The Bluffs at Ridgemark

Draft Environmental Impact Report
SCH# 2016101022

prepared by
San Benito County
Resource Management Agency
2301 Technology Parkway
Hollister, California 95023
Contact: Taven M. Kinison Brown, Project Manager

prepared with the assistance of
Rincon Consultants, Inc.
437 Figueroa Street, Suite 203
Monterey, California 93940

September 2017

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Environmental Scientists Planners Engineers
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Appendices

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Acronyms and Abbreviations

AB	Assembly Bill
ADA	Americans with Disabilities Act
AFY	Acre-feet per year
AMBAG	Association of Monterey Bay Area Governments
APCD	Air Pollution Control District
APN	Assessor Parcel Numbers
AQMP	Air Quality Management Plan
AST	Aboveground Storage Tank
BGS	Below ground surface
BVNA	Bureau Veritas North America, Inc.
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire
CALGreen Code	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officer's Association
CARB	California Air Resources Board
CAT	California Action Team
CBC	California Building Commission
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CCCC	California Climate Change Center
CCRWQCB	Central Coast Regional Water Quality Control Board
CDFW	California Department of Fish & Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CEUS	California Commercial End Use Survey
CFGC	California Fish and Game Code
CHRIS	California Historical Resources Information System
CIWMB	California Integrated Waste Management Board
CNEL	Community Noise Equivalent Level
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Monoxide
CO_2e	Carbon Dioxide equivalent
COC	Chemicals of Concern
CRLF	California red-legged frog
CRPR	California Rare Plant Rank
CRHR	California Register of Historical Resources
CTS	California tiger salamander
CVP	Central Valley Project
CWA	Clean Water Act
dBA	Decibels using the A-weighted sound pressure level
DOT	U.S. Department of Transportation
DPM	Diesel Particulate Matter
DPR	Department of Pesticide Regulations (California)
DTSC	Department of Toxic Substances Control (California)
DU	Dwelling Unit
DWR	Department of Water Resources (California)
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FRAP	Fire and Resource Assessment Program
FTA	Federal Transit Authority
GHG	Greenhouse Gas

GPD	Gallons per day
GWP	Global Warming Potentials
HAP	Hazardous air pollutants
HHMD	Health Hazardous Materials Division
HMTA	Hazardous Material Transportation Act
HOA	Home Owners Association
HSWA	Hazardous and Solid Waste Act
HUA	Hollister Urban Area
HWCL	Hazardous Waste Control Law
ITE	Institute of Transportation Engineers
IPMP	Integrated Pest Management Plan
IPCC	Intergovernmental Panel on Climate Change
IWMD	Integrated Waste Management Department
JSRL	John Smith Road Landfill
LAFCO	Local Agency Formation Commission
Ldn	Day-Night Average Level
LEA	Local Enforcement Agency
Leq	Equivalent noise level
LESA	Land Evaluation and Site Assessment
LGB	Local Governing Body
LOS	Level of Service
LTF	Local Transportation Fund
M&I	Municipal and Industrial
MBTA	Migratory Bird Treaty Act
MBARD	Monterey Bay Air Resources District
MCL	Maximum Contaminant Levels
MPO	Metropolitan Planning Organizations
MSAT	Mobile source air toxics
MT	Metric Tons
MUTCD	Manual on Uniform Traffic Control Devices
MWELO	Model Water Efficient Landscape Ordinance
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission

NCCAB	North Central Coast Air Basin
NCP	National Contingency Plan
n.d.	No Date
NESHAP	National Emissions Standards for Hazardous Air Pollutants
N_2O	Nitrous Oxide
NO	Nitrogen Oxide
NO_x	Oxides of Nitrogen
NO_2	Nitrogen Dioxide
NOAA	National Oceanic and Atmospheric Administration
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPPA	Native Plant Protection Act
OES	Office of Emergency Services
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PCB	Polychlorinated Biphenyls
$PM_{2.5}$	Particulate Mater 2.5 microns or less in size
PM_{10}	Particulate Mater 10 microns or less in size
PPM	Parts per millions
RASS	Residential Appliance Saturation Survey
RCRA	Resource Conservation and Recovery Act
RMS	Root mean squared
ROG	Reactive organic gases
ROW	Right of Way
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SBCWD	San Benito County Water District
SCS	Sustainable Communities Strategy
SLF	Sacred Lands Files
SLOAPCD	San Luis Obispo Air Pollution Control District

SO_2	Sulfur Dioxide
SR	State Route
SSCWD	Sunnyslope County Water District
ST	State Threatened
STA	State Transit Assistance fund
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic air contaminants
TDA	Transportation Development Act
TDF	Transportation Demand Forecast
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Loads
TPY	Tons per year
TSP	Total Suspended Particulate
UNFCCC	United Nations Framework Convention on Climate Change
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geologic Service
UST	Underground Storage Tank
UTM	Universal Transverse Mercator
UWMP	Urban Water Management Plan
UWMPA	(California) Urban Water Management Planning Act
VEC	Vapor encroachment conditions
VES	Vapor Encroachment Screen
VdB	Vibration decibels
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
WDR	Waste Discharge Requirements
WMO	World Meteorological Organization
WQS	Water Quality Standards

WSA	Water Supply Assessment
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant

Executive Summary

This Environmental Impact Report (EIR) has been prepared to examine the potential environmental effects of the proposed Bluffs at Ridgemark project. This section summarizes the characteristics of the proposed project, the identified significant environmental impacts, feasible mitigation measures, and residual impacts associated with the proposed project.

Project Synopsis

Project Applicant

Bates Stringer – Hollister II, LLC
Frederick Bates & Scott Stringer
8650 River Meadows Road
Carmel, California 93923

Project Summary

The proposed Bluffs at Ridgemark project, hereafter referred to as the "project", evaluates a proposed residential development on an approximately 49.6-acre site within unincorporated San Benito County ("project site"). To allow for the development of the project, the applicant is requesting a number of discretionary entitlements including a Major Subdivision to subdivide and allow for development of the project site with 90 single-family residential lots as well as related on and off site improvements necessary to service the project. It is anticipated that the lots would range between approximately 8,464 square feet (sf) to 28,869 sf. The proposed density would be 1.8 dwelling units per gross acre. Approximately 12.1 acres on the western and southern edges of the blufftop site are comprised of steep slopes and would not be developed as part of the proposed project; residential development would occur within the approximately 37.1 acres of the site currently used for agricultural production. In addition, approximately 0.3 acre south of the blufftop site would be developed with an emergency access/restricted access road.[1]Based on the current conceptual site design and layout, the project would be composed of one-story and two-story dwellings. The maximum height of the proposed residences would not exceed 33 feet. Additional project details, including, among others, on- and offsite infrastructure improvements, site grading and tree removal, proposed energy efficiency features, and the anticipated construction schedule are provided in Section 2.0, Project Description.

The proposed project would require review and approval from a number of agencies. Provided below is a list of the anticipated discretionary approvals by San Benito County:

- Certification of the Final EIR
- Approval of a Vesting Tentative Tract Map
- Approval of a Tree Removal Permit, if required

[1] The project site is approximately 49.6 acres; the three distinct areas of the project site described herein ad to 49.5 acres due to rounding.

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

- Sunnyslope County Water District (SSCWD) – adopt a resolution to initiate a sphere of influence change and annexation proceedings
- Local Agency Formation Commission (LAFCO) – approval of sphere of influence change and annexation into the SSCWD service area
- California Department of Fish and Wildlife (CDFW) – take authorization
- United States Fish and Wildlife Service (USFWS) – incidental take permit
- Central Coast Regional Water Quality Control Board (CCRWQCB) – construction general permit

Alternatives

Three alternatives to the proposed project were selected for consideration and analyzed in the EIR as follows:

- **Alternative 1: No Project/No Development.** The No Project/No Development Alternative assumes that the proposed project is not implemented, and that the project site remains in its current state of open space and agricultural use.
- **Alternative 2: Full Secondary Access to Southside Road.** This alternative would have the same project description as the proposed project. However, the emergency vehicle access road to Southside Road from the southwest corner of the project site would be a full access road.
- **Alternative 3: Clustered Development.** This alternative would cluster the proposed residential development eastward, towards the existing Ridgemark development, in order to decrease the visual impact of the project from Southside Road.

Summary of Impact and Mitigation Measures

Table 1 includes a brief description of the identified environmental impacts relative to construction and operation of the proposed project, proposed mitigation measures to reduce those impacts, and residual impacts after implementation of mitigation. Significant, unavoidable adverse impacts require a statement of overriding considerations to be issued per section 15093 of the State CEQA Guidelines if the project is to be approved. Significant but mitigable impacts are significant adverse impacts that can be feasibly mitigated to less than significant levels and that require findings to be made under section 15091 of the State CEQA Guidelines.

Table 1 Summary of Environmental Impacts and Mitigation Measures

Impact	Mitigation Measures	Significance After Mitigation
Aesthetics		
Impact AES-1. The proposed project would have a substantial effect on scenic vistas and would alter the visual character of the project site. However, the development would be similar to surrounding residential development, and mitigation would ensure that the design is cohesive and screened from public view. With these requirements, the project would not substantially degrade the existing visual character or quality of the site and its surroundings. Impacts would be *less than significant with mitigation incorporated* [Threshold numbers 1 and 3]	**MM AES-1(a) Design Standards.** Prior to issuance of the first building permit for the project, the project proponent shall submit architectural plans for review and approval by the Planning Commission. The architectural plans shall include all proposed building elevations, materials, colors, textures, light fixtures, and perimeter fencing, and shall satisfy the following: ▪ Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences and walls ▪ High contrast color combinations, such as very dark brown adjacent to white, shall be avoided on individual home roofs, walls, and fascia ▪ Roof vents shall be the same earth tone shade as the surrounding roof surface ▪ All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials and colors used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare ▪ Building windows shall be tinted with an antireflective material The final map(s) for the project shall include a note indicating that this mitigation measure would be met prior to issuance of the first (1^{st}) building permits. The above referenced standards, components and materials shall be denoted on building plans. A copy of said standards, components, and materials shall be submitted with grading and building plans prior to issuance of building permit(s) for individual lot development. **MM AES-1(b) Landscaping:** Prior to the recordation of the first final map, the project proponent shall submit tract-wide landscaping plans to the County for review and approval. Figure 7 and Figure 8 in Section 2.0, Project Description, show the currently proposed conceptual landscape plan. Tract-wide landscaping plan shall comply with the following requirements: ▪ Landscaping installed as part of tract improvements shall include fencing along the north and east side of the project. ▪ Landscaping shall consist of drought-tolerant native species, as feasible, along with other acceptable species identified by the County as appropriate. Hydroseeding areas shall be clearly indicated on the plan. ▪ Only natural fiber, biodegradable materials shall be used.	Less than significant
Impact AES-2. The proposed project would create a new source of substantial light and glare, which could adversely affect day or nighttime views of the area. While lighting impacts would be less than significant	**MM AES-1(a) Design Standards.** (see above)	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
through compliance with the County's Dark Skies Ordinance, project glare impacts would be *less than significant with mitigation incorporated*. [Threshold number 4]		
Agricultural Resources		
Impact AG-1. The proposed project would permanently convert Important Farmland to non-agricultural use. Mitigation would require the provision of replacement farmland or payment of an in-lieu fee, consistent with General Plan Policy LU-3.10. Impacts would be *less than significant with mitigation incorporated*. [Threshold number 1]	**MM AG-1 Agricultural Conservation.** Prior to issuance of any grading permits, the project proponent shall provide that for every one (1) acre of FMMP Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) on the project site that is permanently converted to non-agricultural use as a result of project development, one (1) acre of land of comparable agricultural productivity shall be preserved in perpetuity. Said mitigation shall be satisfied by the applicant through: a. Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the County or qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of 36.4 acres of FMMP Important Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or b. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward the future purchase of a minimum of 36.4 acres of FMMP Important Farmland in San Benito County, together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or c. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of 36.4 acres of FMMP Important Farmland in San Benito County. The amount of the payment shall be equal to 110 percent of the amount determined by the qualifying entity or a licensed appraiser; or d. Any combination of the above	Less than significant
Impact AG-2. The 49.2-acre blufftop site is zoned Single Family Residential (R1) and the 0.3-acre adjacent area is zoned Agricultural Productive (AP). Because no residential development would occur within the AP area, impacts related to	None required	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
conflicts with Zoning for an agricultural use would be *less than significant*. [Threshold number 2]		
Impact AG-3. Implementation of the proposed project may result in the conversion of off-site Important Farmland due to land use conflicts between existing surrounding agricultural land uses and the proposed residential uses. Adherence to the County Right-to-Farm Ordinance and the natural barrier that the bluffs provide would help to minimize conflicts, but the exposure of residents to agricultural chemicals would remain a concern, as well as general development pressure to convert agricultural uses to urban uses. Impacts would be *less than significant*. [Threshold number 5]	None required	Less than significant
Air Quality		
Impact AIR-1. The proposed project would contribute to population growth, but would be consistent with the growth assumptions in the Air Quality Management Plan. This impact is *less than significant*. [Threshold number 1]	None required	Less than significant
Impact AIR-2. Construction of the proposed project would result in the temporary generation of air pollutants, which would affect local air quality. Short-term emissions of PM_{10} during the construction period would not exceed MBARD thresholds. Impacts would be *less than significant*. [Threshold number 2]	None required	Less than significant
Impact AIR-3. Operational emissions would not exceed MBARD's daily significance thresholds. Therefore, the project would have a *less than significant* impact on regional air quality. [Threshold numbers 2 and 3]	None required	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
Impact AIR-4. The proposed project would not degrade service levels at study area intersections such that carbon monoxide (CO) hotspots would be created. Impacts related to CO hotspots would be *less than significant.* [Threshold number 4]	None required	Less than significant
Impact AIR-5. The project would not expose sensitive receptors to substantial pollutant concentrations associated with construction dust or toxic air contaminants. Impacts related to these localized pollutants would be *less than significant.* [Threshold number 4]	None required	Less than significant
Impact AIR-6. The project would not create objectionable odors that would affect neighboring properties. Impacts related to odors would be *less than significant.* [Threshold number 5]	None required	Less than significant
Biological Resources		
Impact BIO-1. Implementation of the proposed project would impact special status animal species. Potential impacts to special status animal species would be *less than significant with mitigation incorporated.* [Threshold number 1]	**MM BIO-1(a) California Tiger Salamander (CTS) Pre-construction Survey and Impact Avoidance.** The following measures are required to reduce impacts to individual CTS and their habitat (additional measures may be required by the CDFW and/or USFWS): ▪ Not less than six months prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site. The surveys shall include mapping of all areas containing small mammal burrows. ▪ Not less than one month prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct another round of pre-construction surveys within suitable habitat on-site. The surveys shall confirm previously mapped areas containing small mammal burrows. ▪ Not less than 15 days prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall also oversee installation of exclusion fencing where suitable aquatic habitat is adjacent to the site (i.e., along the northern boundary) to prevent CTS from entering active work areas. ▪ If any life stage of the CTS is identified within the work area, construction and grading in these areas shall be halted and	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
	the County, CDFW, and USFWS shall be contacted immediately. Additional avoidance strategies shall be approved by the County in consultation with CDFW and USFWS to achieve compliance with the State and federal Endangered Species Acts. If avoidance is not possible, incidental "take" authorization would be required under the State and federal Endangered Species Acts. A CESA incidental take permit may be acquired through preparation and submittal of a section 2081 application to the CDFW. A FESA incidental take permit may be acquired through FESA section 7 consultation if there is a federal nexus related to the project and if the lead federal agency is willing to initiate FESA consultation with the USFWS. If a federal nexus does not exist for the project, an incidental take permit must be obtained through section 10(a)(2)(B) of the FESA by developing a habitat conservation plan (HCP) that would define the measures designed to minimize and mitigate the effects of the project's actions and to ensure the species would be conserved. At a minimum, mitigation measures shall include purchase of credits at an approved conservation bank or purchase and management of offsite suitable upland habitat for CTS to offset loss of suitable upland habitat for this species (i.e., area[s] containing small mammal burrows) at a ratio of 2:1 (two acres preserved for every one acre of impact), or as otherwise required by USFWS and CDFW in accordance with applicable laws and regulations. ▪ A pre-construction survey report shall be submitted to the County Resource Management Agency within 15 days of completion of the survey. The report shall include the dates, times, weather conditions, aquatic and terrestrial habitat conditions (including a map of small mammal burrow or burrow complex locations), agency consultation(s) if individuals are discovered, and personnel involved in the surveys. **MM BIO-1(b) California red-legged frog (CRLF) Pre-construction Surveys and Impact Avoidance.** The following measures are required to reduce impacts to individual CRLF and their habitat (additional measures may be required by the USFWS): ▪ Not less than one month prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site. ▪ Prior to ground disturbance within 200 feet of identified CRLF breeding and aquatic non-breeding habitats, temporary barriers shall be constructed between the identified habitat and the projects ground disturbance area to prevent CRLF from entering the project site during construction. A solid temporary exclusion fence (such as silt fence) shall be buried into the ground to a depth of at least 6 inches below the soil surface and extend at least 3 feet above the ground to exclude CRLF from the work area. The ends of the barriers shall extend 50 feet beyond the 200-foot range of the identified habitats and hook away from the limits of ground disturbance. During any construction	

