkbox"/> NOI	Other: <input type="checkbox"/> Joint Document
<input type="checkbox"/> Early Cons	<input type="checkbox"/> Supplement/Subsequent EIR	<input type="checkbox"/> EA	<input type="checkbox"/> Final Document
<input type="checkbox"/> Neg Dec	(Prior SCH No.) _____	<input type="checkbox"/> Draft EIS	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Mit Neg Dec	Other: _____	<input type="checkbox"/> FONSI	_____

**Local Action Type:**

<input type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan	<input type="checkbox"/> Rezone	<input type="checkbox"/> Annexation
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Prezone	<input type="checkbox"/> Redevelopment
<input type="checkbox"/> General Plan Element	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Use Permit	<input type="checkbox"/> Coastal Permit
<input type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Land Division (Subdivision, etc.)	<input type="checkbox"/> Other: _____

**Development Type:**

<input type="checkbox"/> Residential: Units _____ Acres _____	<input type="checkbox"/> Transportation: Type _____
<input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Mining: Mineral _____
<input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Power: Type _____ MW _____
<input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Waste Treatment: Type _____ MGD _____
<input type="checkbox"/> Educational: _____	<input type="checkbox"/> Hazardous Waste: Type _____
<input type="checkbox"/> Recreational: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Water Facilities: Type _____ MGD _____	

**Project Issues Discussed in Document:**

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

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

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

## Reviewing Agencies Checklist

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

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

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

Starting Date 5/9/2023 Ending Date 6/8/2023

### 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: 5/9/23

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)

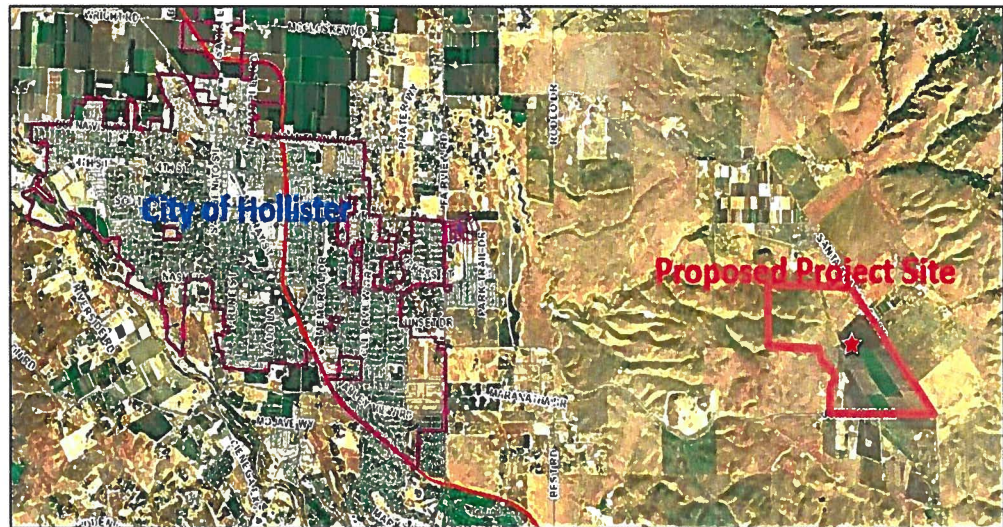
**Project File No.:** County Planning file PLN220024 (4701 Santa Ana Valley Road Minor Subdivision)

**Project Applicant:** San Benito Engineering

**Project Location:** 4701 Santa Ana Valley Road, uninc. San Benito County (Assessor's Pcls. 022-120-005 and 022-130-002)

**NOTICE IS HEREBY GIVEN** that the Initial Study for Planning file PLN220024 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 **May 9, 2023**, and ends at 5 p.m. on **June 8, 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., **June 14, 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 4701 Santa Ana Valley Road, in the unincorporated San Benito County, to the east of Hollister California. This project proposes to subdivide an existing 562.8-acre parcel into three parcels of 165.8-acres, 136.9-acres, and 260.1-acres. There are two existing residences on the proposed parcels 1 and 2. No development is proposed on the proposed parcel 1, 2, or 3 at this time. Nor has the applicant applied for any permits for building, grading, or residential construction as of May 2023.

No new water use is proposed for this subdivision. The existing residences on the proposed Parcels 1 and 2 have existing wells. There are ten total wells located on the property. Only two have been identified as viable potable sources of water. It would be the applicant's responsibility to identify a third potable source for any future development on the proposed Parcel 3.

The applicant has not applied for any permits for any new septic system on the proposed parcels 1, 2, or 3. The proposed parcels 1 and 2 have existing septic systems. As part of any future building application the applicant would need to provide a soils report to show the suitability of the third parcel for a septic system.

Impervious surface increase is unknown at this time as the applicant has not submitted any site plans for the proposed Parcel 3. Parcels 1 and 2

*To view project documents using Accela:*

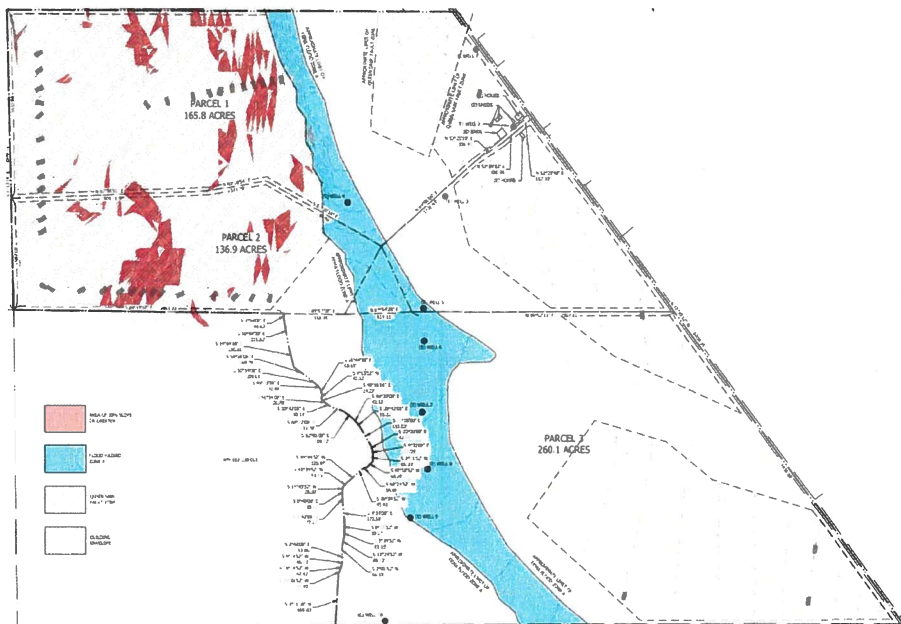
- 1) go to the website [aca.accela.com/SANBENITO](http://aca.accela.com/SANBENITO),
  - 2) go to Planning and click on "Search Cases,"
  - 3) enter the Record Number **PLN220024** and click "Search," then
  - 4) open the drop-down menu "Record Info" and click "Attachments."
- Project-related documents can be found here, with the initial study using the file name **IS\_MND\_PLN220024\_230509\_BRIGANTINO\_4701\_SANTA ANA VALLEY\_RD.PDF**

have existing drainage for the existing residences. There is no grading proposed as part of this subdivision. The proposed Parcels 1 and 2 have existing grading for the existing shared driveway. No grading permits have been applied for the proposed parcel 3.

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. During potential future construction, the project could be accessed via the existing driveway off of Santa Ana Valley Road for proposed parcel 1 and proposed parcel 2. The proposed Parcel 3 can be accessed off of either John Smith or Santa Ana Valley Road. Parking would be available on-site for construction and operation. No construction plans have been submitted at this time.

The proposed project is located at 4701 Santa Ana Valley Road, Hollister, California, 95023, in San Benito County (County). The project site is comprised of an approximately 562.8-acre parcel (APN's 022-120-005 & 022-130-002) that contains two existing single-family residences located in a rural area surrounded by row crop farming and rural residential uses. Local access to the project site is John Smith Road to Santa Ana Valley Road. The project site is located at the corner of John Smith Road and Santa Ana Valley Road approximately 7 miles east of Hollister.

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 Rangeland (AR). The AR designation applies to areas that are characterized by open space and grazing land on hills, mountains, and remote areas of the county. These areas typically have little transportation access, high to very high fire hazard, and no public infrastructure (e.g., sewer, water, drainage). This designation does allow for uses that directly support agricultural operations and one principal residential dwelling unit per lot. Secondary dwellings are allowed for relative, caretaker/employee, and farm worker housing.