Impact	Mitigation Measures	Significance After Mitigation
	conducted between July 2 and April 30, the fence shall be inspected daily to ensure that it's functioning properly to exclude CRLF from the work area. The fence shall remain in place throughout construction. ▪ To minimize the potential for direct impacts to dispersing individuals, initial ground disturbing activities shall be completed during the period May 1 through July 1, to the extent feasible. The initiation of any subsequent ground disturbing activity or construction during July 2 through April 30, the period when California red-legged frogs are potentially dispersing or utilizing upland areas, shall be preceded by two night surveys of the work area. The purpose of these surveys is to determine whether any CRLF have bypassed the exclusion fencing into the work area. Surveys shall be conducted on two separate nights within 48 hours prior to the start of work activities. ▪ If any life stage of the CRLF is identified within the work area, construction and grading in these areas shall be halted and the County and USFWS shall be contacted immediately. Additional avoidance strategies shall be approved by the County in consultation with USFWS to achieve compliance with the FESA. If avoidance is not possible, incidental "take" authorization would be required under the FESA. A FESA incidental take permit may be acquired through FESA section 7 consultation if there is a federal nexus related to the project and if the lead federal agency is willing to initiate FESA consultation with the USFWS. If a federal nexus does not exist for the project, an incidental take permit must be obtained through section 10(a)(2)(B) of the FESA by developing a HCP that would define the measures designed to minimize and mitigate the effects of the project's actions and to ensure the species would be conserved. At a minimum, mitigation measures shall also include those listed below, or as otherwise required by USFWS and CDFW in accordance with applicable laws and regulations. ▪ If CRLF are present they shall be moved out of the work area by an approved biologist following the methods described below, but only if "take" authorization is procured from the USFWS. The approved biologist would maintain detailed records of all translocated individuals (e.g., size, coloration, any distinguishing features, and photographs) to assist in determining whether translocated individuals return to the work site. ▪ Before any construction activities begin on the project, an approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the CRLF and its habitat, the importance of the CRLF and its habitat, the specific measures that are being implemented to conserve the CRLF as they relate to the project, and the boundaries within which the project may be accomplished. ▪ During all initial ground disturbing activities, an approved biologist shall be on-site to recover any CRLF that may be found at that time, but only if "take" authorization is procured from the USFWS. If the animals are in good health,	

Impact	Mitigation Measures	Significance After Mitigation
	they shall be immediately relocated to the designated release area. If they are injured, the USFWS shall be consulted immediately. Any dead CRLF must be reported immediately to the USFWS and deposited in an approved museum. ▪ An approved biologist shall be present at the work site until such time as all removal of CRLF, instruction of workers, and initial ground disturbance have been completed. After this time, the County shall designate a person to monitor compliance of all mitigation measures. The approved biologist shall ensure that this individual receives training outlined above and is qualified to identify CRLF. The monitor and the approved biologist shall have the authority to halt any action that would otherwise involve a violation of applicable laws and regulations. If work is stopped for this reason, the County shall be notified immediately to determine the appropriate course of action in accordance with applicable laws and regulations. ▪ An approved biologist or trained monitor shall conduct daily surveys of any pits or trenches that are left open over night during the period from October 15 through March 15. ▪ During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from the work areas. ▪ The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated, and these areas shall be outside drainage areas. ▪ All refueling, maintenance, and staging of equipment and vehicles would occur at least 100 feet from riparian habitats (north of the project site) or drainage areas (along the western slopes), and not in a location where a spill would drain directly toward an aquatic habitat. The approved biologist or designated monitor shall check the staging area periodically to ensure that contamination of aquatic habitats does not occur. Prior to the onset of work, a spill response plan must be designated, and all workers must be briefed on the provisions of this plan. ▪ Temporarily impacted areas shall be re-contoured to their original configurations and revegetated with native plant species suitable for the area. Locally collected plant material shall be used to the extent practicable. Invasive exotic plant species shall not be used in site landscaping. ▪ Best Management Practices would be implemented during and after project implementation to control sedimentation. ▪ Water shall not be impounded in a manner that may attract CRLF. ▪ California Natural Diversity Database forms shall be completed and sent to the CDFW for all CRLF observed during the project.	

Impact	Mitigation Measures	Significance After Mitigation
	MM BIO-1(c) Western Spadefoot Toad and San Joaquin Whipsnake (Coachwhip): Pre-construction Survey, Capture, and Relocation. Not less than 14 days prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct surveys for western pond turtle, western spadefoot toad, and San Joaquin whipsnake (coachwhip) within suitable habitat on the project site as feasible. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If any of these species are identified within the work area they shall be captured and relocated to County-approved suitable habitat within the same or nearest suitable habitat. CNDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed. The relocation site shall include suitable micro habitat and ecological features for each species as follows: ▪ Western spadefoot toad habitat shall include open sandy or gravely areas within the San Benito River. ▪ San Joaquin Whipsnake (coachwhip) habitat shall include suitable small mammal burrows to provide immediate escape and cover. If either of these species are observed by construction personnel within or adjacent to the project site, all work within the vicinity of the observation shall be halted and the qualified biologist shall be notified immediately to evaluate the occurrence and relocate the animal as necessary. Only a qualified biologist shall capture and relocate wildlife. Construction personnel are not permitted to handle said animals. A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include for each captured special status animal, the Universal Transverse Mercator (UTM) coordinates and habitat descriptions of the capture and release sites (in UTM coordinates), the length of time between capture and release, and the general health of the individual(s). **MM BIO-1(d) Burrowing Owl Pre-construction Surveys, Avoidance, and / or Exclusion.** A qualified biologist shall conduct a pre-construction clearance survey prior to ground disturbance activities within all suitable habitats to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to any construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required. If burrowing owls or active burrows are detected during the pre-construction clearance surveys, avoidance buffers shall be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. If burrowing owls are detected, prior to ground disturbance, coordination with the CDFW by a qualified biologist shall occur to	

Impact	Mitigation Measures	Significance After Mitigation
	establish the appropriate avoidance buffer distances specific for the project's activities and level of expected disturbance. If avoidance of burrowing owls is not feasible, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993). The Plan shall be provided to the applicable local CDFW office prior to implementation. A qualified biologist shall coordinate with the CDFW to determine the appropriate exclusion methods (passive o active relocation) for the project to relocate burrowing owls to a suitable offsite location. Relocation of owls can only occur during the non-breeding season. A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shal also include, if applicable, each observed burrowing owl and/or its burrow, the UTM coordinates and habitat descriptions. If relocation is required, separate reporting as required within the Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall also be submitted to the County Resource Management Agency, Planning and Land Use Division, as well as to the CDFW. **MM BIO-1(e) American Badger Pre-construction Surveys and Impact Avoidance.** A qualified biologist shall conduct pre-construction clearance surveys for American badger within the project site. Clearance surveys should be conducted for American badger within 14 days of the start of any ground-disturbing activity. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days of that portion of the site being disturbed. If no potential American badger individuals or dens are present, no further mitigation is necessary. If this species are detected or potential American badger dens are present, the following measures shall be implemented: ▪ If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction ▪ If the qualified biologist determines that potential dens may be active, an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one way doors at burrow entrances, remote camera monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction ▪ Construction activities shall not occur within 30 feet of active badger dens.	

Impact	Mitigation Measures	Significance After Mitigation
	A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include, if applicable, each observed badger and/or its den, the UTM coordinates and habitat descriptions, a description of any passive relocation if applicable. **MM BIO-1(f) San Joaquin Kit Fox Pre-construction Surveys and Impact Avoidance.** A qualified biologist shall conduct a pre-construction clearance survey for San Joaquin kit fox within the project site no more than 30 days and no less than 14 days before the start of any ground-disturbing activity. All known and potentia San Joaquin kit fox dens (i.e., suitably sized dens in suitable habitat) shall be mapped and an exclusion zone shall be established around each den in accordance with the *USFWS San Joaquin Kit Fox Survey Protocol for the Northern Range* (USFWS 1999). Occupied dens shall be protected by the buffer distance described below to prevent entrance from all construction equipment and personnel who are not approved biologists. In the exclusion zones, only essential vehicle and foot traffic may be permitted. No activity may occur within the exclusion zone that may harm a San Joaquin kit fox. All exclusion zone fencing and flagging shall be kept in good working order for the duration of nearby construction activities or until the den is determined by the approved biologist to be unoccupied. The USFWS and CDFW shall be notified if a reduction of exclusion zone buffer distance or additional activities within the exclusion zone are requested. The following radii are standard San Joaquin kit fox buffer distances fo occupied dens: ▪ Occupied natal/pupping den – 500 feet ▪ Known occupied den – 100 feet ▪ Occupied atypical den – 50 feet The project shall also adherence of the recommendations and bes management practices described in the *USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011). To minimize temporary construction related disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas would be included in preconstruction surveys and, to the extent possible, would be established in locations disturbed by previous activities to prevent further impacts. The project shall specifically adhere to the following kit fox protective measures described in the USFWS Standard Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance: 1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.	

Impact	Mitigation Measures	Significance After Mitigation
	2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted as noted under bullet 13 referenced below. 3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped. 4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site. 5. No firearms shall be allowed on the project site. 6. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens. 7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox. 8. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the USFWS. 9. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology	

Impact	Mitigation Measures	Significance After Mitigation
	and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site. 10. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the USFWS, CDFW, and revegetation experts. 11. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS should be contacted for guidance. 12. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or appropriate wildlife biologist with their department. The USFWS should be contacted at the numbers below. 13. The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact is located at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309. 14. New sightings of kit fox shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the USFWS at the address below. Any project-related information required by the USFWS or questions concerning the above conditions or their	

Impact	Mitigation Measures	Significance After Mitigation
	implementation may be directed in writing to the USFWS at: Endangered Species Division 2800 Cottage Way, Suite W2605 Sacramento, California 95825-1846 (916) 414-6620 or (916) 414-6600 **MM BIO-1(g) Western Red Bat Pre-Construction Surveys and Impact Avoidance.** A qualified biologist shall conduct a western red bat roost-habitat assessment and conduct presence/absence surveys for special status western red bats where suitable maternity roosting habitat is present (e.g., orchards, mature trees during the breeding season (approximately August 1 to October 1). Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where western red bats may roost. Surveys shall be conducted not more than 30 days prior to initiation of construction activities during the western red bat breeding season. Areas where bats' maternity roosts are located shall be avoided where feasible. If a maternity colony has become established, all construction activities shall be postponed within a 300-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed under the supervision of the qualified biologist after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement. A report of survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the surveys to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys, and if maternity roosts are observed and avoided. **MM BIO-1(h) Monitoring:** The County shall review and approve, as determined appropriate by the County, the proposed primary biologist, project plans (including impact areas and mitigation measures), and conduct site inspections during construction to ensure compliance. **MM BIO-1(i) Construction Best Management Practices.** To avoid impacts to aquatic and terrestrial habitats, the following construction Best Management Practices shall be incorporated into all grading and construction plans: ▪ Designation of a 15 mile per hour speed limit in all construction areas ▪ All vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas, and clearing of vegetation for vehicle access shall be avoided to the greatest extent feasible ▪ The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the goal of the project ▪ Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from riparian habitat or drainages as identified by a qualified biologist. Washout areas shall be designed to fully contain polluted water and materials for subsequent	

Impact	Mitigation Measures	Significance After Mitigation
	removal from the site. ▪ Daily construction work schedules shall be limited to daylight hours only, consistent with applicable County code provisions noted in Section 4.11, Noise ▪ Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition ▪ Drip pans shall be placed under all stationary vehicles and mechanical equipment ▪ All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week ▪ No pets are permitted on project site during construction	
Impact BIO-2. Construction of the proposed project could directly impact nesting raptors and other avian species protected under existing regulations by causing injury, death, or nest failure. Potential impacts to nesting birds would be *less than significant with mitigation incorporated*. [Threshold number 1]	**MM BIO-2 Pre-construction Surveys for Nesting Birds and Raptors.** For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds and raptors covered by the CFGC and the MBTA (including, but not limited to special status species including the California horned lark, burrowing owl, and prairie falcon) shall be conducted by a qualified biologist no more than 14 days prior to initiation of any construction activities, including, without limitation, construction staging and vegetation removal. The surveys shall include the entire disturbance areas plus a 200-foot buffer around any disturbance area(s), as is feasible. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest (said buffer to be determined by the qualified biologist). The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have discretion for establishing a suitable buffer consistent with his/her judgement as an expert and industry standards. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longe reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.	Less than significant
Impact BIO-3. Implementation of the proposed project could result in impacts to riparian and other habitats considered sensitive by local, State, and/or federal agencies, including federally protected wetlands. Potential impacts to sensitive habitats would be *less than significant with mitigation incorporated*. [Threshold numbers 2 and 3]	**MM BIO-3(a) Jurisdictional Delineation.** Prior to start of construction, a qualified biologist would conduct a formal aquatic resources delineation throughout the project site. The aquatic resources delineation shall confirm whether any identified features are under the jurisdiction of the USACE, RWQCB, and/or CDFW. The result shall be a preliminary jurisdictional delineation report that shall be submitted to San Benito County, USACE, RWQCB and CDFW, as appropriate, for review and approval. Permits shall be obtained from each agency where applicable. **MM BIO-3(b) Aquatic Resource Mitigation and Monitoring Plan.** In the event the formal aquatic resources delineation confirms there are on-site jurisdictional wetlands and/or riparian habitat, project impacts to jurisdictional wetland and riparian habitat shall be mitigated at a minimum ratio of 2:1 for each segment, and shal occur as close to the impacted habitat as feasible but at least within the same watershed, or as otherwise required by the relevant resource agenc(ies). The permanent protection and management of the mitigation wetlands shall be ensured through	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
	an appropriate mechanism, such as a conservation easement granted to a public or private entity authorized by Section 815.3 o the California Civil Code to acquire and hold conservation easements, deed restriction, or fee title purchase. This mitigation can occur either on or off the project site. A project-specific Aquatic Resource Mitigation and Monitoring Plan shall be prepared by a qualified restoration ecologist and shall include, at a minimum, the following information: 1. Wetlands and waters impacts summary and habitat mitigation actions; 2. Goals of the restoration to achieve no net loss; 3. A map depicting the location of the mitigation site(s) and a detailed description of existing site conditions; 4. A detailed description of the mitigation design, including: a. Location of the new wetlands; b. Proposed site construction schedule; c. Description of existing and proposed soils, hydrology, geomorphology, and geotechnical stability, as well as results of applicable soils testing conducted at the mitigation site; d. A detailed description of the steps required for site preparation and a conceptual grading plan—a formal package for plan sets, specifications, and estimates for the grading, and mitigation construction work shall be prepared based on the concepts set forth in the Aquatic Resource Mitigation and Monitoring Plan no fewer than fifteen days prior to starting work at the mitigation site; e. A description of recommended soil amendments and other site preparation; f. Development of a planting plan, including details on plant procurement, if necessary, propagation, allowable species for seeding and relative pounds/acre, and application; g. Maintenance plan for the created wetlands and riparian plantings; h. A description of specific monitoring metrics, and objective performance and success criteria, such as delineation of created area as jurisdictional wetland per USACE methods within five years of construction, minimum riparian tree and canopy cover measures in the enhanced stream reaches within 10 years of restoration, and others; i. Monitoring methods for vegetation and soils, and measures stipulating quantitative monitoring to occur once per year for at least five years following construction of the wetlands or until success criteria are met; j. A list of reporting requirements and reporting schedule; and k. A contingency plan for mitigation elements that do not meet performance or final success criteria within five years for created wetlands and 10 years for riparian	

Impact	Mitigation Measures	Significance After Mitigation
	enhancement. This plan shall include specific triggers fo remediation if performance criteria are not being met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur. Alternatively, prior to initiating construction that affects aquatic resources, the project applicant shall purchase credits at an approved mitigation bank sufficient to offset temporary impacts to wetlands at a 1:1 ratio and permanent impacts to wetlands at a 2:1 ratio. **MM BIO-3(c) Invasive Weed Prevention and Management Program.** Prior to start of construction, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist approved by San Benito County to prevent, to the extent feasible, invasion in areas of by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where nc construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist and in accordance with the restoration plan.	
Impact BIO-4. Implementation of the proposed project would be required to comply with the County Interim Woodlands Management Ordinance, as it relates to any work affecting woodlands. Compliance with this ordinance would ensure that this impact would be *less than* significant. [Threshold number 5]	None required	Less than significant
Cultural Resources		
Impact CUL-1. Construction of the proposed project would involve surface excavation, which has the potential to unearth or adversely impact previously unidentified Archaeological Resources. Impacts would be *less than significant with mitigation incorporated.* [Threshold numbers 1 and 2]	**MM CUL-1 Unanticipated Cultural Deposits.** If unanticipated cultural deposits are encountered during any phase of project construction or land disturbance activities, work shall stop in the area of the find and San Benito County shall be notified. A qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, shall be retained to assess the nature, extent, and potential significance of any cultural remains. If the resources are determined to be Native American in origin, the archaeologist would consult with the project proponent and the County to begir Native American consultation procedures, as appropriate (see Chapter 4.14: Tribal Cultural Resources). If the discovery is determined to be not significant, work would be permitted to continue in the area. Potentially significant resources may require a Phase II subsurface testing program to determine the resource boundaries within the project site, assess the integrity of the	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
	resource, and evaluate the site's significance through a study of its features and artifacts. If, in consultation with the County, a discovery is determined to be significant, a mitigation plan shall be prepared and carried out in accordance with State guidelines. If the resource cannot be feasibly avoided, a data recovery plan shall be developed to ensure collection of sufficient information to address archaeological and historical research questions, with results presented in a technical report describing field methods, materials collected, and conclusions. Any cultural material collected as part of an assessment or data recovery effort shall be curated, as determined appropriate, at a qualified facility.	
Impact CUL-2. Construction of the proposed project would involve excavation, which has the potential to unearth or adversely impact previously unidentified Human Remains. Impacts would be *less than significant with mitigation incorporated.* [Threshold number 4]	**MM CUL-2 Discovery of Human Remains.** If human remains are discovered, State Health and Safety Code section 7050.5 requires that no further disturbance shall occur in the area of the find until the County has made the necessary findings as to origin and disposition pursuant to Public Resources Code section 5097.98. If the remains are determined to be of Native American descent, the coroner would notify the NAHC. The NAHC would determine and notify a MLD. The MLD would complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Less than significant
Impact CUL-3. Construction of the proposed project would involve surface excavation. Although unlikely, these activities have the potential to unearth and/or impact Paleontological Resources. Impacts would be *less than significant with mitigation incorporated*. [Threshold number 3]	**MM CUL-3(a) Professional Paleontologist.** Prior to initial ground disturbance, the applicant shall retain a project paleontologist, defined as a paleontologist who meets the SVP standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources. **MM CUL-3(b) Paleontological Monitoring.** Excavations exceeding two feet in depth anywhere on the project site shall be monitored on a full-time basis by a qualified paleontological monitor during initial ground disturbance. Ground disturbing activity that does not exceed two feet in depth shall not require paleontological monitoring. The duration and timing of the monitoring shall be reasonably determined by the project paleontologist. If the project paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend that monitoring be reduced to periodic spot-checking or cease entirely, which recommendation shall then be adhered to by the project applicant. If fossils are discovered, the paleontological monitor or project paleontologist shall recover them using standard field methods. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
Geology and Soils		
Impact GEO-1. The project site is not located in an Alquist-Priolo Fault Zone. Potential impacts from surface rupture of the Calaveras fault would be *less than significant*. [Threshold number 1(i)]	None required	Less than significant
Impact GEO-2. Seismically induced ground-shaking could destroy or damage structures and infrastructure, resulting in loss of property or risk to human safety. However, the project's mandatory compliance with applicable California Building Code requirements renders impacts *less than significant*. [Threshold number 1(ii)]	None required	Less than significant
Impact GEO-3. Due to the depth of groundwater on the project site, the potential for seismic-related ground failure from liquefaction of underlying soils or lateral spreading is low. Due to the depth of groundwater and types of soils present, the site has a low potential for impacts related to soil instability. Impacts would be *less than significant*. [Threshold numbers 1(iii) and 3]	None required	Less than significant
Impact GEO-4. Seismic activity could result in ground failure at the surface of the project site due to expansive soils. However, with implementation of recommendations from Geotechnical Investigation impacts would be significant but mitigable. [Threshold numbers 1(iii) and 4]	**MM GEO-4 Adherence to Geotechnical Report.** Prior to the issuance of the first building permit, the developer(s) of individual lots on the project site shall submit building and improvement plans for review and approval by San Benito County that confirm compliance with the recommendations included in the *Geotechnical Investigation* prepared by Stevens, Ferrone & Baily ir 2015 (see Appendix C of this EIR). These recommendations include, but are not limited to, the following: ▪ Dry, loose, weak, and compressible soils shall be removed and recompacted. Where soils will not be removed as part of grading operations, over-excavate 12 inches, scarify and re-compact the bottom 12 inches in place, and place well blended engineered fill within the excavations ▪ Grading shall be performed so that each building foundation and surrounding flatwork can be supported on fills with similar expansion potential. Provide a layer at least 3 feet thick of well-mixed, moisture conditioned, and well blended engineered fill below all building foundations and surrounding flatwork ▪ Structure setbacks shall be established by projecting a 3:1	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
	(horizontal to vertical) line from the toe of the existing slopes upward toward the development. Where the projected line intersects the finished ground surface, structures shall be setback from the intersection Consideration should be given to controlling erosion on the slopes to reduce the potential for continued migration of the slope crest toward the development. Erosion control measures can include the use of geotextiles, rip-rap, retaining systems, and rebuilding slopes with geogrid reinforced earth in combination with installing deeply rooting vegetation. These measures can be installed near the top of the slope without having to install over the full length o the slopes.	
Impact GEO-5. Construction of the proposed project could result in exposure of people or structures to potential landslides. However, with compliance with existing regulations and implementation of recommendations from the Geotechnical Investigation, impacts would be significant but mitigable. [Threshold 1(iv)]	Mitigation Measure GEO-4 would be required to reduce impacts related to landslides.	Less than significant
Impact GEO-6. Construction of the proposed project could result in soil erosion or loss of topsoil. However, compliance with existing regulations and implementation of recommendations from the Geotechnical Investigation would reduce Impacts to *less than significant*. [Threshold number 2]	Mitigation Measure GEO-4 would be required to reduce impacts related to erosion and loss of topsoil.	Less than significant
Greenhouse Gas Emissions		
Impact GHG-1. Development of the proposed project would generate GHG emissions during construction activity and long-term operation. Total estimated GHG emissions would exceed SB 32 compliant thresholds. Impacts would be less than significant with mitigation incorporated. [Threshold number 1]	**MM GHG-1 GHG Reduction Plan.** Prior to initial grading permit issuance, the project applicant shall develop and implement a GHG Reduction Plan, approved by the County, which documents a reduction in annual GHG emissions from the project by a minimum of 617 MT CO_2e per year over the operational life of the project. : A. On-site GHG reduction measures may include, but are not limited to, the following components: a. Energy Use i. On-site energy conservation policies in addition to those described in the Specific Plan Development Standards ii. Exceed adopted 2013 Title 24 energy requirements by a minimum of 10 percent through implementation of energy reduction measures, including:	Less than significant with mitigation incorporated

Impact	Mitigation Measures	Significance After Mitigation

1. Use locally made building materials for construction of the Project and associated infrastructure when such materials are locally available
2. Use of materials which are resource efficient, recyclable, with long life cycles
3. Install energy-reducing shading mechanisms for windows, porches, patios, walkways, etc.
4. Install energy reducing day lighting systems (e.g. skylights, light shelves, transom windows
5. Use of water efficient landscapes
6. Use tankless water heaters or solar water heaters
7. Use of low-energy interior lighting
8. Use low-energy street lights and parking lot lights (i.e. sodium)
9. Use of light colored water-based paint and roofing materials
10. On-site renewable energy production, including wind-generated energy or installation of solar photovoltaic (PV) panels o other on-site renewable energy that generates a minimum of 30 percent of the project's total energy demand

B. The project applicant shall be responsible for ensuring that the GHG Reduction Plan quantifies the emissions reduction achieved by all GHG reduction measures included in the GHG Reduction Plan. The GHG Reduction Plan shall include all necessary evidence to facilitate review of the emissions reductions measures and the total GHG emissions reduction achieved by the San Benito County Planning and Building Departments.

C. GHG/Carbon Offset Mechanism. The GHG emissions reduction achieved through implementation of on-site GHG reduction measures would depend on the specific mix of measures available for each development application within the project. Because it is not yet possible to know with certainty which on-site GHG reduction measures would be feasibly incorporated into the project, or to quantify the reduction in GHG emissions that these measures would achieve, on-site GHG reduction measures may not be sufficient to reduce project GHG emissions by the required 617 MT CO_2e/year. If GHG emissions cannot be reduced below threshold levels through compliance with the Project GHG Reduction Plan described in Part A, the project applicant shall purchase a fair share of carbon offsets that meet approved offset protocols through the California Cap-and-Trade Program to reduce GHG emissions below threshold levels. Carbon offsets reduce GHG emissions globally through funding off-site projects that eliminate new GHG emissions and/or sequester existing GHGs in the atmosphere.

Plan Requirements and Timing. Applicable elements of the GHG Reduction Plan shall be reflected on project site plans prior to

Impact	Mitigation Measures	Significance After Mitigation
	permit approval. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets shall be approved prior to permit approval. **Monitoring.** Condition compliance shall monitor and verify implementation of measures included in the GHG Reduction Plan to ensure implementation. Emissions reductions from individual GHG reduction measures are quantifiable for the purpose of demonstrating compliance with Mitigation Measure GHG-1 using CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* (August 2010), available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf. Depending on the specific combination of GHG reduction components available to a particular phase of the project, sufficient on-site GHG emissions reductions may not be available to reduce GHG emissions by the required 617 MT CO_2e/year over the operational life of the project. Therefore, to further reduce project GHG emissions, project applicants would be required to purchase carbon offsets that meet approved offset protocols through the California Cap-and-Trade Program, to reduce project GHG impacts to less than significant levels.	
Impact GHG-2. The proposed project would be consistent with applicable plans and policies adopted for the purpose of reducing Greenhouse Gas Emissions, including SB 375 and SB 32. However, GHG emissions would exceed AB 32 requirements. Therefore, with the inclusion of a GHG reduction plan, and the purchase of carbon credits to offset project GHG emissions as described in Mitigation Measure GHG-1, Impacts would be reduced to less than significant. [Threshold number 2]	Mitigation Measure GHG-1 would be required to reduce emissions.	Less than significant with mitigation incorporated
Hazards/Hazardous Materials		
Impact HAZ-1. The proposed project would not involve the routine transport, use, or disposal of substantial amounts of hazardous substances. Impacts would be *less than significant*. [Threshold number 1]	None required	Less than significant
Impact HAZ-2. Residential development on the project site would occur near roadways on	None required	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
which accidents that involve hazardous materials could occur. Such accidents could potentially 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. However, required adherence to existing laws and regulations would ensure that impacts remain *less than significant*. [Threshold number 2]		
Impact HAZ-3. While there would be no significant impact to construction workers and future residents as a result of exposure to pesticides from the project site, the use of pesticides and other agricultural chemicals on adjacent agricultural land could create a significant hazard to future on-site residents. However, compliance with State and local laws and regulations addressing pesticide application would help protect construction workers and future residents on the project site from exposure to pesticide drift. Impacts would be *less than significant*. [Threshold number 4]	None required	Less than significant
Impact HAZ-4. The proposed project would have a secondary vehicle access point and internal roadways designed to accommodate emergency responders, and otherwise would be designated to ensure that emergency response would not be impaired. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be *less than significant*. [Threshold number 7]	None required	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
Impact HAZ-5. The project site is not located in an area subject to a high fire threat, and new development located on the project site would be required to comply with existing regulations intended to minimize the potential effects associated with wildfires. Impacts related to exposing people or structures to a significant risk of loss, injury, or death involving wildland fires would be *less than significant*. [Threshold number 8]	None required	Less than significant
Hydrology and Water Quality		
Impact HWQ-1. During project construction, the soil surface on the project site would be subject to erosion. Compliance with the NPDES program through preparation of a SWPPP and implementation of Best Management Practices would ensure that the project would not violate water quality standards, would not exceed the capaCity of existing systems, or contribute additional sources of polluted runoff. Impacts would be *less than significant*. [Threshold numbers 1 and 5]	None required	Less than significant
Impact HWQ-2. Development and operation of the proposed project would increase the demand on groundwater supplies and create additional impervious surfaces, which could interfere with groundwater recharge. However, the Sunnyslope County Water District has determined that groundwater supplies are sufficient to serve the project and such service would not result in significant groundwater depletion. Thus, impacts would be *less than significant.* [Threshold number 2]	None required	Less than significant
Impact HWQ-3. The proposed project would alter the existing drainage pattern of the site, resulting in an increase of	None required	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
stormwater runoff from the project area. However, the proposed drainage features of the project would ensure that impacts would be *less than significant*. [Threshold numbers 3, 4, and 11]		
Impact HWQ-4. The proposed project would not otherwise substantially degrade water quality. Impacts would be *less than significant*. [Threshold number 6]	None required	Less than significant
Impact HWQ-5. Development of the proposed project would not place housing, structures, or people within a 100-year flood zone. *No impacts* would occur. [Threshold numbers 7 and 8]	None required	No impact
Land Use		
Impact LU-1. The project would not physically divide an established community. Impacts would be *less than significant.* [Threshold number 1]	None required	Less than significant
Impact LU-2. The project could be viewed as consistent with applicable San Benito County policies adopted for the purpose of avoiding or mitigating an environmental impact. While the project would result in the conversion of agricultural land, the project is generally consistent with the overall vision and policy direction of the 2035 General Plan. This would be a *less than significant* environmental impact. [Threshold number 2]	None required	Less than significant
Noise		
Impact N-1. Noise from construction of the proposed project has the potential to adversely impact nearby residences and future on-site residences. However, construction would be temporary. This impact would be *less than significant with*	**MM N–1(a) Construction Activity Timing Disclosure.** Signs stating the restrictions regarding the hours of construction as regulated by the 2035 General Plan shall be provided by the developer and posted on-site. Signs shall be placed prior to beginning of and throughout grading and construction activities. Prior to issuance of any grading permits, the project proponent shall submit a plan, which shall be reviewed and approved by the County, describing the location and dates on which the signs will be posted to the Planning and Building Inspection Services	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
mitigation incorporated. [Threshold numbers 1 and 4]	Department. The project proponent shall allow County Building Inspectors to access the project site to monitor compliance by spot checking these signs and the hours during which constructior occurs, and to respond to noise complaints. **MM N-1(b) Construction Equipment.** Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) are in good condition anc appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. Whenever feasible, electrical power shall be used to run air compressors and similar power tools rather than diesel equipment. The developer shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions t the extent feasible. **MM N-1(c) Vehicle and Equipment Idling.** Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use. **MM N-1(d) Stationary Equipment.** Stationary construction equipment that generates noise that exceeds 55 dBA Leq at the boundaries of the nearby residential uses shall be shielded. Temporary noise barriers used during construction activity shall b made of noise-resistant material sufficient to achieve a Sound Transmission Class rating of 40 or greater, based on sound transmission loss data taken according to ASTM Test Method E90. Such a barrier may provide as much as a 10 dB insertion loss, provided it is positioned as close as possible to the noise source o to the receptors. To be effective, the barrier must be long and tall enough (a minimum height of eight feet) to completely block the line-of-sight between the noise source and the receptors. The gaps between adjacent panels must be filled-in to avoid having noise penetrate directly through the barrier. The recommended minimum noise barrier or sound blanket requirements would reduce construction noise levels by at least 10 dBA. The equipment area with appropriate acoustical shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities. Prior to issuance of grading permits, the project proponent shall submit building and grading plans that show the appropriate construction equipment noise reduction measures to the Planning and Building Inspection Services Department. Compliance shall be monitored by, as feasible, County Building Inspectors. **MM N-1(e) Workers' Radios.** All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity. **MM N-1(f) Construction Plan.** Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the County for approval a detailed construction plan identifying the schedule for major noise-generating construction activity. **MM N-1(g) Disturbance Coordinator.** A "noise disturbance coordinator" shall be promptly designated by the contractor. The noise disturbance coordinator shall be responsible for responding	

Impact	Mitigation Measures	Significance After Mitigation
	to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.	
Impact N-2. Construction-related activities associated with the proposed project would intermittently generate groundborne vibration on and adjacent to the site. This may affect existing off-site receptors near the project site and proposed on-site residences. However, construction vibration would not exceed FTA thresholds for vibration. Therefore, impacts would be *less than significant*. [Threshold number 2]	None required	Less than significant
Impact N-3. Occupants of proposed on-site and existing off-site residential units would not experience noise level increases exceeding applicable thresholds as a result of project-generated traffic on Ridgemark Drive. Project-generated traffic would have a *less than significant* impact on exterior and interior noise levels at sensitive receptors along Ridgemark Drive. [Threshold number 3]	None required	Less than significant
Impact N-4. The proposed residential uses would be subject to operational noise generated from existing agricultural uses located to the south and west of the site. However, noise generated by the existing adjacent agricultural uses would not exceed the applicable standards. The project itself would also generate additional noise from operation of the proposed residential uses. These noise impacts would not cause the applicable standards to be exceeded for any nearby existing uses. Impacts would be *less than*	None required	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
significant. [Threshold number 1]		
Public Services		
Impact PS-1. Implementation of the proposed project would generate new residents that would require police protection services from the San Benito County Sheriff's Department. This increase in service population would not increase response times beyond acceptable levels and would not require additional police staff and vehicles such that new or expanded police facilities would need to be constructed. Therefore, impacts would be *less than significant.* [Threshold number 1]	None required	Less than significant
Impact PS-2. Implementation of the proposed project would increase the service population for the City of Hollister Fire Department and AMR. However, the proposed project would not trigger the need to construct new fire department or AMR facilities, or alter existing facilities to accommodate additional personnel or equipment to maintain acceptable performance standards and levels of service. Therefore, impacts related to fire protection and emergency medical services would be *less than significant*. [Threshold number 1].	None required	Less than significant
Impact PS-3. Implementation of the proposed project would generate an estimated 51 students. Although San Benito High School is currently above capacity, payment of school impact fees would reduce impacts to a *less than* significant level. [Threshold number 1]	None required	Less than significant.