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.



Assistant Planner  
Title

5/9/23  
Date



**INITIAL STUDY/  
MITIGATED NEGATIVE DECLARATION**

**For**

**County Planning File PLN220024**

**Minor Subdivision**

**4701 Santa Ana Valley Road**

Prepared by: Jonathan Olivas, Assistant Planner

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

Applicant: San Benito Engineering

May 2023

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**Project Data**

1. **Project Title:** County Planning File PLN220024 (Minor Subdivision 4701 Santa Ana Valley Road)
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 4701 Santa Ana Valley Road, Hollister, CA 95023, within San Benito County, California. The project site is made up of an approximately 562.8-acre parcel (Assessor's Parcel Number [APN's] 022-120-005 & 022-130-002). The project site is approximately 7 miles east of downtown Hollister in the eastern portion of the unincorporated area of San Benito County approximately 14 miles east of US 101. The project lies on the north side of the intersection of John Smith and Santa Ana Valley Road. The project is in a rural area, surrounded by agricultural land consisting of primarily row crops.
5. **Project Description:** This project proposes to subdivide an existing 562.8-acre parcel into three parcels of 165.8-acres, 136.9-acres, and 260.1-acres. There are two existing residences on the proposed parcels 1 and 2. No development is proposed on the proposed parcel 1, 2, or 3 at this time. Applicant states that any building pad and stormwater detention will be designed with a future building application and proper permits after the completion of the subdivision, if any future development were to occur. The applicant has also agreed to the following condition of approval; "Any structure, and/or significant ground disturbing activities, proposed within this area shall require the property owner to seek new or amended County approval. Any structure, and/or significant ground disturbing activities, proposed outside of this area shall be processed through the County of San Benito and other jurisdictional agencies by means of standard agency permitting protocols that may include a standard building application submittal." (See Figure 1 for building envelope map)
6. **Acreage of Project Site:** The parcel is approximately 562.8-acres (APN 022-120-005 & 022-130-002).
7. **Land Use Designations:** The San Benito County General Plan designates the project site as Agricultural (A). The site is located within the Agricultural Rangeland (AR) Zoning District.
8. **Date Prepared:** May 2023
9. **Prepared By:** Jonathan Olivas, Assistant Planner for San Benito County. (Lead Agency)



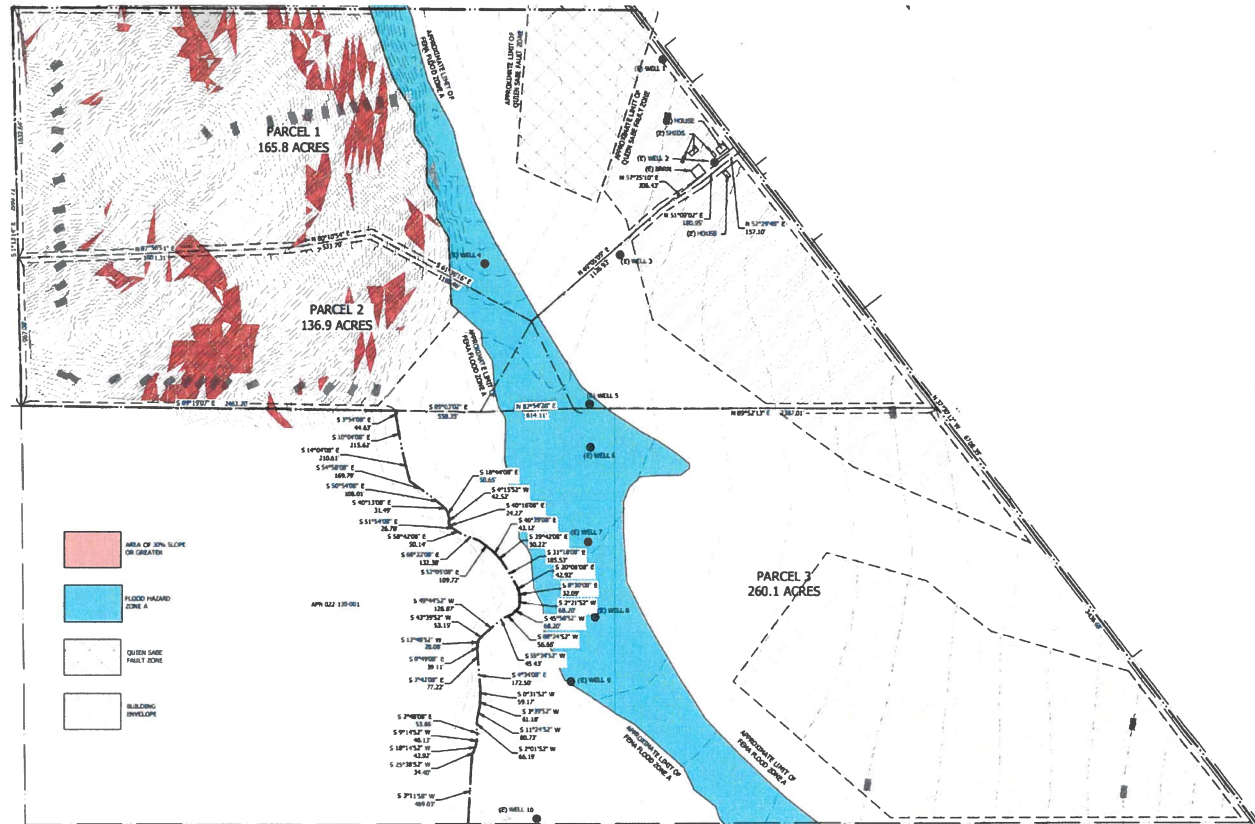


Figure 1

## 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 PLN220024 Minor Subdivision Brigantino (project or proposed project), 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.

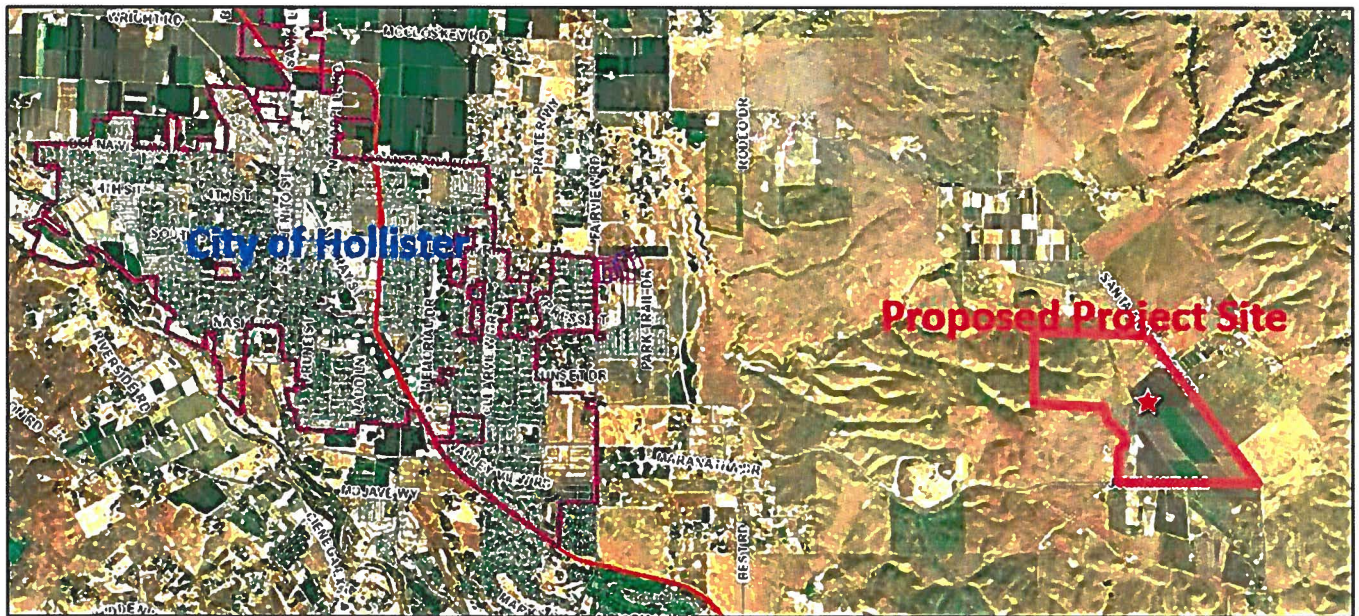
An IS/MND is an informational document prepared by a lead agency to determine if a project may have a significant effect on the environment (CEQA Guidelines §15063, subd. (a)). If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (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 4701 Santa Ana Valley Road, Hollister, California, 95023, in San Benito County (County). See **Figure 1, Vicinity Map**. The project site is comprised of an approximately 562.8-acre parcel (APN's 022-120-005 & 022-130-002) that contains two existing single-family residences located in a rural area surrounded by row crop farming and rural residential uses. Local access to the project site is John Smith Road to Santa Ana Valley Road. The project site is located at the corner of John Smith Road and Santa Ana Valley Road approximately 7 miles east of Hollister.