Impact	Mitigation Measures	Significance After Mitigation
Impact PS-4. Implementation of the proposed project would result in a new service population that may utilize the County library. However, this increase in population would not trigger the need to construct new library facilities or altered library facilities. Therefore, this is a *less than significant* impact. [Threshold number 1]	None required	Less than significant
Impact PS-5. Implementation of the proposed project would generate additional demand for parkland. However, the project would not significantly increase the use of existing parks or other recreational facilities such that substantial physical deterioration would occur, nor would the project require construction of additional parkland (beyond what is proposed on-site and analyzed throughout this EIR), that would have an adverse physical effect on the environment. Therefore, the project would result in *less than significant* impacts related to park demand. [Threshold numbers 1, 2, and 3]	None required	Less than significant
Transportation		
Impact T-1. Implementation of the proposed project would cause operations at one study area intersection to exceed applicable LOS criteria under the Existing (2013-2016) plus Project conditions. Impacts would be *less than significant with mitigation incorporated.* [Threshold numbers 1 and 2]	**MM T-1 Regional Transportation Impact Mitigation Fee.** The developer shall be required to pay the applicable TIMF fee as a fair-share contribution toward Union Road widening, in compliance with General Plan Policy C-1.5. The TIMF is calculated as part of the Transportation Impact Fee Nexus Study completed by the Council of San Benito County Governments (2016).	Less than significant
Impact T-2. Implementation of the proposed project would cause operations at two of the 11 study area intersections to exceed applicable criteria under the Background plus Project condition. Impacts would be *less than significant with mitigation incorporated.* [Threshold numbers 1 and 2]	MM T-1 Regional Transportation Impact Mitigation Fee (see above).	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
Impact T-3. Implementation of the proposed project would cause operations at three of the 11 study area intersections to exceed applicable criteria under the Cumulative plus Project condition. Impacts would be *less than significant with mitigation incorporated.* [Threshold numbers 1 and 2]	MM T-1 Regional Transportation Impact Mitigation Fee (see above).	Less than significant
Impact T-4. The proposed project would provide adequate emergency access to proposed residences. Impacts would be *less than significant.* [Threshold number 5]	None required	Less than significant
Impact T-5. The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Impacts would be *less than significant.* [Threshold number 6]	None required	Less than significant
Tribal Cultural Resources		
Impact TCR-1. Construction of the proposed project would involve surface excavation, which has the potential to impact previously unidentified Tribal Cultural Resources. Impacts would be *less than significant with mitigation incorporated*. [Threshold numbers 1(a) and 1(b)]	**MM TCR-1** In the event that archaeological resources of Native American origin are identified during project construction, a qualified archaeologist shall be retains who shall consult with the project proponent and the San Benito County to begin Native American consultation procedures. As part of this process, it may be determined that archaeological monitoring may be required; a Native American monitor may also be required in addition to the archaeologist.	Less than significant
Utilities and Service Systems		
Impact UTIL-1. Development of the proposed project would result in additional water demand of approximately 64 AFY at buildout. Available water supplies would be adequate to serve the proposed project. Therefore, impacts related to water supply would be *less than significant*. [Threshold numbers 2 and 4]	None required	Less than significant

Impact	Mitigation Measures	Significance After Mitigation
Impact UTIL-2. Development of the proposed project would generate approximately 0.022 million gallons of wastewater per day. Wastewater generated by the proposed project would be accommodated within the existing capaCity of the WWTP. Proposed and existing wastewater conveyance infrastructure would be adequate to serve the proposed project without the construction or expansion of facilities. Therefore, impacts would be *less than significant*. [Threshold numbers 1, 2 and 5]	None required	Less than significant
Impact UTIL-3. The amount of solid waste that would be generated during construction and operation of the proposed project would not exceed the surplus capaCity of the landfill serving the site. In addition, the project would comply with applicable statutes and regulations related to solid waste. Impacts would be *less than significant*. [Threshold numbers 6 and 7]	None required	Less than significant

1 Introduction

1.1 Environmental Impact Report Background

This document is a project level Environmental Impact Report (EIR) that evaluates the proposed Bluffs at Ridgemark project located in unincorporated San Benito County, California. This section describes: (1) the purpose and legal authority of the EIR; (2) the scope and content of the EIR; (3) lead, responsible, and trustee agencies; and (4) the environmental review process required under the California Environmental Quality Act (CEQA).

1.2 Purpose and Legal Authority

The proposed project requires discretionary (as well as ministerial) approvals of San Benito County as well as potential approvals (both discretionary and ministerial in nature) from other public agencies. Therefore, it is subject to the requirements of CEQA. In accordance with section 15121 of the State CEQA Guidelines, the purpose of this EIR is to serve as an informational document that:

> "...will inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

This EIR is to serve as an informational document for the public, San Benito County decision makers, and any other public agencies that may have discretionary review over certain aspects of the project. The process would culminate with Board of Supervisors' hearing(s) to consider certification of a Final EIR and approval of the project.

1.3 Scope and Content

In accordance with the State CEQA Guidelines, a Notice of Preparation (NOP) was distributed to affected agencies and the public for the required 30-day period from October 7, 2016 to November 7, 2016. Table 2 summarizes the issues relevant to the EIR that were identified in the NOP comments received (five letters) and the EIR sections where the issues are addressed. The NOP and NOP comment letters received are included in this EIR in Appendix A.

Table 2 NOP Comments and EIR Response

Comment/Request	How and Where it was Addressed
California Department of Fish and Wildlife (CDFW)	
CDFW has a concern about the potential impacts that the project may have on the State and federally threatened California tiger salamander, the California Species of Special Concern (CSSC) and federally threatened California red-legged frog, and CSSC burrowing owl, along with other Species of Special Concern. CDFW requests that the CEQA document fully identify potential impact to biological resources and provide proper avoidance, minimization and mitigation measures to address potential project-related	Information regarding the biological survey conducted for the project as well as impacts related to the mentioned species, habitat and other biological resources are addressed in Section 4.4, Biological Resources.

Comment/Request	How and Where it was Addressed
impacts to these species. CDFW recommends that biological surveys be conducted by a qualified wildlife biologist and that the results of these surveys be used to inform the analysis of impacts to resources.	
CDFW is California's Trustee Agency for fish and wildlife resources, and has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.	Impacts related to biological resources are addressed in Section 4.4, Biological Resources.
CDFW is also submitting comments as a Responsible Agency under CEQA. CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code.	Impacts related to biological resources are addressed in Section 4.4, Biological Resources.
CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species. Significant impacts must by avoided or "fully mitigated" in order for take authorization to be issued by CDFW.	Impacts related to biological resources are addressed in Section 4.4, Biological Resources.
Incidental take authority is required prior to engaging in lawful take of any plant or animal species listed under CESA. No direct or indirect disturbance, including translocation, may legally occur to State-listed species prior to the applicant obtaining incidental take authority in the form of an Incidental Take Permit.	Impacts related to biological resources are addressed in Section 4.4, Biological Resources.
Caltrans	
The environmental document should include an analysis of the multimodal travel demand expected from the proposed project. This analysis should also identify potentially significant adverse impacts from such demands and the subsequent mitigation measures to address them.	Impacts related to transportation and traffic are addressed in Section 4.13, Transportation and Circulation.
Projects that support smart growth principles which include improvements to pedestrian, bicycle and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.	A pedestrian and bicycle path is included throughout the proposed development. See Section 2.0, *Project Description*, and Section 4.13, *Transportation and Circulation*.
Caltrans' comment to this and any subsequent EIR for the project will stress the importance of using the Association of Monterey Bay Area Governments (AMBAG) Model for traffic analysis.	The traffic analysis for the project used the San Benito Transportation Demand model, which was refined from the AMBAG model for use in the County's 2035 General Plan. Impacts related to transportation and traffic are addressed in Section 4.13, Transportation and Circulation.
The traffic study should include information on existing volumes within the study area, including the State transportation system, and should be based on recent traffic volumes less than two years old.	The traffic study for the proposed project used traffic counts from 2013-2016 for baseline information. Impacts related to transportation and traffic are addressed in Section 4.13, Transportation and Circulation.
Any work in the State right-of-way will require an encroachment permit from Caltrans.	No work within the State right-of-way is expected at this time. If work is required, an encroachment permit would be requested from Caltrans. Impacts related to transportation and traffic are addressed in Section 4.13, Transportation and Circulation.

Comment/Request	How and Where it was Addressed
Particular attention in the traffic study needs to be given to the Highway 25 intersections of Ridgemark Drive/Fairview Road and South Ridgemark Drive/Best Road.	The intersection of State Route 25 and Ridgemark Drive (west)/Fairview Road and the intersection of State Route 25 and South Ridgemark Drive/Best Road are included in the intersection analysis. Impacts related to transportation and traffic are addressed in Section 4.13, Transportation and Circulation.
Central Coast Regional Water Quality Control Board	
Uncontrolled stormwater runoff from urban development frequently results in pollutants discharging during construction and land disturbing activities and long-term discharges of urban pollutants to surface and ground water from the developed impervious surfaces. Enrollment in the State's Construction General Permit (CGP) requires development of a Storm Water Pollution Prevention Plan (SWPPP) that implements measures to control soil loss and exposure to toxic materials associated with construction activity.	Impacts related to stormwater discharge are addressed in Section 4.9, Hydrology and Water Quality.
The CGP also requires that the project meet the Post-Construction Stormwater Management requirement for runoff from the developed impervious surfaces (e.g., roof tops, driveways, streets).	Impacts related to stormwater discharge are addressed in Section 4.9, Hydrology and Water Quality.
Basic compliance for new development exceeding one acre requires matching the post-development runoff volume to that equal to, or less than, the pre-development runoff volume. This can be demonstrated in the State's on-line SMARTS database Water Balance Calculator.	Impacts related to stormwater discharge are addressed in Section 4.9, Hydrology and Water Quality.
The Water Board recommends the County Resource Management Agency require the applicant to implement other long-term Best Management water quality control practices to treat runoff from the development before accumulating in the detention basin.	See Section 2.0 (Project Description). Impacts related to stormwater discharge are addressed in Section 4.9, Hydrology and Water Quality.
The Water Board encourages the County to require the applicant to implement stormwater control measures that incorporate Low Impact Development (LID) site design strategies to treat and retain stormwater runoff using decentralized controls and manage the peak flow to protect beneficial uses. The EIR and construction planning documents should indicate how post-construction stormwater management will be accomplished. Inclusion of these tools in the applicant's EIR would demonstrate mitigation of stormwater impact to less than significant levels.	See Section 2.0 (Project Description). Impacts related to stormwater discharge are addressed in Section 4.9, Hydrology and Water Quality.
Department of Toxic Substances Control	
The EIR should address in the hazards and hazardous materials section whether pesticides have been used during the time the 40-acre portion of the project site has been used for agriculture. If there was possible or known pesticide use, soil sampling will need to be performed to determine if residual pesticides are present in soil at concentrations that could pose a potential significant risk to construction workers during development and future residents.	Impacts related to pesticides are addressed in Section 4.8, Hazards and Hazardous Materials.
The human health risk-based screening levels that would be used in determining whether any detected pesticides pose a potential, significant human health risk should be identified. In cases where multiple contaminants are present in soil, the cumulative risk would need to be calculated to make a determination whether there is a significant potential human health risk.	Impacts related to pesticides are addressed in Section 4.8, Hazards and Hazardous Materials.

Comment/Request	How and Where it was Addressed
Hollister School District	
The Hollister School District's greatest concern is the safety and security of our students and staff. Currently, Ladd Lane Elementary School, located at 161 Ladd Lane is the closest school to the proposed project. The project will increase the amount of vehicular traffic in the area. There is the need for adequate sidewalks, crosswalks, on-street parking, and traffic control devices/traffic calming to promote safety for current and future students and community members.	Impacts related to transportation and traffic are addressed in Section 4.13, Transportation and Circulation.
The proposed development of the Bluffs at Ridgemark and other pending or future residential developments will create the need for a new school site(s) in this immediate area. The Hollister School District respectfully requests that the County of San Benito be aware of the need to designate land in this immediate area and future residential developments for a new school site(s) and additional green space to serve the community.	Impacts related to schools are addressed in Section 4.12, Public Services.

This EIR addresses the issues determined to be potentially significant from responses to the NOP in addition to the other environmental topic areas required under CEQA. Environmental topic areas that are addressed in this EIR include:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions/Climate Change
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Circulation
- Tribal Cultural Resources
- Utilities and Service Systems

This EIR addresses the issues referenced above and identifies potentially significant environmental impacts of the project, including in combination with cumulative development in the County, in accordance with provisions set forth in the State CEQA Guidelines. The EIR also recommends mitigation measures, where needed and feasible, that would reduce or eliminate adverse environmental effects. In preparing the EIR, pertinent County policies and guidelines, existing EIRs, and other background documents were used, as appropriate. A full reference list is contained in Section 7.0, References and Preparers.

The Alternatives section of the EIR (Section 6.0) was prepared in accordance with section 15126.6 of the State CEQA Guidelines and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. The alternatives evaluated include the CEQA required "No Project" Alternative and two other alternative development scenarios for the project site.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The State CEQA Guidelines provide the standard of adequacy on which this document is based. The State CEQA Guidelines (section 15151) state:

> An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

1.4 Lead, Responsible, and Trustee Agencies

The State CEQA Guidelines require the identification of "lead," "responsible," and "trustee" agencies. San Benito County is the "lead agency" for the proposed project because it has the principal responsibility for approving the project.

A "responsible agency" is a public agency other than the "lead agency" that has discretionary approval authority over certain components of a project (the State CEQA Guidelines define a public agency as a State or local agency, but specifically exclude federal agencies from the definition). A "trustee agency" refers to a State agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California (for example, the California Department of Fish and Wildlife).

The proposed project would require review and approval from a number of agencies. Provided below is a list of the anticipated discretionary actions/permits requiring approval by San Benito County.

- Certification of the Final EIR
- Approval of Vesting Tentative Tract Map
- Approval of Tree Removal Permit, if required

In addition to the above-referenced discretionary approvals, the following additional ministerial approvals would need to be obtained from San Benito County:

- Approval of Grading Permit(s) and infrastructure improvement plans
- Approval and Recordation of a Final Map(s)
- Approval of Building Permit(s)
- Approval of Certificates of Occupancy

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

- SSCWD – adopt a resolution to initiate a sphere of influence change and annexation proceedings
- LAFCO – approval of sphere of influence change and annexation into the SSCWD service area
- CDFW – take authorization
- USFWS – incidental take permit
- CCRWQCB – construction general permit

1.5 Environmental Review Process

The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1. The steps are presented in sequential order.

1 **Notice of Preparation (NOP) Distributed.** Promptly after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more State agencies is a responsible or trustee agency; and to parties previously requesting notice in writing. The NOP must be posted in the County Clerk's office for 30 days. A scoping meeting to solicit public input on the issues to be assessed in the EIR is not required, but may be conducted by the lead agency.

2 **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) irreversible changes.

3 **Public Notice and Review.** A lead agency must prepare a Public Notice of Availability of an EIR. The Notice must be placed in the County Clerk's office for 30 days (Public Resources Code section 21092) and sent to anyone requesting it. Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties. The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days, unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091). Distribution of the Draft EIR may be required through the State Clearinghouse. The public review period for this EIR will be 45 days.

4 **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse as soon as it completes a Draft EIR.

5 **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments raising significant environmental issues.

6 **Certification of Final EIR.** The lead agency shall certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving the project, and exercised independent judgement in determining CEQA compliance.

7 **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper Findings and Statement of Overriding Considerations are adopted.

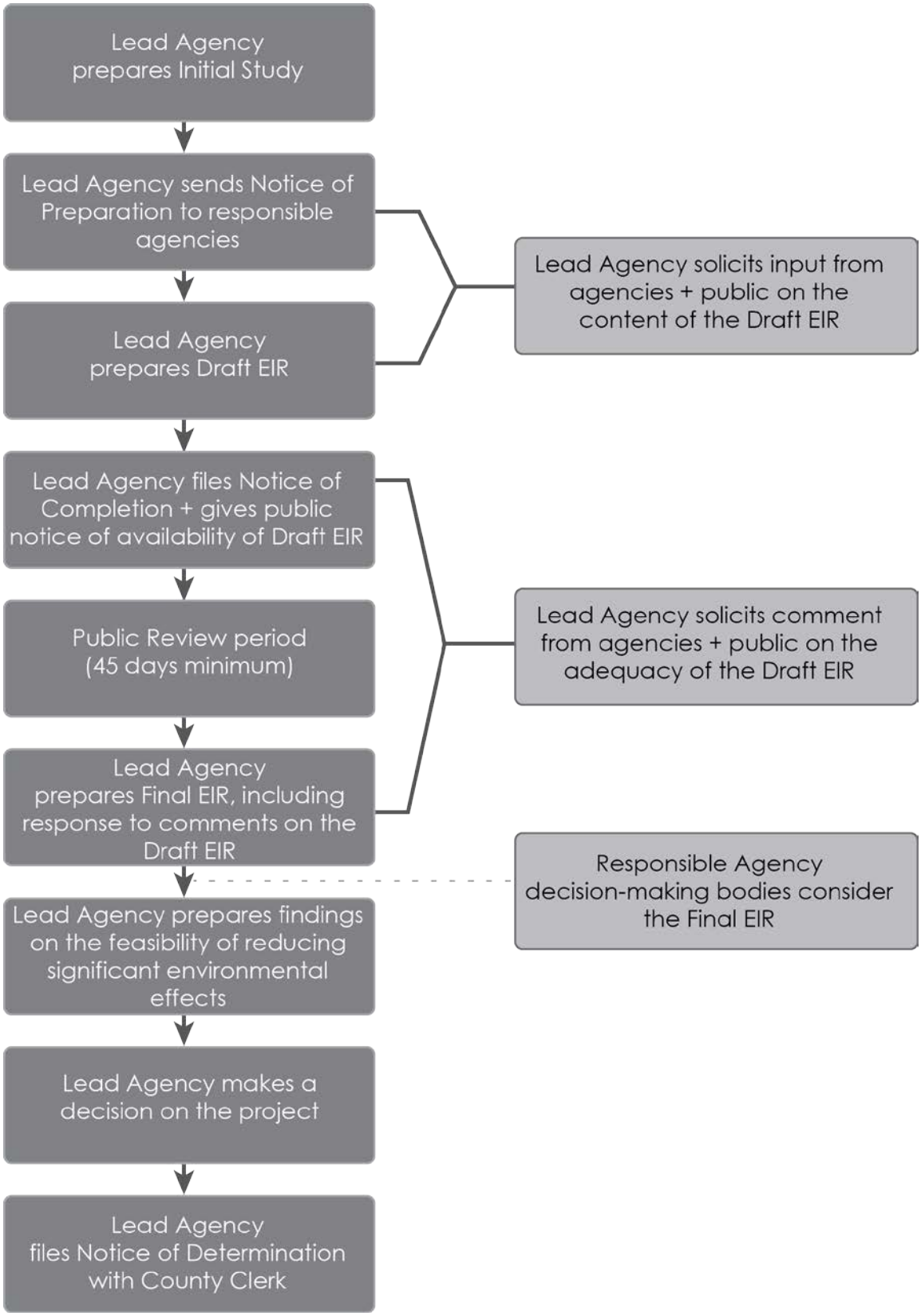
8 **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of

the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible. If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic, or other reasons supporting the agency's decision.

9 **Mitigation Monitoring/Reporting Program.** When an agency makes findings of significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted and subsequently made as conditions of project approval to ensure enforcement of identified mitigation measures.

10 **Notice of Determination.** An agency will typically file a Notice of Determination after deciding to approve a project for which an EIR is prepared. A local agency must file the Notice with the County Clerk within five working after project approval to initiate a 30-day statute of limitations on court challenges to the approval under CEQA. If the Notice is not filed or is filed after five days, the statute of limitations extends to 180 days. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges.

Figure 1 Environmental Review Process



2 Project Description

This section provides a description of the proposed project, including information about the project applicant, project location, major project characteristics, approximate construction schedule, project objectives, and discretionary approvals needed for the project.

2.1 Project Applicant

Bates Stringer – Hollister II, LLC
Frederick Bates & Scott Stringer
8650 River Meadows Road
Carmel, California 93923
(831) 655-5000

2.2 Project Location

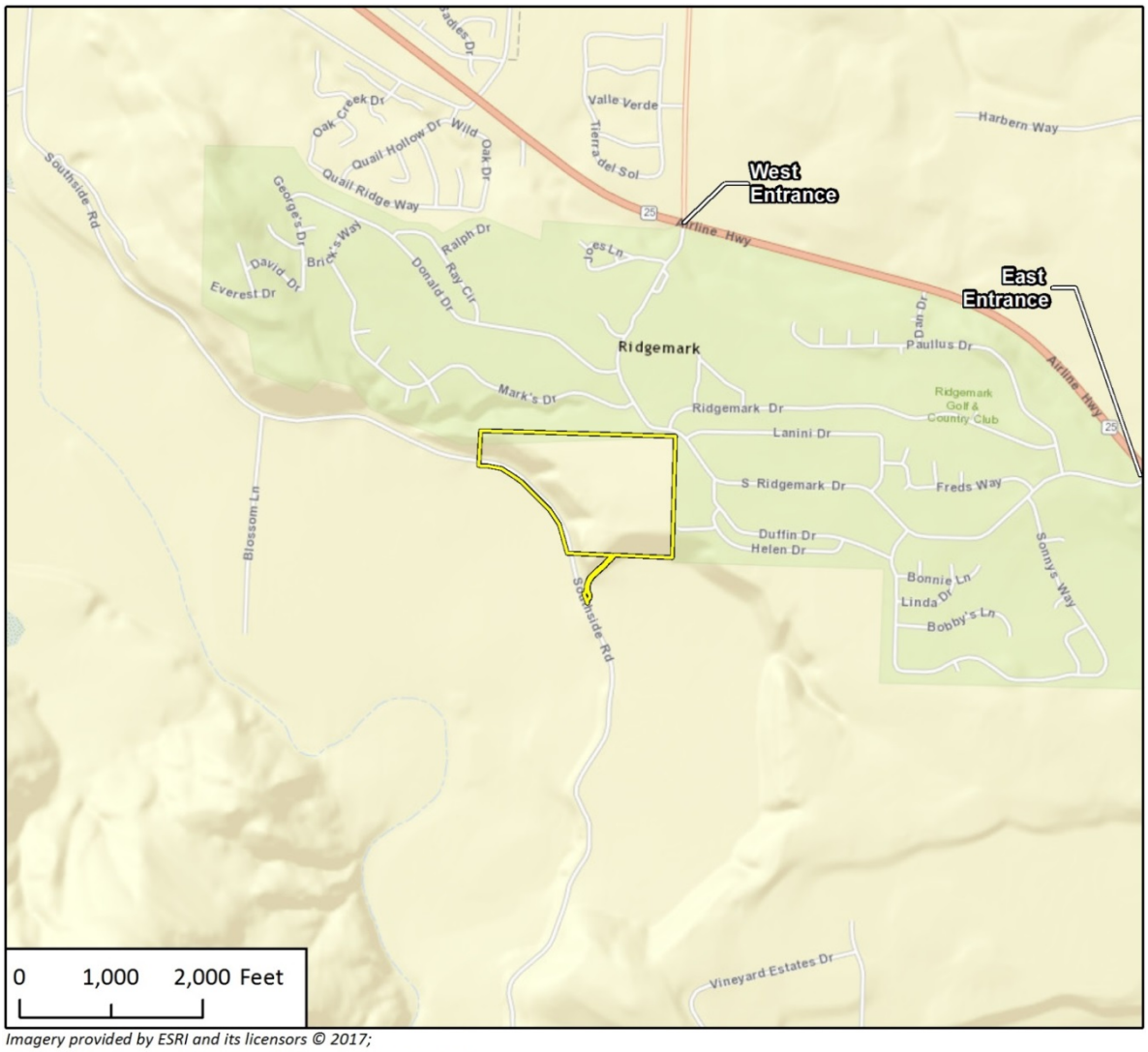
The project site is located in unincorporated San Benito County, California, approximately 0.7 mile south of the City of Hollister (outside the City's sphere of influence) and approximately 0.4 mile south of State Route (SR) 25 ("project site"). The project site is generally bordered on the west by Southside Road, on the south by agriculture, and on the north and east by the Ridgemark Country Club development. Figure 2 and Figure 3 illustrate the location of the project site in its regional and local context.

2.3 Existing Site Characteristics

The project site includes an approximate 49.2-acre blufftop site adjacent to the existing Ridgemark Country Club development (Assessor's Parcel Numbers [APNs] 025-420-019 and 025-420-005) ("blufftop site"), and approximately 0.3 acre within an adjacent parcel to the south that would be developed with an emergency vehicle access road (portion of APNs 025-420-006) ("adjacent area"). For purposes of this EIR, the approximate 49.2-acre blufftop site and the approximate 0.3 acre adjacent area (totaling 49.6 acres) shall be referred to herein collectively as the "project site".[2] Approximately 12.1 acres on the western and southern edge of the blufftop site are comprised of steep slopes and Southside Road (which currently runs through a portion of the southwestern edge of the blufftop site). The remaining 37.1 acres of the blufftop site are currently used for agricultural production. The adjacent area to the south contains a steep slope that is not currently farmed; the project site in this area is currently used as a dirt access road. There are no residences on the project site. Existing improvements are limited to a SSCWD well and related structures, located near the center of the northern boundary of the project site. Access to the area with the existing well is provided via a dirt access road from Ridgemark Drive to the east, along the northern boundary of the project site.

[2] The 49.2-acre blufftop site and 0.3 acre adjacent area add to 49.6 acres when numbers are not rounded to the nearest tenth.

Figure 2 Regional Location



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Additional data provided by Carlson, Barbee & Gibson, April 2017.

Project Location

N

Fig 2 Regional Location

Figure 3 Project Location

Imagery provided by Google and its licensors © 2017;
Additional data provided by Carlson, Barbee & Gibson, April 2017.

The approximately 37.1 acres of the blufftop site currently used for agricultural production have a gentle slope from the southeast at an elevation of approximately 515 feet downward to the northwest at an elevation of approximately 460 feet. The western and southern approximately 12.1 acres of the blufftop site contain approximately 90- to 120-foot high slopes with 1.5:1 to 3:1 slope inclinations, sloping downward toward Southside Road. Several active landslides and severely eroded gullies occur on these slopes (Stevens, Ferron & Bailey 2015). The blufftop site slopes would not be developed as part of the proposed project; residential development and related improvements including the onsite retention basin would occur within the approximately 37.1 acres of the blufftop site currently used for agricultural production. Slopes to the south, on the adjacent area within the project site, would be developed with an emergency vehicle access road.

The project site has a land use designation of Residential Mixed (RM) under the 2035 General Plan. The 2035 General Plan states that the purpose of the RM designation is to,

> "…allow areas of unincorporated urban uses where circulation and utility services exist… The intensity of development will be directly proportional to the level and availability of public infrastructure and services. A maximum of 20 dwelling units per acre can be achieved in those areas so designated… This designation also allows mixed-use developments that include residential, retail, and office uses (San Benito County 2015a)."

The majority of the project site has a zoning district designation of Single Family Residential (R1) under the County Code (i.e. the 49.2 acre blufftop site); the portion of the project site that would be developed with an emergency vehicle access road has a zoning designation of Agricultural Productive (AP) (San Benito County Code 2015b). Per section 25.11.021 of the County Code, the proposed single-family dwellings are a permitted use within the R1 zoning district.

The project site is surrounded by existing single-family and some multi-family residences within the Ridgemark Country Club development to the north; agricultural land to the south; multi-family residences, tennis courts, a parking lot, and a stormwater detention basin within the Ridgemark Country Club development to the east; and Southside Road, an orchard, and one single-family residence to the west. General Plan land use and zoning designations for the project site and surrounding properties are shown in Figure 4 and Figure 5, respectively. Table 3 summarizes the current characteristics of the project site and surrounding area.

Regional access to the project site is provided by U.S. Highway 101, SR 156, Union Road, and SR 25. Local site access to the project site is currently provided by Ridgemark Drive. Southside Road borders the site to the west, and an existing dirt road currently provides informal access to the site from Southside Road.