**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 Rangeland (AR). The AR designation applies to areas that are characterized by open space and grazing land on hills, mountains, and remote areas of the county. These areas typically have little transportation access, high to very high fire hazard, and no public infrastructure (e.g., sewer, water, drainage). This designation does allow for uses that



directly support agricultural operations and one principal residential dwelling unit per lot. Secondary dwellings are allowed for relative, caretaker/employee, and farm worker housing.

### **1.3 Project Description**

This project proposes to subdivide an existing 562.8-acre parcel into three parcels of 165.8-acres, 136.9-acres, and 260.1-acres. There are two existing residences on the proposed parcels 1 and 2. No development is proposed on the proposed parcel 1, 2, or 3 at this time. Nor has the applicant applied for any permits for building, grading, or residential construction as of April 2023.

The applicant has also agreed to the following condition of approval; “Any structure, and/or significant ground disturbing activities, proposed within this area shall require the property owner to seek new or amended County approval. Any structure, and/or significant ground disturbing activities, proposed outside of this area shall be processed through the County of San Benito and other jurisdictional agencies by means of standard agency permitting protocols that may include a standard building application submittal.” (See Figure 5 for building envelope map)

However, it is worth noting that this subdivision could result in an additional dwelling unit, three accessory dwelling units, and multiple potential accessory buildings. All of these actions would require further review by County Staff before building permits could be issued. See **Figure 2, Site Plan**. The project site has been utilized for agricultural cultivation and grazing land currently and historically.

### **Construction**

The applicant has not applied for any of the required permits to build on the proposed parcels 1, 2, or 3, as of April 2023. Construction activities, required equipment, and time frame are unknown at this time as a result.

### **Water Supply**

No new water use is proposed for this subdivision. The existing residences on the proposed Parcels 1 and 2 have existing wells. There are ten total wells located on the property. Only two have been identified as viable potable sources of water. It would be the applicant’s responsibility to identify a third potable source for any future development on the proposed Parcel 3.

### **Septic**

The applicant has not applied for any permits for any new septic system on the proposed parcels 1, 2, or 3. The proposed parcels 1 and 2 have existing septic systems. As part of any future building application the applicant would need to provide a soils report to show the suitability of the third parcel for a septic system.

### **Drainage**

Impervious surface increase is unknown at this time as the applicant has not submitted any site plans for the proposed Parcel 3. Parcels 1 and 2 have existing drainage for the existing residences.

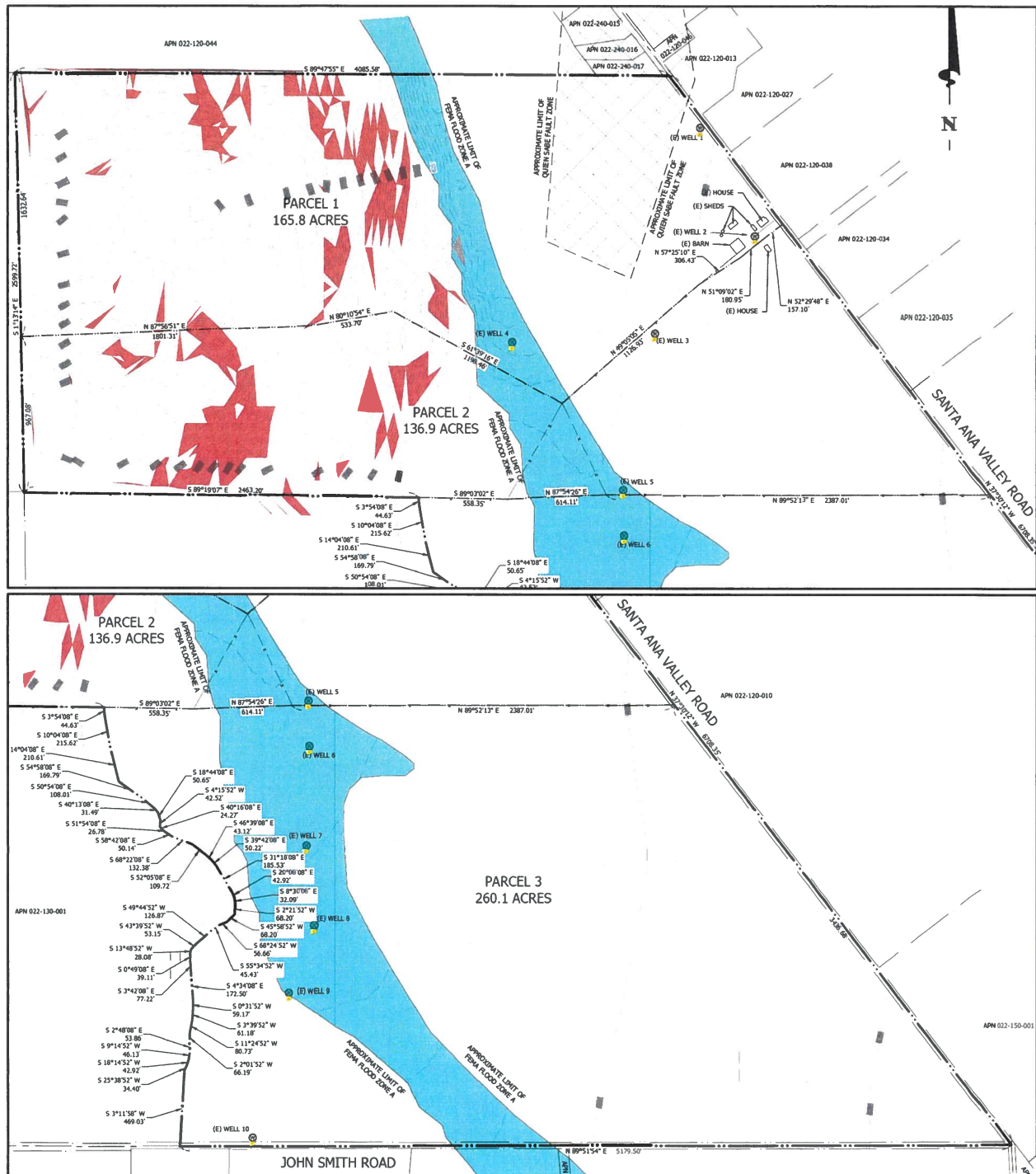


Figure 2 Site Plan



### **Grading**

There is no grading proposed as part of this subdivision. The proposed Parcels 1 and 2 have existing grading for the existing shared driveway. No grading permits have been applied for the proposed parcel 3.

### **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 potential future construction, the project could be accessed via the existing driveway off of Santa Ana Valley Road for proposed parcel 1 and proposed parcel 2. The proposed Parcel 3 can be accessed off of either John Smith or Santa Ana Valley Road. Parking would be available on-site for construction and operation. No construction plans have 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 not anticipated that the project as proposed would require permits and approvals. However, future projects would require review 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**



*Project site facing towards the Northwest.*



*Project site facing west.*





*Project site facing east.*



*Southern end of project site facing north.*

## **1.5 Project Goals and Objectives**

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

- Attain approval of a Minor Subdivision of 562.8-acre parcel into three parcels of 165.8 acres, 136.9 acres, and 260.1 acres.



## **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 checked="" 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

5/9/23

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 15 miles west of the project site; SR 156, located over 8 miles west of the project site; and SR 129, located approximately 14 miles northwest 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 majority agricultural activities with two residences on the proposed Parcels 1 and 2. Surrounding lands are rural and agricultural uses primarily. The proposed project would result in the creation of three new lots. This would also result in the possibility of one new residence on the proposed parcel 3 as well as potential new additional dwelling units on the proposed parcels 1, 2, and 3. The project, as of April 2023, proposes no new development beyond the subdivision itself at this time. The applicant has not applied for any building permits either. There are no new sources of lighting proposed for the subdivision at this time. There could be a potential new light source if the applicant were to build a new residence or accessory dwelling unit on the proposed parcel 1, 2, or 3 as a result of this proposed subdivision. No



site plans have been submitted for these construction plans nor have any permits been applied for at this time.

To the north, south, east, and west of the project site, the surrounding lands are currently consist primarily of agricultural and some residential uses, which 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. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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) **No 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 no proposed development on the proposed parcel 1, 2, or 3. The use would stay agricultural and grazing as it is now and would be consistent with the zoning of the project site, as well as adjacent land use and zoning designations. The project is not visible from existing scenic roads. In addition, the project has no proposed development, and therefore would not block any neighboring views of distant mountain ranges. Lastly, the proposed project would not impair County scenic vistas within the agricultural and rangeland uses; therefore, the project would result in no impact. (1, 2, 3)

b) **No 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 no impact on scenic resources such as rock outcroppings, trees, or historic buildings within view from a scenic highway. (1, 2, 3)

c) **No 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 not increase the extent of lighting as compared to existing conditions. Any future project at this location would be required to conform with all 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, any future development 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 any future lighting and glare would be less than significant. (1, 2, 3)

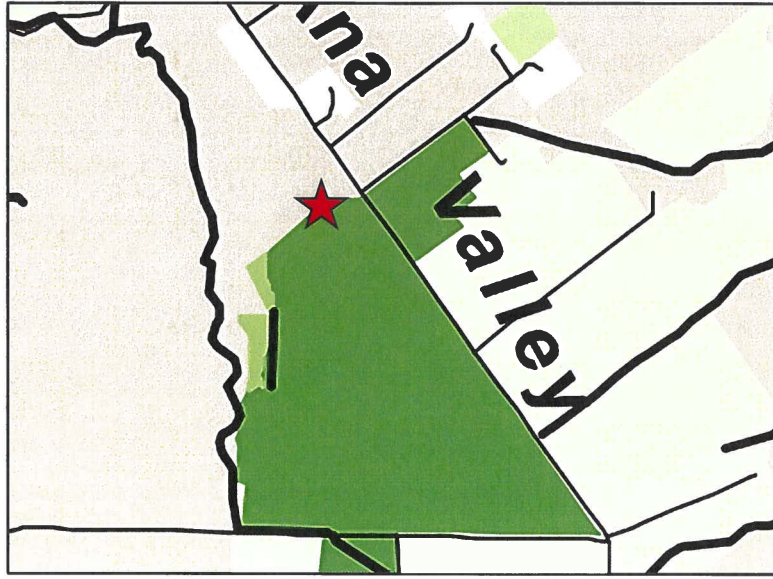
## **4.2 Agricultural and Forest Resources**

### **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. The Program 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 "Prime Farmland", "Farmland of State Importance", and "Grazing Land" according to the 2018 FMMP. This parcel does meet the criteria of Prime, Statewide or Unique Farmland. There are no adjacent parcels to the north, south, east, and west contain lands designated as Prime Farmland. (See Figure 4)



*Figure 4. The red star indicates the approximate Project Site.*

The property primarily serves as agricultural land use with two residences as well. Per the FMMP 2018 this property is categorized as grazing land, farmland of statewide importance and prime farmland land. Formally defined, grazing land is land on which the existing vegetation is suited to the grazing of livestock. Farmland of Statewide Importance possesses similar characteristics to Prime Farmland with minor shortcomings, such as less ability to hold and store moisture and more pronounced slopes. Prime Farmland is defined as land that 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.

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 currently under a Williamson Act contract No. 03-03. The application to subdivide was approved in 2021.

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

a) **Less than significant Impact.** As noted above, the FMMP of the California Resources Agency classifies the project site as "Prime Farmland", "Farmland of State Importance", and "Grazing Land". The adjacent parcel to the east is designated as Prime Farmland, as shown on Figure 4, Important Farmlands Map. The proposed subdivision is allowable under the current Agricultural Rangeland zoning. The current project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. (1, 2, 3, 4, 5)

b) **Less than significant Impact.** The proposed use for the project is consistent with the zoning designation, Agricultural Rangeland, and County General Plan designation, Rangeland, of the

existing site. The project does not propose any development on either the proposed parcel 1, 2, or 3. This subdivision does also allow the potential for future development of an additional residence on the proposed parcel 3 and additional accessory dwelling units, and accessory structures. The applicant has not applied for any such permits at this time. As part of the County permitting process, the proposed project would go through design review and approval in order to confirm consistency with applicable standards, requirements and design guidelines. As a result, potential impacts could be mitigated at that time. The result is that the project as proposed would have no impact. (1, 2, 3, 5)

c-d) **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. Furthermore, the proposed use for the project is consistent with the zoning designation and County General Plan designation of the existing site. 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)

e) **Less than significant Impact.** This project does not propose any development at this time. Additionally, as per project description “Any structure, and/or significant ground disturbing activities, proposed within this area shall require the property owner to seek new or amended County approval. Any structure, and/or significant ground disturbing activities, proposed outside of this area shall be processed through the County of San Benito and other jurisdictional agencies by means of standard agency permitting protocols that may include a standard building application submittal.”(See Figure 5 for building envelope map) These building envelopes will limit the amount of farmland that is able to be converted to non-agricultural use should any future development occur. This would result in a less than significant impact.

## 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>		

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, whether or not 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"/>



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

#### 4.3.3 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, nor would the proposed project result in increased 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. There is no impact is considered less-than-significant. (1, 2, 6, 7)

b) **Less than Significant Impact.** No grading or filling are proposed as part of this project. If construction were to occur, 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 (PM10). 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 (NOx);

- 137 lb/day of reactive organic gases (ROG);
- 82 lb/day of respirable particulate matter (PM10);°
- 55 lb/day of fine particulate matter (PM2.5); and
- 550 lb/day carbon monoxide (CO)

A project would not violate an air quality standard and/or contribute to an existing or proposed violation during operation if it would:

- Emit (from all sources, including exhaust and fugitive dust) less than:
  - 137 pounds per day (lb/day) of oxides of nitrogen (NOx);
  - 137 lb/day of reactive organic gases (ROG);
  - 82 lb/day of respirable particulate matter (PM10);
  - 55 lb/day of fine particulate matter (PM2.5); 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;
- 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<sub>2</sub>, PM<sub>10</sub>. For these reasons, if construction 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 the existing agricultural and residential use, with no 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. Parcels 1 and 2 have existing infrastructure, for the existing residences, septic, wells, and driveway. Parcel 3 has no existing infrastructure, and none is planned for any of the proposed parcels.

##### 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 with Mitigation Incorporated.** The project site is currently graded, and no future grading has been proposed. The site is in use as agricultural and has two residences with a shared driveway. There are native, sensitive, or wetland habitats on the site. Per the buildings envelopes agreed to by the applicant (**see Figure 5**) as a part of the project description, the applicant has agreed to the following mitigation measure(s); “Any structure, and/or significant ground disturbing activities, proposed within this area shall require the property owner to seek new or amended County approval. Any structure, and/or significant ground disturbing activities, proposed outside of this area shall be processed through the County of San Benito and other jurisdictional agencies by means of standard agency permitting protocols that may include a standard building application submittal.” These mitigation measures are reflected in **BR-1, TCR-2, and TCR-3**, (see **Section 4.18.3 TCR-2 & TCR-3**) the project as proposed and even at maximum build out, would have no impact, 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. The project would result in a less than significant impact with mitigation incorporated.

**b) Less than Significant Impact with Mitigation Incorporated.** The project site does contain a riparian or other sensitive natural communities. As stated in discussion (a) above, the non-buildable area as described (**see Figure 5**) in the project description, would minimize any impact to the riparian corridor or other sensitive natural communities. Therefore, the proposed project would result in less than significant impacts to sensitive habitats. (See **BR-1, TCR-2, and TCR-3**) (1, 2, 4)

**c) Less than significant Impact with Mitigation Incorporated.** The project site does contain federally protected wetlands. However, as stated in prior discussion in section (a), the non-building area described (**see Figure 5**) in the project description, would minimize the impact of this project on the federally protected wetlands. Therefore, the proposed project would not result in a less than significant impact to any federally protected wetlands. (See **BR-1, TCR, and TCR-3**) (1, 2, 4)

**d) No Impact.** The project site is primarily developed or in agricultural use and does not provide valuable migratory wildlife corridors or native wildlife nursery sites for native fish or wildlife species. The proposed project would not impede the use of any wildlife corridors or interfere with wildlife movement; therefore, there would be no impact. (1, 2)

**e) No Impact.** The proposed project does not include the removal of any trees. Therefore, the proposed project will not conflict with a tree preservation policy or ordinance, resulting in no impact. (1, 2, 8)

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

#### **Mitigation Measure**

**BR-1** Prior to the recordation of the final map the following areas shall be delineated on the parcel map as non-buildable:

- The Floodplain Boundary per current FEMA map.
- Prior to the recordation of the final map the wetland area shall be identified on the parcel map and the wetland shall be designated as non-buildable on the parcel map.