Figure 4 2035 General Plan Land Use Designations

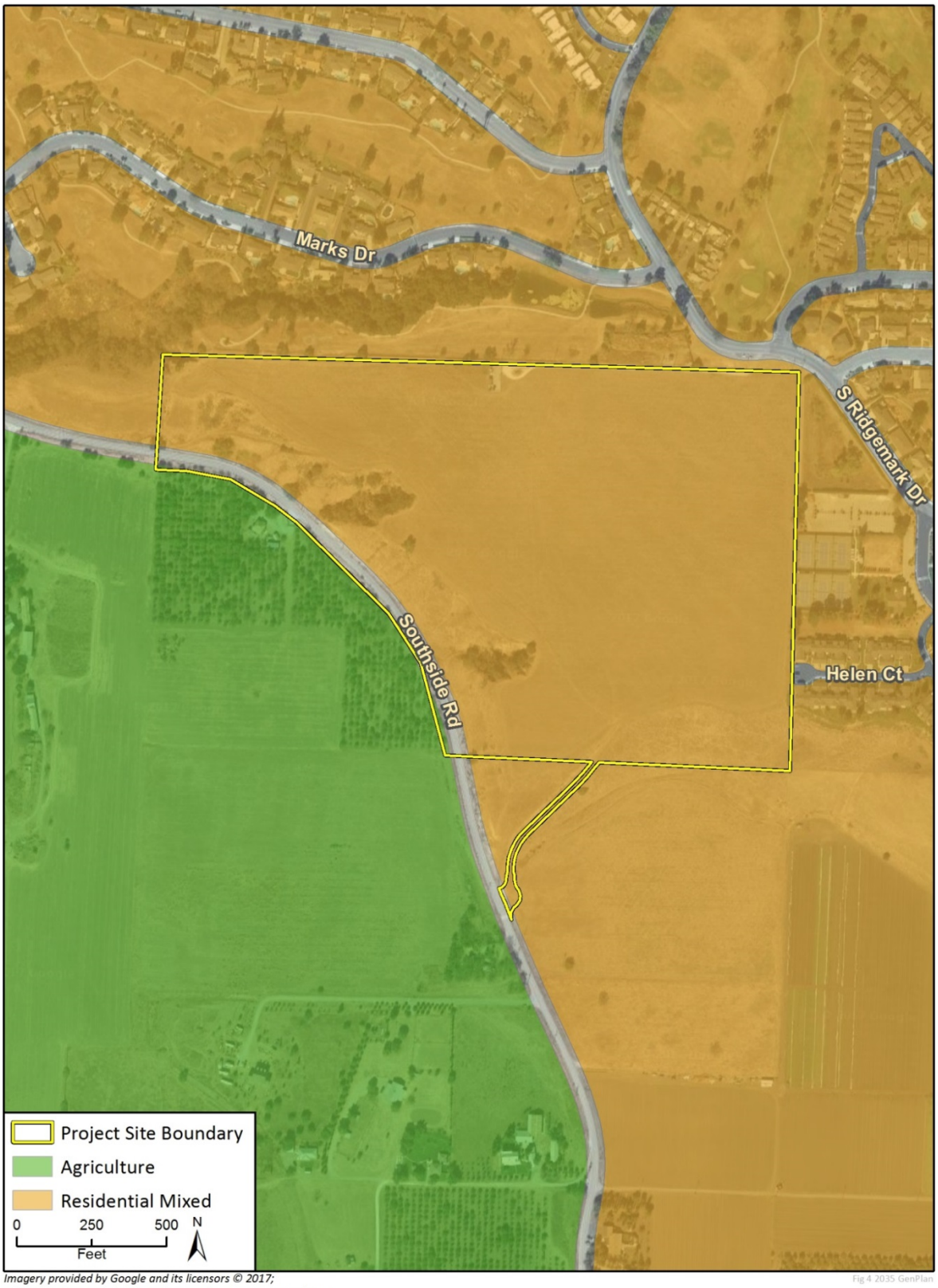
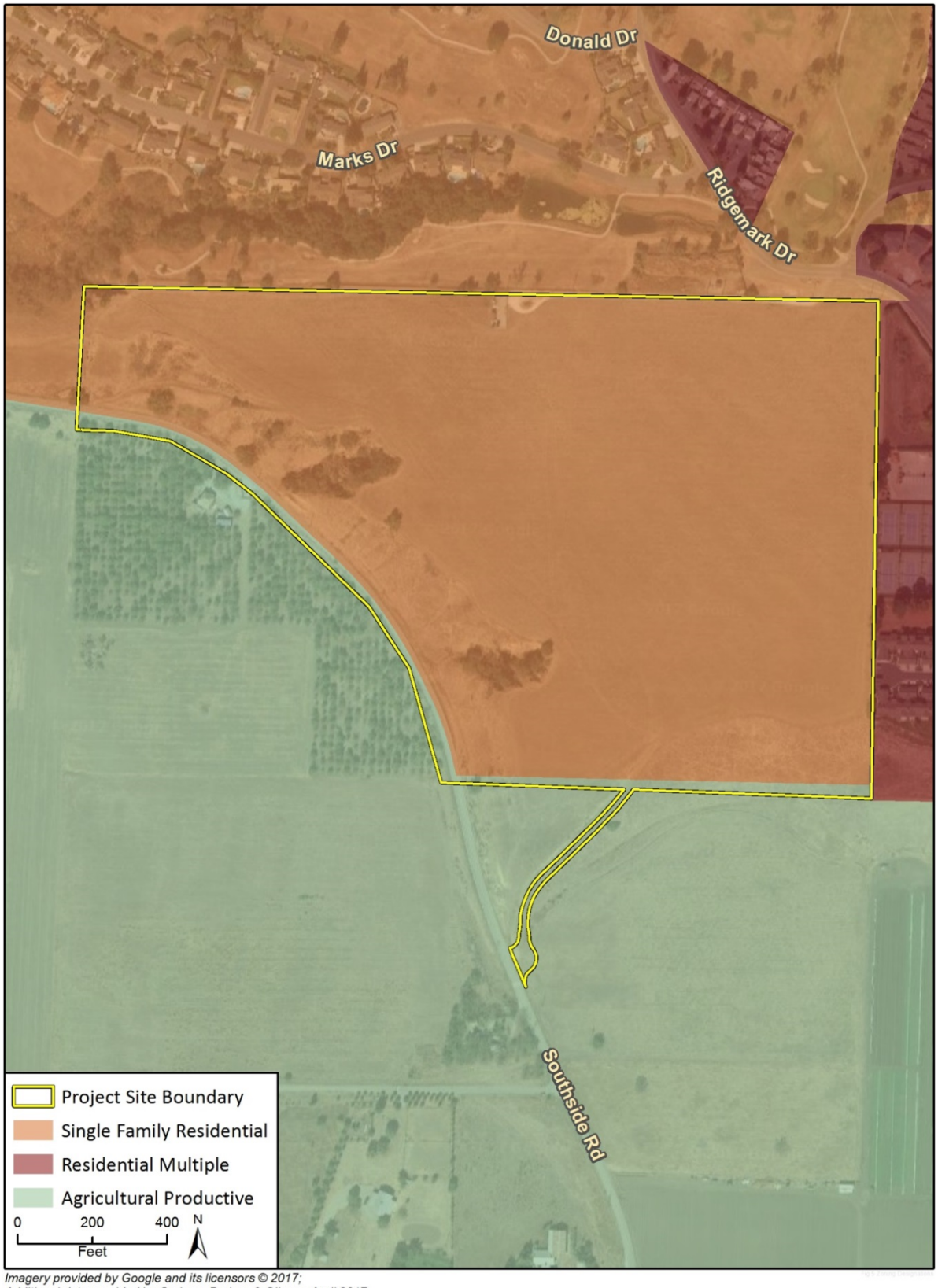


Figure 5 Zoning Designations



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Additional data provided by Carlson, Barbee & Gibson, April 2017.

Table 3 Characteristics of the Project Site and Vicinity

Project Site		
Assessor's Parcel Numbers (APN)	025-420-019, 025-420-005, and 025-420-006	
Size	Approximately 49.6 acres (49.2 acres within the blufftop site; 0.3 acre on an adjacent area to the south)[3]	
Existing Uses	Agriculture (hay production); vacant open space (steep slopes)	
General Plan Land Use Designation	Residential Mixed (RM)	
Zoning Designations	Single-Family Residential (R1) (49.2-acre blufftop site) and Agricultural Productive (AP) (0.3-acre adjacent area)	
Vicinity		
Surrounding Land Uses	North:	Single-family residences within the Ridgemark Country Club development
	South:	Agriculture (row crops)
	East:	Multi-family residences, tennis courts, parking lot, and stormwater detention basin within the Ridgemark Country Club development
	West:	Southside Road and orchard, with one single-family residence
Surrounding General Plan Land Use/Zoning Designations	North:	RM General Plan land use designation; R1 zoning district designation
	South:	RM General Plan land use designation; AP zoning district designation
	East:	RM General Plan land use designation; Residential Multiple (RM) zoning district designation
	West:	A General Plan land use designation; AP zoning district designation

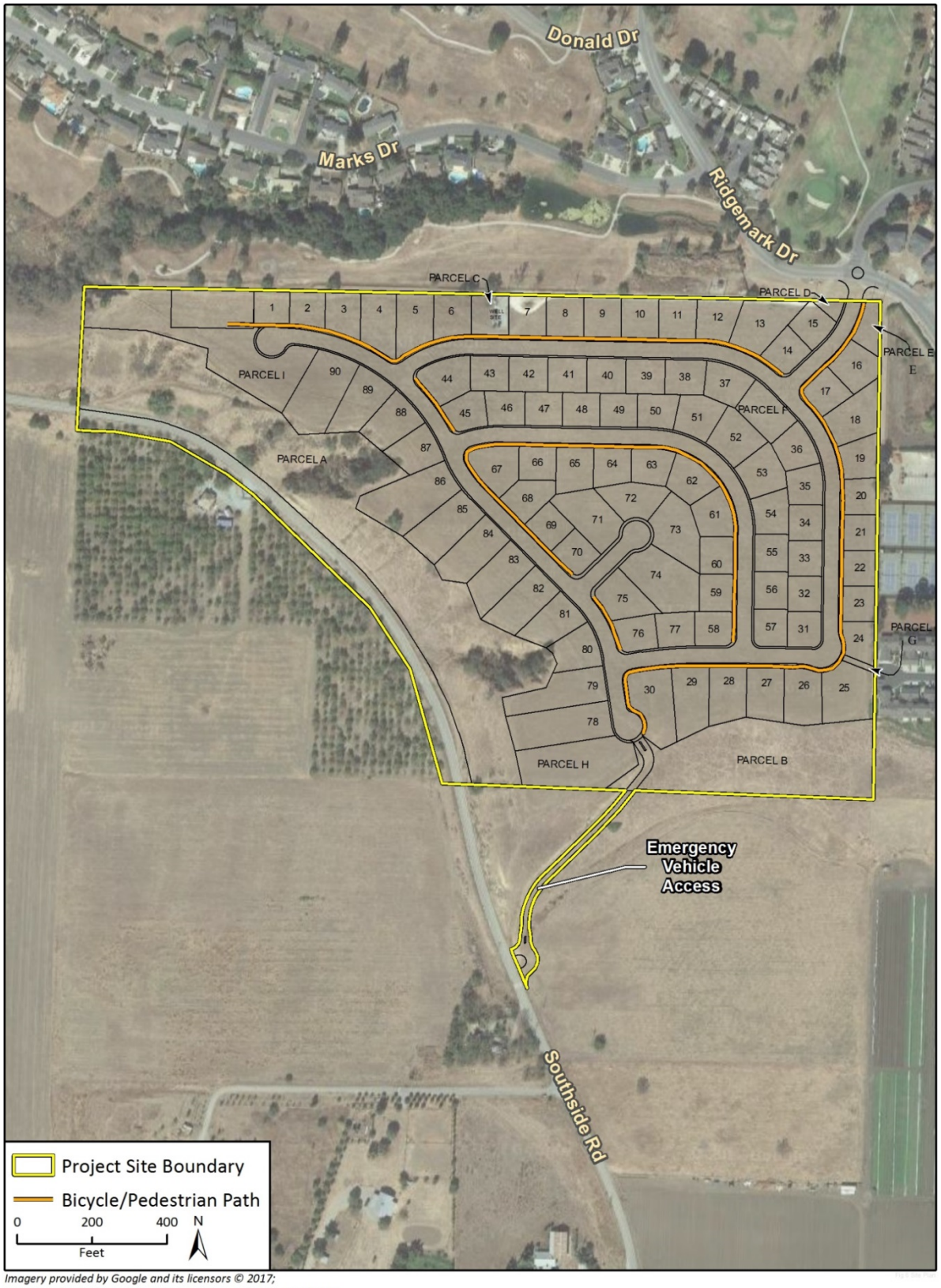
2.4 Project Characteristics

2.4.1 Residential Development

The proposed project involves a vesting tentative tract map and other discretionary approvals that would allow for the development of 90 single-family residences, three parks, and both on- and off-site improvements necessary to serve the residential uses. A conceptual site plan is shown on Figure 6. As shown therein, it is anticipated the lots would range in size between approximately 8,464 square feet (sf) to 28,869 sf. The proposed density is 1.8 dwelling units per gross acre. Approximately 12.1 acres of the western and southern portions of the blufftop site are undevelopable due to steep slopes and required setbacks from the slope. Thus, the residential development would occur away from these slopes, on approximately 37.1 acres of the blufftop site. An emergency vehicle access road would be developed on a 0.3-acre adjacent area.

[3] The 49.2 acre blufftop site and 0.3 acre adjacent area add to 49.6 acres when numbers are not rounded to the nearest tenth.

Figure 6 Conceptual Site Plan



Imagery provided by Google and its licensors © 2017;
Additional data provided by Carlson, Barbee & Gibson, April 2017.

Based on the current conceptual site design and layout, the proposed units would include a variety of floor plans based on five primary designs: cottage, traditional, mission, farmhouse, and craftsman. Each of these would include several configurations in both the one- and two-story designs. The maximum height of the residences would be 33 feet, and they would range in size from approximately 2,400 sf to 3,500 sf. Building design and siting would take advantage of solar orientation and natural lighting, as feasible. An optional solar voltaic package would be offered to homeowners/buyers. Homes would be designed with ample and large windows for natural lighting and the windows would be tented to keep the buildings cool.

The applicant intends to approach the Ridgemark Homeowners Association (HOA) to obtain an agreement to allow each individual lot/unit to be annexed into the Ridgemark HOA upon purchase. Assuming this arrangement is acceptable to the HOA, once a lot/unit is sold and annexed into the Ridgemark HOA, the property owner would pay dues to the Ridgemark HOA and be bound by its Conditions, Covenants, and Restrictions (CC&Rs) and Bylaws, which regulate the structure and organization of the HOA, the assessment of fees, and rules pertaining to the improvement, maintenance, and use of properties within the Ridgemark Country Club development. These rules include, but are not limited to: the requirement that any landscaping or physical improvements be approved by the Architectural Committee; limitations pertaining to the installation of satellite dishes, exterior lighting, and other improvements; and the prohibition of noxious or offensive activities, such as excessive noise. If such an agreement is not reached with the Ridgemark HOA, and individual lots/units are not annexed to the Ridgemark HOA, then it is anticipated that the Bluffs at Ridgemark Project would form a new HOA independent of the Ridgemark HOA. It is assumed that the new HOA, if required, would have CC&Rs and Bylaws similar to the Ridgemark HOA regulations with respect to the above referenced items.

2.4.2 Access and Circulation

Local access to the project site would be through the Ridgemark Country Club development, which has two existing access points: the “west entrance,” located at SR 25 and Ridgemark Drive and the “east entrance,” located at SR 25 and South Ridgemark Drive.[4] The west entrance includes a staff-operated gate located approximately 0.25 mile southwest of SR 25. All vendors and visitors to the Ridgemark Country Club development are currently required to use this entrance. The east entrance includes a currently unmanned gatehouse and an automatic gate located approximately 0.1 mile west of SR 25 (see Figure 2). Because the gatehouse is currently unmanned and the gate is automated, only Ridgemark Country Club residents with access cards are able to use the east entrance. Upon project completion, the Ridgemark HOA would staff the existing gate house at the east entrance, providing an additional access point for vendors and visitors to the project site and the Ridgemark Country Club development.

Once inside the Ridgemark Country Club development, vehicle access to the project site would be provided via a neighborhood entry off Ridgemark Drive (refer to Figure 6). A traffic circle would be installed at the intersection of Ridgemark Drive and proposed Street A, as described in Section 2.4.6, Off-Site Improvements. Entry features would include decorative paving, monuments flanking the entrance, split-rail fencing and landscaping that would include flowering accent trees in the driveway median. The project entrance at this access point would not be gated.

[4] An access agreement between the project applicant and the Ridgemark HOA would need to be reached to utilize Ridgemark Country Club roadways.

Pedestrian access to the project site would also be provided in two locations: at the main neighborhood entrance off Ridgemark Drive and via a pedestrian alley onto Helen Court, east of the project site. These links are intended to promote interconnectedness and continuity between neighborhoods while enhancing walkability and providing an attractive pedestrian-friendly environment.

A six-foot wide decomposed granite bicycle/pedestrian path would be provided throughout the project, separated from the roadway by curb and gutter. The path would begin at the entrance to the project at Ridgemark Drive and Street A, and follow Street A on the southeast side to Street B. At Street B the path would turn south and follow along the east side of the road, turning west at Street E, and then south at Street D where it would meet the emergency vehicle/restricted access road. The path would also head northwest from Street A onto Street B and follow the north side of the road to the northwest corner of the project. Additionally, the path would be constructed on the south and west side of Street C and the northeast side of Street D.

Secondary vehicle access to the site would be provided via an emergency vehicle/restricted access road connecting the southern end of proposed Street D cul-de-sac to Southside Road. Gates at both ends of this emergency vehicle access road would restrict access to emergency vehicles only.[5]

Circulation within the project site would be provided by six new roads, as shown on Figure 6. The roads would be 56 feet wide and would be constructed to comply with County and all other applicable standards and requirements. It is anticipated that all on-site streets would be private roads maintained by the Ridgemark HOA, or the project's independent HOA if annexation to the Ridgemark HOA does not occur or another appropriate funding mechanism arranged for by the project developer.

San Benito County requires subdivisions to offer for dedication fronting right-of-way necessary to bring the fronting road to the desired half-width. Southside Road is currently classified as an arterial on the Circulation Diagram in the County's 2035 General Plan; however, the County is seeking an amendment to re-classify Southside Road as a major collector road. Section 23.29.001 of the County Code specifies that the right-of-way width for an arterial road is 110 feet or a half-width of 55 feet and that the right-of-way width for a major collector road is 84 feet or a half-width of 42 feet. The current half-width of Southside Road adjacent to the project site is 30 feet. The entire width of Southside Road is within the boundary of the project site. As part of the proposed project, the applicant would be required to offer to dedicate the full right-of-way width to the County.[6]

2.4.3 Parks and Recreation

The proposed project would provide three on-site parks totaling approximately 3.2 acres. Conceptual landscaping plans for each of the three parks are provided in Figure 7 and Figure 8. The first park (Entry & Passive Park (Parcel F), as shown in Figure 8) would be located near the project entrance at the intersection of proposed Street A and Street B. This park would be approximately 0.3 acre and would include a playground (ages 2-5), benches, a picnic table, a meandering walkway, an open play area with turf, and landscaping. The second park (Active Park, Parcel H, as shown in Figure 8) would be approximately 0.8 acre located at the southern end of the project site, south and west of the southern terminus of proposed Street D, abutting the project site's southern boundary.

[5] It is expected that the property owner would grant an easement to the Geologic Hazard Abatement District (GHAD) to allow the GHAD to maintain the emergency vehicle access road.