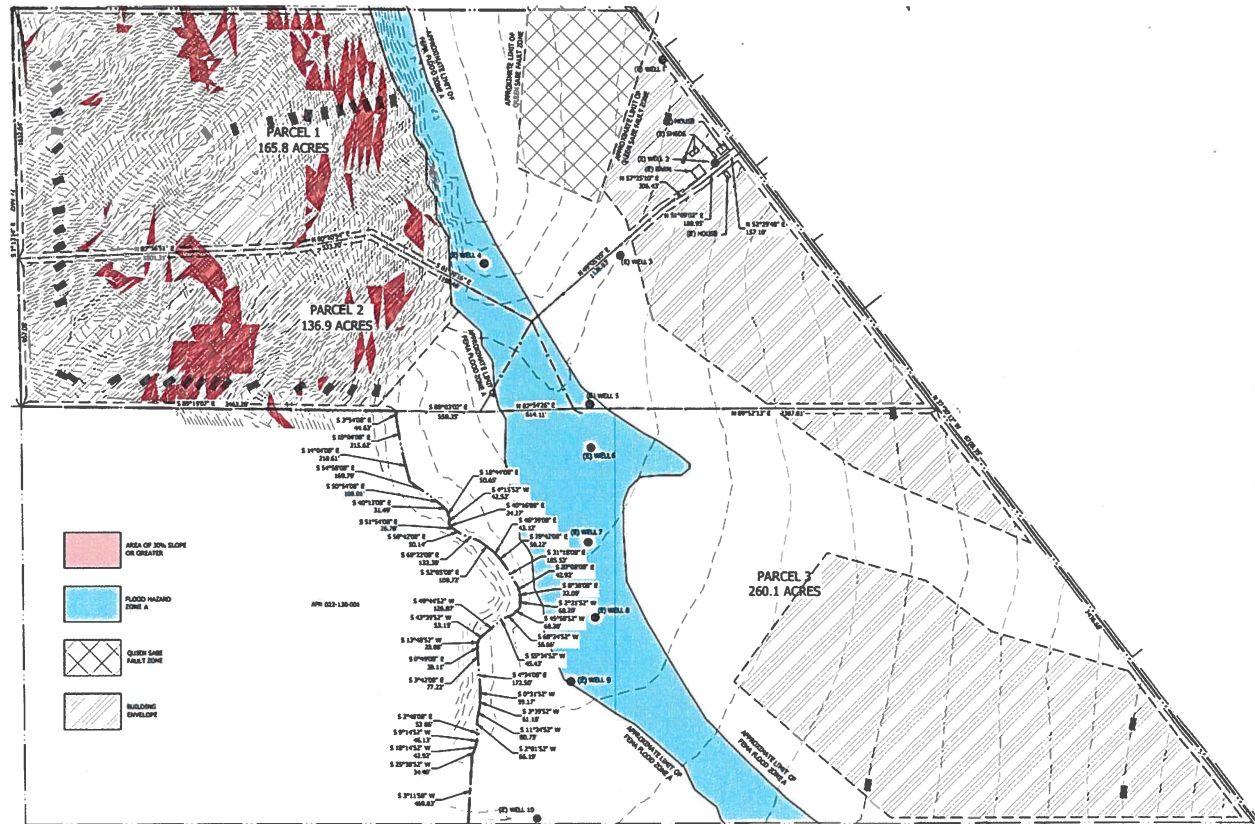


Figure 5, the building envelopes are shown in grey hash marks.

## 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 an existing 562.8-acre parcel into three parcels of 165.8 acres, 136.9 acres, and 260.1 acres. There are two existing residences on the proposed parcels 1 and 2. No development is proposed on the proposed parcel 1, 2, or 3 at this time. The possible 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 measures would ensure that potential adverse impacts would be reduced to a less than significant level. (See also **Section 4.18 TCR-1**) (1, 2, 3)

### **Mitigation**

**CR-1** If archaeological resources or human remains are accidentally discovered on the project site during construction, work shall be halted by the construction manager within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Materials of particular concern would be concentrations of marine shell, burned animal bones, charcoal, and flaked or ground stone fragments. (Ref: Health and Safety Code 7050.5)

**CR-2** If human remains are found at any time on the project site, work must 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:

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:

- a. 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.
- b. 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.

c. Notify Resource Management Agency Director 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.

d. 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. [Planning]

## 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 Setting

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

#### 4.6.3 Explanation

a) **No Impact.** As there is no construction currently proposed for this project, the amount of energy used is expected to be typical for the site's current residential and agricultural land use. Even with the addition of one additional dwelling unit and three ADU's, under 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 of energy resources during project operation or construction. This results in no impact. (1, 2, 3, 4, 7, 8)

b) **No Impact.** As mentioned in discussion (a) above, future construction and operation of the proposed project would have a less than significant impact since the project proposes no construction at this time. This would result in a minimal energy increase, even with the addition of one additional dwelling units and three ADU's 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 with the exception of an area at the northwesterly portion of the property where there are rolling hills and small areas of 30% grade. The existing site is graded for the existing driveway access directly off Santa Ana Valley Road, which serves the existing residences and accessory buildings. The applicant has not applied for any building permits, nor have they submitted any construction/site plans as of April 2023.

The site has historically been used for agricultural production and as grazing land and has minimal natural vegetation. The property primarily serves as a rural residence with agricultural land use and grazing land use.

**General Subsurface Conditions:** There are several soil types that occur at this site. The most common type of soil at the project site is Rincon silty clay loam (RsA), 0 to 2 percent slopes, with these soils classified as Grade 2. These soils are located in the majority of easterly most portion of the property along Santa Ana Valley Road. According to the USDA these soils have a general rating of "very limited" for dwellings without basements up to three stories or less. This is due to a high shrink-swell factor in the soil. These ratings from the USDA soil study are based on the soil properties that affect the capacity of the soil to support a load without movement and on the property's excavation and construction costs. The properties considered in this evaluation of load-supporting capacity include depth to water table, ponding flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility.

Compressibility is inferred from the Unified classification of the soil. The properties used by the USDA that affect the ease and amount of excavation include depth to water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments. For the purposes of this discussion, we will be using these standards from the USDA web soil survey for general information and not in place of a design level geotechnical report. Nor do these standards in any way imply or indicate any type of actual site suitability for any past, future, or current development.

The second soil type is Clear Lake clay, saline, drained (Ck), 0 to 1 percent slopes (Major Land Resource Area 14). These soils are classified as Grade 3 soils. These soils are located in much of the most central portion of the property. According to the USDA these soils have a general rating of “very limited” for dwellings without basements up to three stories or less. This is due to high ponding, flooding, and shrink-swell potential. This information is based on the above-mentioned parameters as described in previous discussions in this section.

The third soil type is Pacheco clay loam, over clay (Pd). These soils are classified as Grade 3 soils. These soils are located in the southwest corner of the property. According to the USDA these have a general rating of “very limited” for dwellings without basements up to three stories or less. This is due to high flooding and shrink-swell potential. These ratings are based on the above-mentioned parameters as described in previous discussion in this section.

The fourth soil type is Rincon silty clay loam (RsC), 2 to 9 percent slopes (Major Land Resource Area 14). These soils are classified as Grade 2. They are located in the northeasterly most section of the property just before the corner of the property. According to the USDA these soils have a general rating of “very limited” for dwellings without basements up to three stories or less. This is due to high shrink-swell potential. This information is based on the above-mentioned parameters as described in the previous discussion in this section.

The fifth soil type is San Benito clay loam (SbE2), 15 to 30 percent slopes (Major Land Resource Area 15). These soils are classified as Grade 3. They are located primarily in the northwest corner of the property. According to the USDA these soils have a general rating of “very limited” for dwellings without basements up to three stories or less. This is due to slope stability, high shrink-swell potential, and depth to hard bedrock. This information is based on the above-mentioned parameters as described in the previous discussion at the beginning of this discussion.

The sixth and final soil type is San Benito clay loam (SbF2), 30 to 50 percent slopes, eroded (Major Land Resource Area 15). These soils are classified as Grade 4. They are located in the northwest corner of the property.

***Slope Stability:*** According to the Landslide Identification Map, the site area is mostly mapped as least susceptible to landslides. However, in the northwestern portion of the property the site is mapped as marginally and generally susceptible to landslides. The areas mapped as generally susceptible to landslides are non-buildable as they are also the areas of 30% or greater slopes.

***Faulting and Ground Shaking:*** Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces of active faults in California (see Figure 6 – Fault Map). There is one active fault/fault zone that lies within the northeast corner of the project site, Quien Sabe Fault, per the California Department of Conservation (Earthquake Hazard Zone App). Additionally, 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 11 miles west of the

site; Calaveras Fault, located approximately 4 miles west of the project site; the Sargent Fault, located approximately 7 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. Faults do cross the property, there is a potential for surface ground rupture at the site. 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.

#### Environmental Impacts 4.7.2

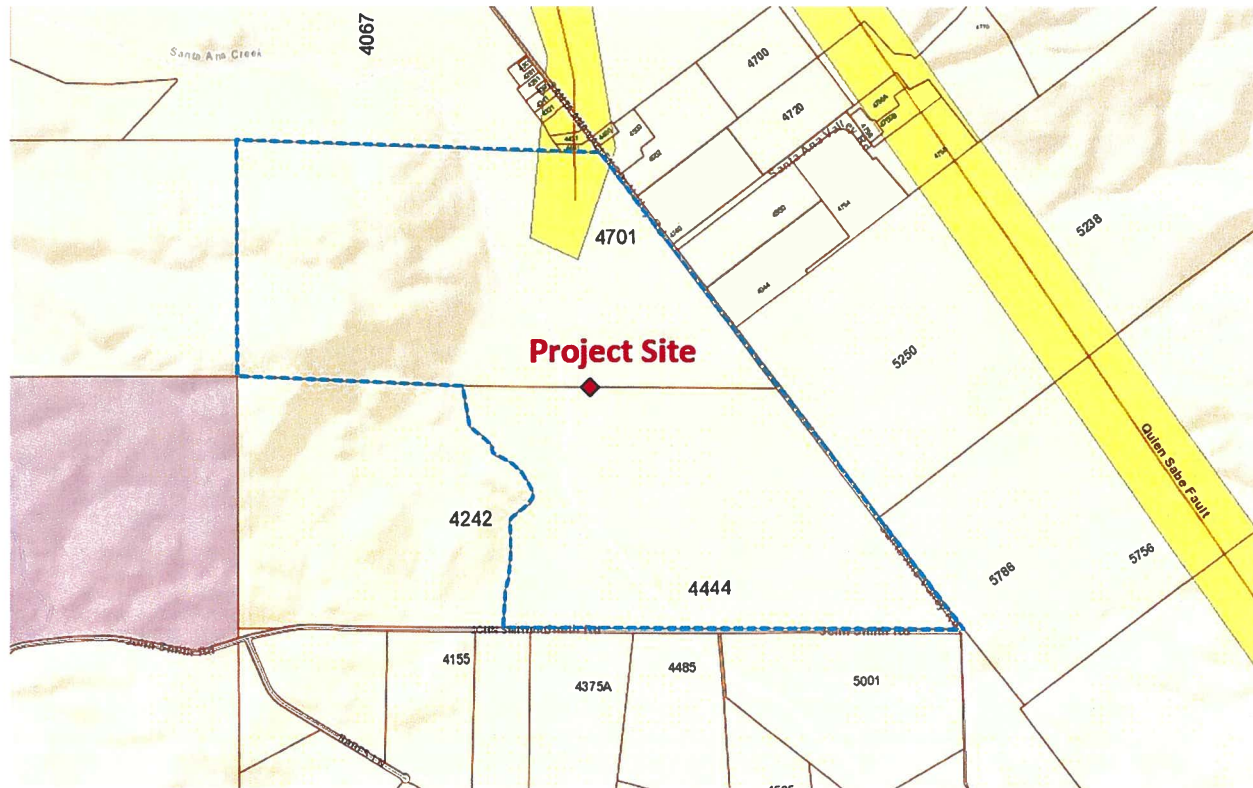
Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Geology and Soils.</b> Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<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"/>
b) Result in substantial soil erosion or the loss of topsoil?	<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) 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.** One known active fault crosses the northeastern corner of the project (proposed parcel 1) and is 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 as this property is subject to San Benito County Code 25.08.028 Seismic Safety Development Standards. Which are based on the Alquist-Priolo earthquake fault zones, which are regulatory zones surrounding the surface traces of active faults in California (see **Figure 6** – Fault Map). There is one active fault/fault zone that lies within the northeast corner of the project site, Quien Sabe Fault, per the California Department of Conservation (Earthquake Hazard Zone App). There are no proposed structures as part of this subdivision as of April 2023. Therefore, the impact would be less than significant. **Figure 6.**



**Figure 6 (above)**

a.i) **Less Than Significant Impact.** The potential for surface rupture is low there is an active fault crossing the project site (northeast corner of parcel 1) and the project site is located in an 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 located within the Alquist-Priolo Earthquake Zones. Due to the site's location in a seismically active region and within an Earthquake Zone, the proposed project would be subject to a low likelihood of strong seismic ground shaking during its design life. This is in part because of the fact that any 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 which would ensure that potential adverse impacts would be reduced to a Less Than Significant Impact level. Additionally, this project would be subject to San Benito County Code 25.08.028 Seismic Safety Development Standards as stated earlier, which would further ensure that potential adverse impacts would be reduced impact and a Less Than Significant level.

a.iii) **Less Than Significant Impact.** Based on State and 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 been mapped as a landslide hazard area (see discussion above on slope stability). Should the applicant propose development in the future the applicant shall submit a 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. As there is no proposed development at the project site the project would result in Less Than Significant impact.

b) **Less than Significant Impact.** The proposed subdivision proposes no development as of April 2023. However, if development were to occur in the future, 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. Grading associated with site preparation and construction activities on the project site would be minimal and is not expected to significantly disturb soil and 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 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, 9, 11)

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, 9, 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. Less than significant Impact. (1, 2, 9, 10)

d) **Less than Significant Impact.** There is no development proposed as part of this subdivision as of April 2023. As stated in previous discussion in this report if any future development were to occur the potential project would be required to go through additional review by County Staff. This review will ensure compliance with all applicable State and Local building codes. The future potential project as proposed will also be required to produce a design-level geotechnical report. The geotechnical report would 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 the County Staff review, would be able to make a determination as to if the proposed potential future 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 3-parcel subdivision and no construction and would not require connections to a septic system. The San Benito County Division of Environmental Health would review any future plans for any 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 as their existing SFD having earlier been subject to the same 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 significant 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 closer of the

two airports relative to the project site is the Hollister Municipal Airport, approximately 7 miles northwest of the proposed project. This project is not located within the airport land use plan 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 located in a moderate fire hazard severity zone as delineated by CAL FIRE.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 three lots. The project could, at maximum build out, add one additional residence, septic system, and detention pond on the proposed parcel 3. With maximum entitlements future development could also include three additional dwelling units as well as additional accessory buildings. This project will be used primarily for agriculture and as 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.** The project as submitted consists of a proposed subdivision resulting in three lots. However, if a future project was proposed and permits and site plans were submitted, 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, 10)

e) **No Impact.** As stated earlier, the project site is not located within two (2) miles of an airport. The proposed project involves a subdivision and the 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. As a result, there would be no impact in connection with the proposed project. (1, 2, 3, 4, 16)

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 along 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, 16)

g) **Less than Significant Impact.** CAL FIRE prepares maps of Fire Hazard Severity Zones (FHSZs), which are used to develop recommendations for local land use agencies and for general planning purposes. The project site is located within a Fire Hazard Severity Zone identified as Moderate and within a State Responsibility Area as delineated by CAL FIRE. While the project is located in a rural area and wildfire could expose people or structures directly or indirectly, 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 to the maximum extent practicable. This is a less-than-significant impact. (1, 2, 14)

## 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 Santa Ana Valley Subbasin (locally). According to the SBCWD Annual report for 2021, the ground water elevation for this site is unknown as it is not tracked by either the State or SBCWD at this time. However, 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 annual report has this property as located in the local subbasin Santa Ana Valley, which lies outside of the Hollister Water 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 May 2023. It is also worth noting that this property is located in FEMA Flood Zone A. However, per the project description, the applicant has agreed to non-buildable areas in these zones. (see figure 5) (see also BR-1, TCR-2, and TCR-3).

The applicant has indicated that there are 10 existing wells on the property. Wells 1, 2, and 4 are located on the proposed parcel 1, wells 3 and 5 are located on the proposed parcel 2, and wells 6-10 are located on the proposed parcel 3. The applicant has indicated the existing dwelling on the

proposed parcel 1 is served by the existing well 2, the existing dwelling on proposed parcel 2 is served by the existing well 3. For the proposed parcel 3 will be served by one of the existing wells located on the proposed parcel 3 should any development occur on this parcel.