[6] This width would be either 100 feet, per the 2035 General Plan classification as an arterial, or 84 feet, consistent with the proposed re-classification as a major collector road. The ultimate width required would be determined by San Benito County, consistent with the General Plan classification, prior to final map recordation. For the purposes of a conservative analysis, a width of 100 feet is assumed.

This park would include benches, picnic tables, two bocce ball courts, a small playground (ages 5-10), and landscaping. The third park (Sunset Park, Parcel I, as shown in Figure 8) would be approximately 2.1 acres located at the northwest end of the project site, east of the northwestern terminus of proposed Street D. This park would include picnic tables or benches, a small playground, a meandering walkway, two open play areas with turf, a volleyball court, a 0.5-acre retention basin, and landscaping. All parks would be private parks intended for the use and enjoyment of project and Ridgemark Country Club residents and their respective guests, assuming annexation of the project into the Ridgemark HOA.

The on-site parks would be owned and maintained by the project developer until such time as the last individual lot/unit is sold. Assuming each lot/unit is annexed to the Ridgemark HOA, the developer would quit claim the parks to the Ridgemark HOA for long-term ownership and maintenance. If annexation into the Ridgemark HOA does not occur, as noted above, a new independent HOA would be formed, with the new HOA owning and maintaining the parks in the long-term.

2.4.4 Landscaping

The project would include extensive on-site landscaping to enhance the aesthetic value of the community. As shown in Figure 7, landscaping would be provided at the project entrance and within each of the three private parks. A mixture of shrubs, groundcovers, vines, and turf would be used, intermixed with bark mulch. Street trees would also be provided along all streets. It is anticipated that tree types may include: London plane tree, crape myrtle (both pink and white varieties), Chinese pistache, purple leaf plum, strawberry tree, Chinese elm, and coast live oak.

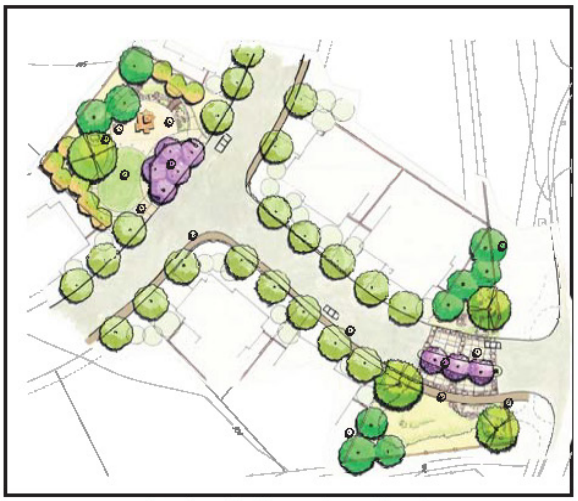
Additionally, the project applicant would provide some off-site landscaping including trees and shrubs along Ridgemark Drive, near the project entrance.

Figure 7 Conceptual Landscape Plan

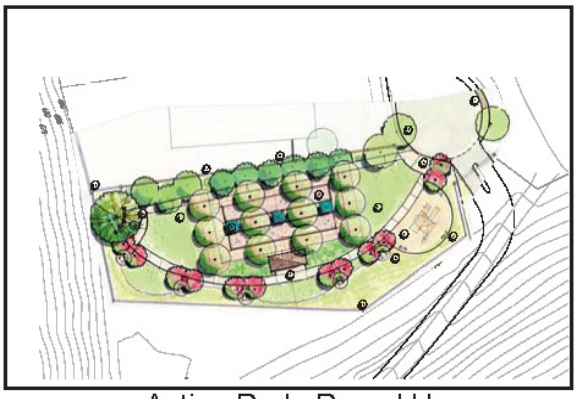
Note: figure modified to remove previously proposed off-site infrastructure; lot plan shown herein may vary slightly from the current proposal.

Source: VanderToolen Associates, September 2016

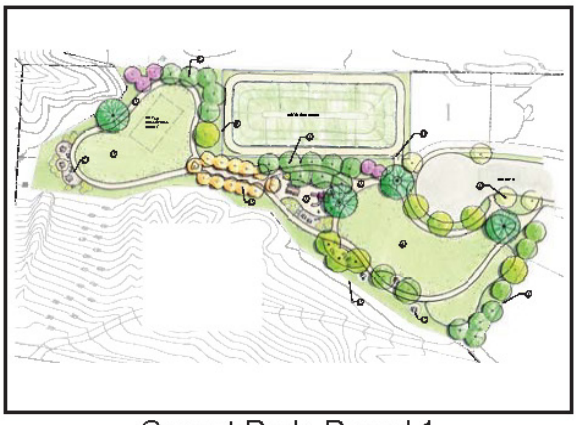
Figure 8 Conceptual Park Landscape Plan



Entry & Passive Park



Active Park, Parcel H



Sunset Park, Parcel 1

0 300 Feet

N

Source: VanderToolen Associates, September 2016

Front-yards of individual lots would be planted with drought-tolerant shrubs, grasses, and groundcover; no turf would be installed. Landscaping of individual lots may include the use of retaining walls.

2.4.5 Infrastructure

The proposed project would provide improvements, infrastructure, and facilities for wet and dry utilities. The following section describes provisions related to water supply, sanitary sewer, onsite stormwater management, electricity and other dry utilities, and slope stability. Off-site improvements, including sewer and water pipelines, are described in Section 2.4.6, Off-Site Improvements. The proposed conceptual utility plan is shown in Figure 9.

Water Supply

It is anticipated that water to the project site would be provided by the SSCWD, connected via existing infrastructure within the adjacent Ridgemark Country Club development. The project site is currently outside the SSCWD's sphere of influence and service area boundary. Therefore, San Benito LAFCO approval to annex the project site into the SSCWD service area, along with approval of the related sphere of influence amendment, would be required.

SSCWD owns an existing approximately 500 sf well site near the center of the northern boundary of the project site, between proposed lots 6 and 7. Access to the well site is currently provided via a dirt access road from Ridgemark Drive to the east, along the northern property line of the project site. SSCWD intends to purchase an additional 500 sf from the project developer to widen the lot in order to increase the setback between proposed residences and the existing well, as well as for improved access to the existing well for large equipment.

Water would be conveyed through an existing SSCWD 18-inch water main located beneath Ridgemark Drive, approximately 75 feet northeast of the project site. Approximately 50 linear feet of 12-inch water pipe would be installed off-site between proposed Street A and Ridgemark Drive to connect to the existing SSCWD water main. The project applicant would install a system of 12-inch water lines beneath the proposed street rights-of-way to transport water to each residence, as shown in Figure 9. Once installed, SSCWD would maintain the water infrastructure necessary to serve the project.

Sanitary Sewer

It is anticipated that sanitary sewer services would be provided by SSCWD upon LAFCO approval of a request to amend the sphere of influence and annex the project site. The project would connect to existing SSCWD wastewater lines beneath Marks Drive, approximately 820 feet northwest of the project site. To make this connection, approximately 1,073 linear feet of new 8-inch sanitary sewer pipe would be installed off-site behind existing residences located south of Marks Drive. An easement or fee simple interest would be required to be obtained by the project applicant from the Ridgemark property to allow the pipe to be installed off-site.[7] To cross the existing gorge northwest of the project site, a pipe bridge would be installed parallel to the existing sewer line, which is located near the existing golf cart crossing. Wastewater generated by the proposed project would

[7] If an easement or fee simple interest cannot be obtained by the project applicant to allow for installation of a new sewer pipe in the proposed location, an alternative connection would be made northeast of the project site where the project access road connects with the existing Ridgemark Country Club development. Construction of this alternate sewer connection would occur in already-disturbed areas and would not result in environmental impacts beyond those already disclosed in this EIR.

be collected and conveyed through a conventional gravity system of eight-inch pipes located within the proposed street rights-of-way, as shown in Figure 9.

Wastewater would be treated at the SSCWD's Sequential Batch Reactor Wastewater Treatment Plant (WWTP) located at 10 Georges Drive, approximately 0.5 mile northwest of the project site. The existing WWTP has the capacity to treat an average of 350,000 gallons per day (gpd) of wastewater. In 2016, the total wastewater flows to the treatment plant were approximately 175,000 gpd (Hillebrecht 2016).

Stormwater Management

Onsite stormwater would be conveyed through a series of 12-inch storm drain lines located within the proposed street rights-of-way with curbs and gutters constructed along the outside edge of all proposed streets to direct stormwater to drain inlets, when conveyed to the proposed on-site 0.5-acre (approximately 210-feet by 95-feet) retention basin (with an approximate 4.0-acre-foot capacity) located at the northwestern area of the project site. The maximum side slope of this retention basin would be 2:1. The bottom of the basin would be at least two feet above the 10-year average groundwater level minimum, and would be sized per San Benito County Code of Ordinances Chapter 23.31, Article III and consistent with other applicable standards and requirements.

In accordance with County requirements, the project would capture the 100-year post-development storm and release only a 10-year storm at pre-development levels.

Dry Utilities

Underground gas and electric service would be provided by Pacific Gas & Electric. Underground telecommunication service would be provided by AT&T and Comcast. Conduits for these services would be located underground within existing or proposed street rights-of-way.

Slope Stability

The portion of the project site that would be developed with residential uses and related improvements is primarily flat, sloping gently from east to west. Retaining walls may be constructed at various locations throughout the project site where there are areas of dissimilar grade elevation. The retaining walls would provide lateral support for soil.

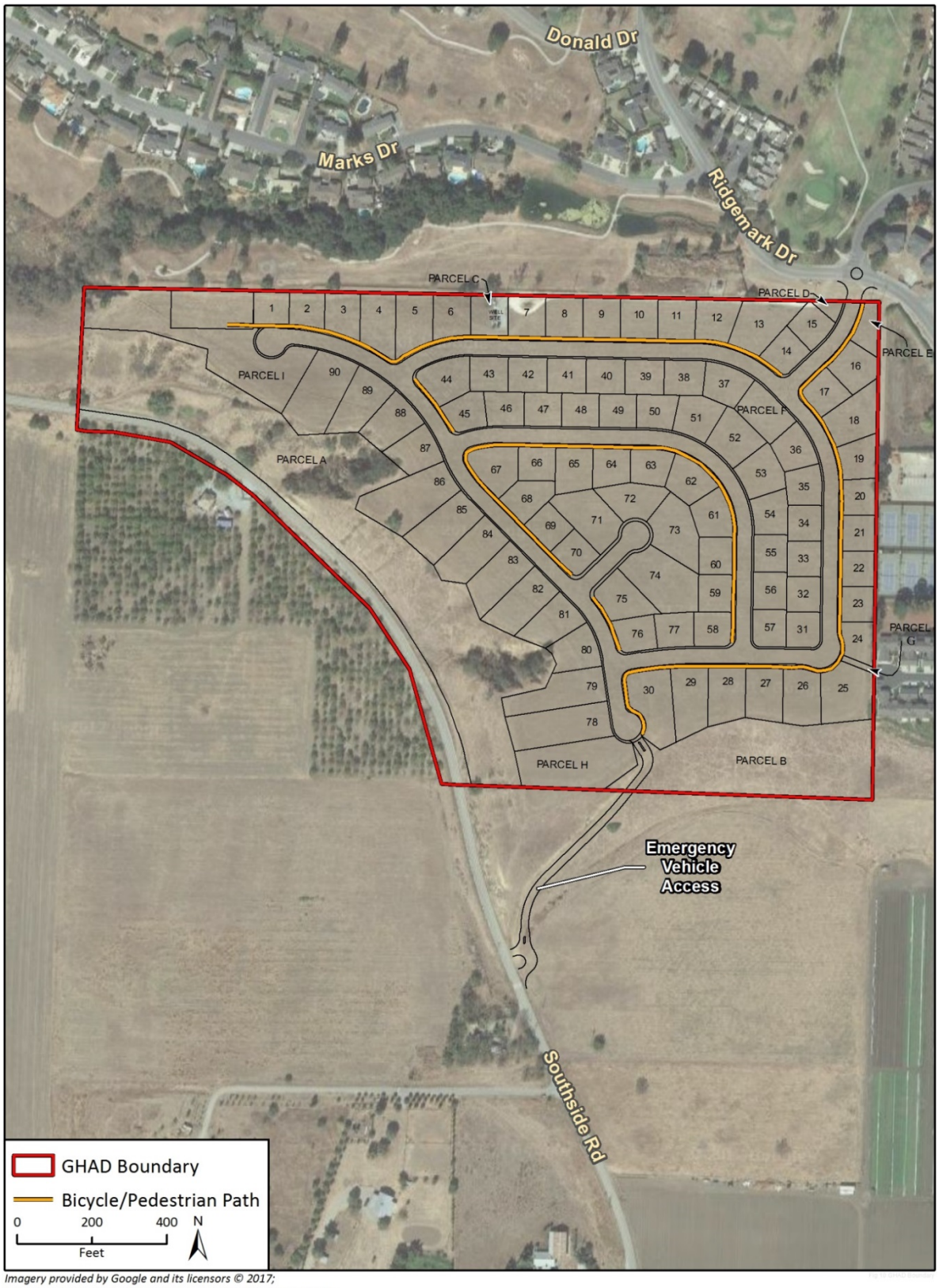
Approximately 12.1 acres in the western and southern portions of the blufftop site are comprised of steep slopes. To provide for long-term monitoring and maintenance of the hillside from the top edge down to Southside Road, the applicant is proposing formation of (or annexation into) a Geologic Hazard Abatement District (GHAD). Figure 10 shows the proposed boundaries of the GHAD.[8] A GHAD is created to finance the prevention, mitigation, abatement, or control of a geologic hazard. A geologic hazard is defined as an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement, or any other natural or unnatural movement of land or earth. A GHAD may also be used to finance the mitigation or abatement of structural hazards that are partly or wholly caused by geologic hazards. A GHAD also may own land. It is anticipated that the GHAD would be structured in a manner so that, once formed, it would assume the attendant responsibility as authorized by applicable laws and the approved plan of control. A GHAD can also be used as a funding mechanism to properly manage property owned/controlled by a GHAD in accordance with the applicable Plan of Control (discussed further below).

[8] It is expected that the property owner would also grant an easement to the Geologic Hazard Abatement District (GHAD) to allow the GHAD to maintain the emergency vehicle access road.

Figure 9 Conceptual Utility Plan

Source: Carlson, Barbee & Gibson, April 2017

Figure 10 GHAD Boundaries



Imagery provided by Google and its licensors © 2017;
Additional data provided by Carlson, Barbee & Gibson, April 2017.

As part of the formation of a GHAD, a "Plan of Control" must be prepared that describes the geologic hazards and includes a plan for the prevention, mitigation, abatement, or control of the identified hazards. This Plan of Control must be prepared by a Certified Engineering Geologist. The Plan of Control would need to be adopted by the Board of Supervisors forming (or authorizing the annexation into) the GHAD (along with other relevant resolutions) and would set forth the activities to be undertaken by the GHAD and the priorities related thereto.

The land that would fall within the GHAD's boundaries need not be contiguous so long as all lands included within said district are specifically benefited by the proposed activities to be undertaken by the GHAD in the Plan of Control in accordance with applicable laws (i.e., Proposition 218 requirements). A draft Plan of Control has been prepared for the project (ENGEO, July 2016). The boundaries of the proposed GHAD are coterminous with the boundaries of the blufftop site.

The GHAD's source of funding would be through landowner assessments, after the GHAD is formed (or annexation is approved) pursuant to applicable law. These assessments, which attach as liens on property if not timely paid, are collected at the same time in the same manner as general taxes on real property.

Once established, the GHAD would assume specified responsibilities as set forth in the Plan of Control. These include, but are not limited to, the monitoring and maintenance of facilities that enhance site stability, such as drainage facilities and associated improvements. They can also include funding of monitoring and maintenance of biotic resources, as required and consistent with the Plan of Control and so long as otherwise permitted under applicable law, within GHAD-covered parcels.

Specifically, the GHAD would assume monitoring and maintenance responsibilities for the following site improvements and activities, among others as specified in the approved Plan of Control:

- Slopes
- Debris benches and berms
- Subdrains
- Concrete-lined drainage ditches
- Settlement instruments
- Retaining walls
- Emergency vehicle access/maintenance roads

2.4.6 Off-Site Improvements

Proposed off-site improvements include manning of the existing, unmanned gate house at the Ridgemark Country Club east entrance; several traffic improvements; landscaping along Ridgemark Drive; and utility improvements. Each of these improvements is described below.

Traffic Improvements

The proposed emergency vehicle access road would be constructed on the adjacent areas portion of the project site, extending for approximately 617 feet southwest from the southern project site boundary to Southside Road. This emergency vehicle access road would be approximately 20 feet wide and have a decline of approximately 16.7 percent. Immediately adjacent to Southside Road, the emergency vehicle access road would split and include two driveways onto Southside Road: one for incoming traffic and one for outgoing traffic. Gates at both ends would restrict access to emergency vehicles only.