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.

San Benito County Division of Environmental Health has reviewed this proposed subdivision for water requirements and has found it satisfactory for the scale as submitted. If any development were to occur on the proposed parcel three the applicant would need to indicate a potable source of water from one of the existing wells. The existing site is currently rural and is currently and historically been used for agricultural uses. The site drains to the west towards Santa Ana Valley Creek and has additional existing drainage to the east on Santa Ana Valley Road as observed at the site visit. For any future 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"/>

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

#### Explanation 4.9.4

a) **Less than Significant Impact.** Temporary soil disturbance could occur during any future construction under the maximum entitlement of this proposed subdivision as a result of earth-moving activities. These earth moving activities could 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.** A potential proposed project would not substantially decrease groundwater supplies or interference substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. A future proposed project would likely involve construction of a new residence, well, septic system, and detention pond. This potential project could potentially affect groundwater recharge by increasing impervious surface. It could also draw existing water from the water table via the existing well for a potential new residence on Parcel 3. However, the project as proposed 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, the impacts would be less than-significant. (1, 2, 8, 13, 15)

ci-ciii) **Less than Significant Impact.** In the case of a potential future project, it would not substantially alter the existing drainage pattern of the site or area that would result in substantial erosion or siltation or flooding on or off-site. Site topography is relatively flat at around 640ft elevations, with rolling hills in the northeastern portion of the site reaching up to elevations of approximately 900 feet.

Santa Ana Valley creek runs through the middle of the proposed subdivision. 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 potential future residence on the Parcel 3 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. A future project could alter the course of a stream or river. If a future project were to propose such an action in would need to comply with California Code, Fish and Game Code - FGC § 1602.

The potential future project would be required to comply with standard BMPs, including standard County requirements related to erosion control. The project site is relatively flat, and no grading is proposed at this time. As a result, the project would have a less-than-significant impact to drainage and erosion potential. (1, 2, 8)

A potential future project could create or contribute runoff water during construction and operation of the potential project. The future 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)

civ) **Less than Significant Impact.** The project site is located within a FEMA designated 100-year flood hazard area. This project would be required to comply with San Benito County Code § 25.08.026 Floodplain Development Standards for any future construction to occur in the area that falls within the FEMA 100-year flood hazard area. Along with the measures discussed in discussion in a, b, c-ciii, and the non-buildable areas in the project description impacts would be less-than-significant. (1, 2, 4, 13, 15)

d) **Less than Significant Impact.** The proposed project site is located in an area subject to flood hazard, seiche hazard zone, tsunami, or mudflow risk. Any future project would need to comply with San Benito County Code § 25.08.026 Floodplain Development Standards as well as any and all applicable building codes. As long as all County and State Building Code rules and regulations are followed in addition to the building envelopes contained in the project description this project would have a less than significant impact. (1, 2, 4, 8)

e) **No Impact.** The project site is not subject to any water quality control plans or sustainable groundwater management plans. The project is located in the Santa Ana Valley Water Basin (locally), which is not critically over-drafted as defined by the SGMA (see North San Benito Water Basin) and has been marked as low priority. The project would therefore result in no impact. (1, 2, 3, 4)

#### **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 two existing residences, existing septic system, 10 existing wells, and existing accessory buildings. This site is currently being used for agriculture as observed during the site visit. 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 Rangeland (AR) 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 with a potential to construct an additional residence, septic system, and detention pond. This parcel has existing two residences, accessory buildings, septic, and 10 wells. The rest of the property is agricultural land and rural land and would not physically divide an established community. There would be no impact in connection with the proposed subdivision. (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, the impacts of the proposed project 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). SMARA 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 are of mapped mineral resources.

### **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. 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.

#### 4.13.3 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 groundborne vibration or groundborne 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"/>

#### 4.13.4 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 Rangeland 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 not located within an airport land use plan. The project is not located within 2 miles of a public airport or public use airport. With the provisions and standards in the San Benito County General Plan, local ordinance 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)

#### 4.14 Population and Housing

##### 4.14.1 Environmental Setting

San Benito County's estimated population in 2022 is 65,997 with a growth rate of 1.37% in the past year according to the most recent United States census data. San Benito County, California is the 42nd largest county in California. The 2010 Population was 55,269 and has seen a growth of 19.41% since this time. This property is located within the population of unincorporated San Benito County which is currently 22,230 based on the 2020 US Census numbers (subtracting Hollister and San Juan Bautista which are incorporated).

##### 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 could potentially have one additional single-family residence and potentially three ADU's. This subdivision at maximum entitlement will not 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 would only consist of one additional single-family residential home and three ADU's. 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 as submitted would result in no population increase. However, under the maximum entitlement, this project could cause a minimal increase in population. 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 an area of moderate fire hazard in an area of State responsibility under CalFire. The nearest CalFire station is located at 1979 Fairview Road, Hollister, CA 95023, approximately 6 miles northwest of 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 Parkway in the City of Hollister, which is located approximately 12 miles northwest of the project site by road.

**Schools:** The project is located within the Tres Pinos Union School District and the San Benito Joint Union High School District. The closest school to the proposed project is Tres Pinos Union Elementary, which is located approximately 3 miles southwest of the project site.

**Parks:** The closest park to the proposed project is Santa Ranch Park, which is located approximately 3 miles west 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.** Implementation of the proposed project would require fire and police protection services. This project has no proposed construction at this time and even at maximum potential build out, of one additional residence and three 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"/>

##### 4.16.2 Explanation

a, b) **Less than Significant Impact.** The project consists of the creation of a subdivision and potential construction of a single residence and possibly three ADU's at maximum build out. 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 project site fronts the collector road Santa Ana Valley Road. Which is locally accessible via the arterial road Fairview Road. Other roadways in the study area include John Smith Road



(collector) and private driveways to neighboring properties. There are no sidewalks or marked crosswalks within the project area. There are no bicycle facilities in the project area. There are no 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 20 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 existing driveway meets Santa Ana Valley Road and runs into the project site directly on the boundary between the proposed Parcel 1 and proposed Parcel 2. This proposed driveway is 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. This driveway and any future driveway shall 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 Santa Ana Valley 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.** As determined during tribal consultation under AB 52, including a site visit with tribal representation, this project would not cause a substantial or adverse change to a tribal cultural resource as defined by Public Resources Code § 21074. Indigenous

representation 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.

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.** Per the tribal consultation conducted under AB 52, including site visits with tribal representation, 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 the prior archaeological sensitivity designation. With this monitoring, impact would be less than significant with mitigation. (1, 2, 3)

### **Mitigation**

**TCR-1** The applicant's contractor shall, at no fiscal cost to the applicant or applicant's contractor, provide for the presence of a tribal monitor during all earth moving and ground disturbing activities. The applicant's contractor shall notify tribal monitors a minimum of 7 days prior to any earth moving and ground disturbing activities. In the event that proper notification is not sent to the tribal monitor, all work shall cease until proper notification is sent. However, the applicant's contractor shall retain the authority to continue work, as needed, in the case that a tribal monitor cannot be present. The applicant shall provide the contractor's contact information for the purpose of providing direct information to the tribal monitor regarding project scheduling and safety protocol, as well as project scope, location of earth moving and ground disturbing activities areas, and nature of work to be performed. It shall be the discretion of the tribal monitor to determine if they shall be present for any, some, or all earth moving and ground disturbing 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.

**TCR-2** The applicant shall comply with the condition of approval requiring that any proposed structure or significant ground -disturbing activities within the designated buildable areas, within

the building envelopes , which with non-buildable areas including the entire flood plain and the area around the fault zone as resulting from tribal consultation requested by the Tribe, shall require new or amended County approval. Any proposed structure or significant ground disturbing activities outside of the designated building envelopes shall be processed through the County of San Benito and other jurisdictional agencies by means of standard agency permitting protocols and review. This mitigation measure shall be included as a condition of approval for the project and shall be enforceable in accordance with San Benito County law and regulations. The County shall ensure that the applicant complies with this mitigation measure through appropriate monitoring and enforcement measures, as necessary.

**TCR-3** In order to provide a protective buffer from any further development, grading, or significant ground disturbance, the applicant shall, as requested by the tribe, establish a conservation easement along the northeastern portion of the property (as included in non-buildable area in Figure 5).

## **4.19 Utilities and Service Systems**

### **4.19.1 Environmental Setting**

**Water and Wastewater:** If any new residences were to be proposed they would require water which would be available via one of the existing 10 wells on the property. The applicant shall indicate which well will be used as a potable source of water for the proposed Parcel 3 if any residence or dwelling was proposed on that parcel. The applicant would also need to provide a new septic system and a detention pond with a soils report related to the suitability of a new septic system for any future development. No new utility connections for sewer or water have been proposed for the project as submitted.

**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 lies within the Middle Fork of the Santa Ana Creek Drainage Basin. This project like most residents and businesses in the unincorporated County rely on individual drainage solutions or small-scale drainage systems. Impervious surface would be increased if a future residence or future dwellings were to be proposed. In that case the applicant would also need to build a new retention pond(s) to offset this increased impervious surface. These specifications would be reviewed for compliance with conditions set forth by San Benito County Division of Public Works before any building permits would be issued. However, at this time no new residences or dwellings are proposed as part of this project as submitted.

**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 southwest 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 JSRL has a remaining capacity of approximately 3,499,000 cubic yards (CalRecycle, 2022). 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, 2022).

**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"/>
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 could 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. Additionally, future development even at maximum build out of one new residence, and three ADU's would only potentially require minimal facilities to serve the potential residence and potential ADU's. Resulting in a less than significant impact.

As discussed above, any future potential residence and potential ADU's would require hookups to the new septic system on the project site, new potable well water from one of the existing wells, and new septic tank(s). The County would additionally the detention and drainage plans to ensure the facility is designed to detain the difference between a flood of a 10-year pre-development event and 100-year flood post development, in accordance with County standards set forth in Article 3 Storm Drainage Design Standards § 23.31.040 (*et seq.*) Design Storm, 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. Any future development would require natural gas and new telecommunications service. The project as proposed would not require any additional electricity compared to what is currently used on-site. While additional electricity would be consumed with potential future development, 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, any future 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, 13)

b) **Less than Significant Impact.** The potential at maximum build out for a project of this scale is not anticipated to have a substantial increase in water supply. The project is located in the North San Benito (Santa Ana 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 existing residences will not require a new well to be constructed, as it would use their current existing wells on the proposed parcel 1 and 2, and therefore would not increase demand on available water supplies. Distance to the nearest municipal water system makes connection to the system infeasible. If the project were to propose an additional residence and 3 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. Any future proposals for this subdivision, this proposed residence, and all future dwellings would be served by the existing 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 project proposes no new construction at this time. However, with the maximum entitlement granted by this subdivision at a potential of, one additional residence and three ADU's, a future development project would need to be served by a new septic system. Any future development would be subject to further Review by San Benito County Environmental Health Division. This represents a less-than-significant impact. (1, 2)

d-e) **Less Than Significant Impact.** Any potential future 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, a potential project would be required to 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 State responsibility. It is located in an area of moderate FHSZ, as designated by the California Department of Forestry and Fire Protection (Cal Fire, California Fire Hazard Severity Zone Viewer, 2020). CAL FIRE, its nearest fire station located 6 miles west by road at 1979 Fairview Road, would have a primary role in any fire protection services required at the project site.

### 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 4.20.3 Explanation

a) **Less than Significant Impact.** San Benito County has prepared a Multi-Jurisdiction 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, as described in Section 4.9 Hazards and Hazardous Materials. Panoche Road is the primary evacuation roadway for the County. The project site, located on Santa Ana Valley 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 20-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) **Less than significant Impact.** The project site is not located within or near a Very High Fire Hazard Severity Zone for wildfires; therefore, the proposed project has low potential for exposing 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, an impact less than significant would occur. (1, 2, 3, 4, 12)

#### 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### 4.20.2 Explanation

a) **Less than Significant Impact with Mitigation Incorporated.** 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 with all the relevant tribes as stated in section 4.18 Tribal Cultural Resources, with the consultation including a site visit, and the interested tribe had no specific concerns with the project site. However, as discussed in section 4.18 the interested tribe requests archaeological and Native American monitoring during grading/ground disturbance at this location due to prior archaeological sensitivity designation. With implementation of the mitigation measure **TCR-1**, **TCR-2**, and **TCR-3** 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 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. The proposed project would not result in a cumulatively considerable adverse environmental effect.

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 GHG emissions that would contribute to the overall regional and global GHG emissions. However, air quality impacts and GHG emissions would not exceed the MBARD’s 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 Impact 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 REIR. Overall, the project would not result in impacts that are individually limited, but cumulatively considerable.

**c) Less Than Significant Impact with Mitigation Incorporated.** The proposed project would not cause any adverse effects on human beings. Construction impacts, including impacts to sensitive receptors, would be temporary in nature and mitigated to a Less Than Significant Impact extent. 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>
<i>Biological Resources</i>	

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<b>Mitigation Measure</b>	<b>Requirements of Measure</b>
<b>BR-1</b>	<p>Prior to the recordation of the final map the following areas shall be delineated on the parcel map as non-buildable:</p> <ul style="list-style-type: none"><li>• The Floodplain Boundary per current FEMA map.</li><li>• Prior to the recordation of the final map the wetland area shall be identified on the parcel map and the wetland shall be designated as non-buildable on the parcel map.</li></ul>

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***Cultural Resources***

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<b>CR-1</b>	<p>If archaeological resources or human remains are accidentally discovered on the project site during construction, work shall be halted by the construction manager within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Materials of particular concern would be concentrations of marine shell, burned animal bones, charcoal, and flaked or ground stone fragments. (Ref: Health and Safety Code 7050.5)</p>
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Mitigation Measure	Requirements of Measure
<b>CR-2</b>	<p data-bbox="440 306 1414 596">If human remains are found at any time on the project site, work must 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)</p> <p data-bbox="440 617 1414 684">Specific County of San Benito provisions and further measures shall be required as follows if human remains are found:</p> <p data-bbox="440 705 1414 846">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:</p> <ul style="list-style-type: none"><li data-bbox="440 867 1414 972">a. 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 data-bbox="440 993 1414 1209">b. 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 data-bbox="440 1230 1414 1335">c. Notify Resource Management Agency Director 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 data-bbox="440 1356 1414 1572">d. 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. [Planning]</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>

Mitigation Measure	Requirements of Measure
<b><i>Tribal Cultural Resources</i></b>	
TCR-1	<p>The applicant's contractor shall, at no fiscal cost to the applicant or applicant's contractor, provide for the presence of a tribal monitor during all earth moving and ground disturbing activities. The applicant's contractor shall notify tribal monitors a minimum of 7 days prior to any earth moving and ground disturbing activities. In the event that proper notification is not sent to the tribal monitor, all work shall cease until proper notification is sent. However, the applicant's contractor shall retain the authority to continue work, as needed, in the case that a tribal monitor cannot be present. The applicant shall provide the contractor's contact information for the purpose of providing direct information to the tribal monitor regarding project scheduling and safety protocol, as well as project scope, location of earth moving and ground disturbing activities areas, and nature of work to be performed. It shall be the discretion of the tribal monitor to determine if they shall be present for any, some, or all earth moving and ground disturbing activities.</p> <p>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>

<b>Mitigation Measure</b>	<b>Requirements of Measure</b>
<b>TCR-2</b>	The applicant shall comply with the condition of approval requiring that any proposed structure or significant ground -disturbing activities within the designated buildable areas, within the building envelopes, which with non-buildable areas including the entire flood plain and the area around the fault zone as resulting from tribal consultation requested by the Tribe, shall require new or amended County approval. Any proposed structure or significant ground disturbing activities outside of the designated building envelopes shall be processed through the County of San Benito and other jurisdictional agencies by means of standard agency permitting protocols and review. This mitigation measure shall be included as a condition of approval for the project and shall be enforceable in accordance with San Benito County law and regulations. The County shall ensure that the applicant complies with this mitigation measure through appropriate monitoring and enforcement measures, as necessary.
<b>TCR-3</b>	In order to provide a protective buffer from any further development, grading, or significant ground disturbance, the applicant shall, as requested by the tribe, establish a conservation easement along the northeastern portion of the property (as included in non-buildable area in Figure 5).

## **Chapter 5. References**

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## 5.1 Checklist Sources

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2. Project Plans
3. County of San Benito 2035 General Plan and Recirculated Environmental Impact Report.
4. San Benito County WebGIS. Available online at: [gis.cosb.us/gis](http://gis.cosb.us/gis). Accessed September 2022.
5. San Benito County Important Farmlands Map, 2018.
6. Monterey Bay Unified Air Pollution Control District CEQA Air Quality Guidelines, Revised February 2008.
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8. San Benito County Code of Ordinances. Available Online at: <https://codelibrary.amlegal.com/codes/sanbenitocounty/latest/overview>
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