An off-site traffic circle would be installed at the intersection of Ridgemark Drive and proposed Street A for both traffic calming and continuous flow. The traffic circle would be constructed within the existing right-of-way and would not require road widening. Approximately 50 feet of proposed Street A, immediately adjacent to Ridgemark Drive, would also be located off-site.

Landscaping

The project applicant would provide off-site landscaping along Ridgemark Drive, near the project entrance. Landscaping in this area would include trees and shrubs. A final landscaping plan for off-site landscaping would be prepared and refined as part of the final mapping process. Off-site landscaping would be maintained by either the Ridgemark HOA or a new, independent HOA, if an agreement to annex to the Ridgemark HOA is not reached.

Utilities

Sanitary sewer pipes and water mains would extend off-site. As described previously, approximately 1,073 linear feet of new 8-inch sanitary sewer pipe would be installed off-site behind existing residences located south of Marks Drive. To cross the existing gorge northwest of the site, a pipe bridge would be installed. Off-site water mains would include approximately 50 linear feet of 12-inch pipe to connect the project site between proposed Street A and Ridgemark Drive. An easement or fee simple interest would be required to be obtained by the project applicant from the relevant Ridgemark property to allow the pipe to be installed off-site.[9]

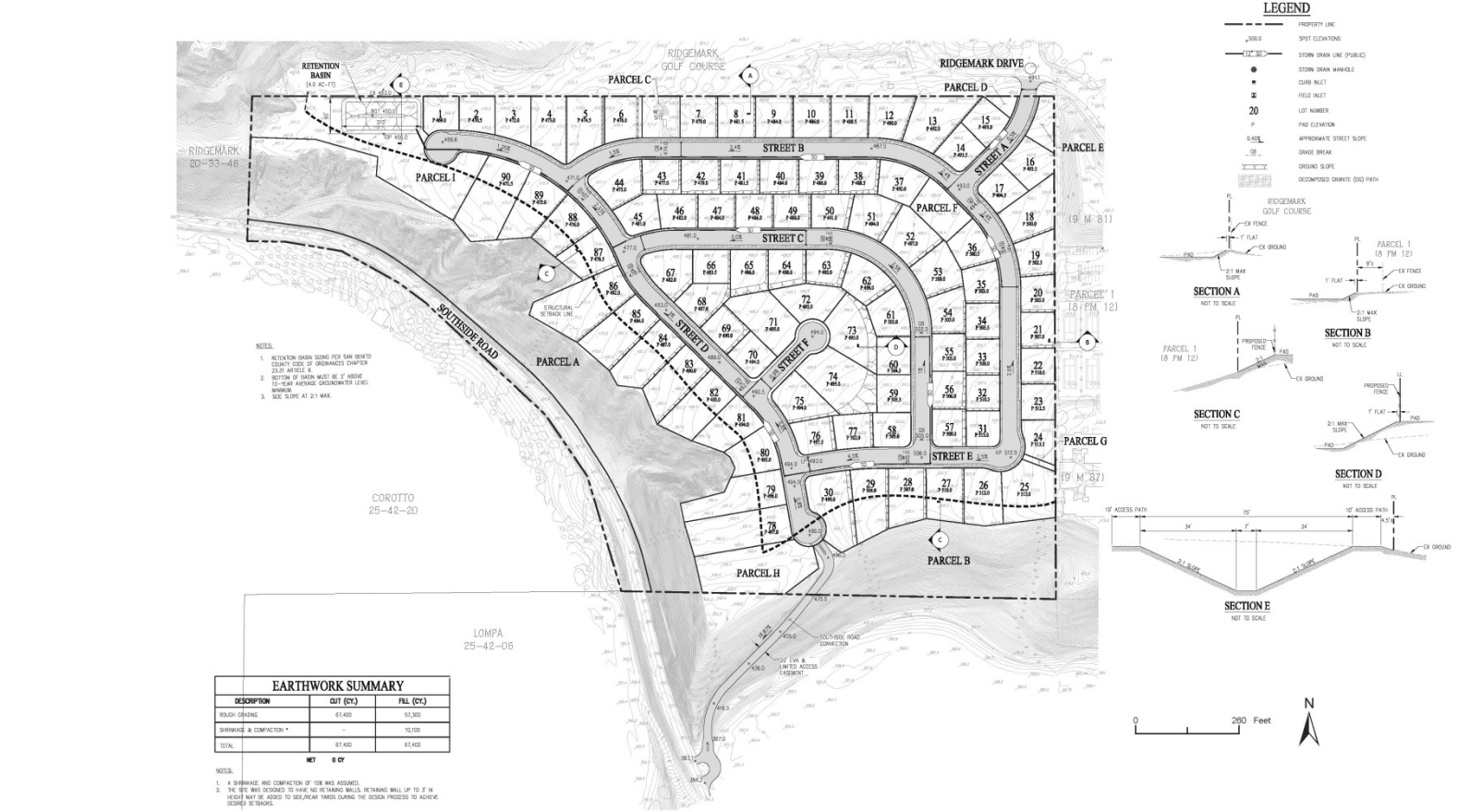
2.4.7 Site Grading and Construction

According to the proposed conceptual grading plan, as shown in Figure 11, the cut and fill soil quantities associated with grading would be balanced on-site, such that approximately 67,400 cubic yards would be cut, approximately 57,300 cubic yards would be fill, and the remaining approximately 10,100 cubic yards would account for soil shrinkage. All pads, streets, and parks would be graded, as would the retention basin and emergency vehicle access road. Thus, the entire project site, except for approximately 12.1 acres of steep slopes within the western portion of the site (Parcel A on Figure 6), would be disturbed. As such, total disturbance would be approximately 37.4 acres.

For the purposes of this analysis, it is assumed that vegetation over the entire project site would be removed. There are no existing trees on the approximately 37.1 acres of the blufftop site (where the residential development and related improvements would occur) and vegetation within the developable areas of the site consists primarily of agriculture (hay production). Vegetation within the EVA area is minimal, but would be removed as part of grading for the emergency vehicle access road.

[9] If an easement or fee simple interest cannot be obtained by the project applicant in order to allow for installation of a new sewer pipe in the proposed location, an alternative connection would be made northeast of the project site where the project access road connects with the existing Ridgemark Country Club development. Construction of this alternate sewer connection would occur in already-disturbed areas and would not result in environmental impacts beyond those already disclosed in this EIR

Figure 11 Conceptual Grading Plan



EARTHWORK SUMMARY		
DESCRIPTION	CUT (CY.)	FILL (CY.)
ROUGH GRADING	67,400	57,300
SHRINKAGE & COMPACTION *	-	10,100
TOTAL	67,400	67,400
NET	0 CY	

Source: Carlson, Barbee & Gibson, April 2017

The actual commencement and possible phasing of construction would be determined by market forces and other considerations; however, it is anticipated that construction would begin in late 2017 or early 2018 and that all of the homes would be constructed (in phases) by approximately December 2021. Mass excavation would be anticipated to take approximately one month, grading of building pads and installation of roads would take approximately six months, and buildout of the homes would take place in phases over approximately 30 months. Typical equipment used for site preparation includes excavators, a grader, a skid steer loader, a bulldozer, watering tankers and an off-highway truck. Based on available information, it is assumed that equipment used for construction of the project would typically include a backhoe, crane, aerial lifts, a generator, diesel pump, dumpers, rollers, and a paver.

2.5 Project Objectives

The objectives of the Bluffs at Ridgemark project are to:

- Build a high-quality, aesthetically pleasing residential development:
  - Establish a high quality, family-friendly development that is compatible with and enhances neighboring residential areas
  - Include a thoughtfully designed and attractive entrance feature for the project that would enhance its overall impression and atmosphere
  - Create a thoughtfully laid out and highly livable built environment for future homeowners
- Enhance the Ridgemark Country Club area:
  - Build a vibrant residential community with three small private parks to serve both project residents and existing Ridgemark Country Club residents
  - Provide additional landscaping along Ridgemark Drive to enhance an already high quality environment
  - Include high-quality landscaping and related amenities to facilitate pedestrian and bicycle connectivity and safety
  - Enhance the County's housing stock and expand opportunities in the higher end market segment
  - Provide safe and efficient site access and internal project circulation to promote a cohesive neighborhood atmosphere
- Create economic benefits for the County and local businesses:
  - Support existing retail, office, and other uses by attracting new residents
  - Stimulate the local economy by creating jobs and providing an expanded tax base

2.6 Required Approvals

The proposed project would require review and approval from a number of agencies. Provided below is a list of the anticipated discretionary approvals by San Benito County.

- Certification of the Final EIR
- Approval of a Vesting Tentative Tract Map
- Approval of a Tree Removal Permit, if required

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

- SSCWD – adopt a resolution to initiate a sphere of influence change and annexation proceedings
- LAFCO – approval of sphere of influence change and annexation into the SSCWD service area
- CDFW – take authorization
- USFWS – incidental take permit
- CCRWQCB – construction general permit

3 Environmental Setting

This section provides a general overview of the environmental setting for the project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4.0, Environmental Impact Analysis.

3.1 Regional Setting

The project site is located in unincorporated San Benito County, California. San Benito County is located in the Coast Range Mountains, south of San Jose and west of the Central Valley. The county is surrounded by the counties of Santa Cruz and Monterey to the west, Santa Clara County to the north, and the counties of Merced and Fresno to the east and south. The county is served by SR 25, which runs north/south through the middle of the county; SR 152 and SR 156, which run east west through the northern portion of the county; and U.S. Highway 101, which runs north/south through the northwest corner of the county. U.S. Highway 101 provides a major connection between the San Francisco Bay Area and the coastal communities within the Monterey Peninsula. San Benito County occupies over 890,000 acres or approximately 1,391 square miles. According to the California Department of Conservation (DOC), approximately 672,370 acres of land in San Benito County were classified as “agricultural land” in 2012, accounting for approximately 76 percent of land in the county (DOC 2015).

The climate of the region varies by season, with rainfall concentrated in the winter months. Summer conditions in San Benito County are typically characterized by warm temperatures and low humidity, with temperatures averaging in the low 80s°F during the day and in the 50s°F at night. During the summer months, the prevailing winds are typically from the south and/or west. Winter conditions are characterized by occasional rainstorms interspersed with stagnant and sometimes foggy weather. The daytime average temperature is in the low 60s°F and nighttime temperatures average in the upper 40s°F. During winter, winds predominate from the south, but north winds frequently occur. Rainfall occurs mainly from late October to early May, with an average of approximately 13 inches per year. This amount can vary significantly from year to year.

3.2 Project Site Setting

The project site consists of approximately 49.6 acres and is located in unincorporated San Benito County, California, approximately 0.7 mile south of the City of Hollister, approximately 0.4 mile south of SR 25, and approximately 6 miles southeast of SR 156. The project site is surrounded by existing single-family residences within the Ridgemark Country Club development to the north; multi-family residences, tennis courts, a parking lot, and a stormwater detention basin within the Ridgemark Country Club development to the east; agricultural land to the south; and Southside Road, an orchard, and one single-family residence to the west.

The project site includes an approximate 49.2-acre blufftop site adjacent to the existing Ridgemark Country Club development (Assessor’s Parcel Numbers [APNs] 025-420-019 and 025-420-005) (“blufftop site”), and approximately 0.3 acre within an adjacent parcel to the south that would be developed with an emergency vehicle access road (portion of APNs 025-420-006) (“adjacent area”). As previously stated, for purposes of this EIR, the approximate 49.2-acre blufftop site and the

approximately 0.3-acre adjacent area shall be referred to as the "project site".[10] Approximately 12.1 acres on the western and southern edge of the blufftop site are comprised of steep slopes and Southside Road, which currently runs through a portion of the southwestern edge of the blufftop site. Specifically, these 12.1 acres contain approximately 90- to 120-foot high slopes with 1.5:1 to 3:1 slope inclinations, sloping downward toward Southside Road. Several active landslides and severely eroded gullies occur on these slopes (Stevens, Ferrone & Bailey 2015).

The remaining 37.1 acres of the blufftop site are currently used for agricultural production, where the topography gently slopes from the southeast at an elevation of approximately 515 feet downward to the northwest at an elevation of approximately 460 feet. The adjacent area to the south contains a steep slope that is not currently farmed; this area of the project site is currently used as a dirt access road. There are no residences on the project site. Existing improvements are limited to a SSCWD well and related structures, located near the center of the northern boundary of the project site. Access to that portion of the project site with the existing well area is provided via a dirt access road from Ridgemark Drive to the east, along the northern boundary of the project site.

The approximately 12.1 acres within the blufftop site that have steep slopes would not be developed as part of the proposed project. Residential development and related improvements would occur within the 37.1 acres of the blufftop site currently used for agricultural production as well as on the adjacent area for emergency vehicle access.

3.3 Cumulative Development

The State CEQA Guidelines require the analysis of the cumulative effects of a project in combination with other past, present and reasonably foreseeable future development in the area. CEQA defines "cumulative impacts" as two or more individual events that, when considered together, are considerable or would compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be insignificant when analyzed separately, but could have a significant impact when analyzed together. Section 15130 of the State CEQA Guidelines prescribes two methods for analyzing cumulative impacts: (1) use of a list of past, present, and reasonably foreseeable future projects producing related or cumulative impacts; or (2) use of a summary of projections contained in an adopted general plan or related planning document.

The proposed project is a residential subdivision with a proposed buildout timeframe of 2018 to 2021. Based on the two to five year buildout horizon, cumulative conditions in this EIR are based on a list of past, present, and reasonably foreseeable future projects occurring within either unincorporated San Benito County or in the City of Hollister producing related or cumulative impacts. Table 4 includes the list of projects considered in the cumulative analysis.

[10] The 49.2-acre blufftop site and 0.3 acre adjacent area add to 49.6 acres when numbers are not rounded to the nearest tenth.

Table 4 Cumulative Projects List

Project Name/Applicant	Project Location	Description	Status of Project
Buena Vista Apartments	Buena Vista Road between Westside Blvd and Locust Street	13 homes	Requires building permits
King	Memorial Drive, south of Sunset Drive	8 homes	Requires Tentative Map, Final Map, and building permits
North Street	Northeast of Enterprise Drive/Airline Highway	325 single- and multi-family homes	Requires Tentative Map, final map, and building permits
Thorning	South of 4th Street, between Westside Blvd and Rajkovich Way	10 row house, 74 apartments	Requires CEQA, Tentative Map, Final map, and building permits
Roberts Ranch	Airline Highway and Fairview Road	192 homes, 14 duplex, and 21 triplex	Requires CEQA approval, Pre-zone approval, annexation, tentative map, final map, and building permits
Natmar	South of Eastview Drive and east of San Benito Street	11 homes	Requires final map and building permits
Chappell Road Prezone	North of Chappell Road area	802 homes and 303,700 square feet commercial	CEQA document underway; requires sphere of influence expansion and pre-zone
San Juan Oaks	Southwest corner of Union Street/San Juan Oaks Drive	1,100 homes, 200-room hotel, 65,000 square feet commercial, assisted living/skilled nursing center	Approved but not yet constructed
Sunnyside Estates	Southside Road/Hospital Road	200 homes	Approved but not yet constructed
Fay/Bennett Subdivision	Southside Road	84 homes	Not yet approved; environmental review underway
Lico Subdivision	South of Enterprise Road, 0.25 mile east of Southside Road	151 homes	Not yet approved; environmental review underway
Total Buildout		**3,005 residential units 9,676 residents (approximate) 368,700 square feet of commercial 200-room hotel**	

Source: City of Hollister and San Benito County Planning Departments (August 2016 and March 2017)

Cumulative impacts are discussed within each of the specific impact analysis discussions in Section 4.0, Environmental Impact Analysis.

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4 Environmental Impact Analysis

This section discusses the potential environmental effects of the proposed project for the specific issue areas that were identified as having the potential to experience significant impacts.

"Significant effect" is defined by the State CEQA Guidelines §15382 as:

> …a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.

The assessment of each issue area begins with the setting and is followed by the impact analysis. Within the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by San Benito County (as the CEQA Lead Agency) or other resource agencies that are used to determine the level of impact. Other thresholds are universally recognized or have been developed specifically for this analysis. The next subsection describes each impact of the proposed project, feasible mitigation measures for significant impacts, and the level of significance after mitigation.

Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

Significant and Unavoidable. An impact that cannot be reduced to below the significance threshold level with implementation of reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the State CEQA Guidelines.

Less than Significant with Mitigation Incorporated. An impact that can be reduced to below the significance threshold level with implementation of reasonably available and feasible mitigation measures. Such an impact requires findings to be made under §15091 of the State CEQA Guidelines.

Less than Significant. An impact that may be adverse, but does not exceed the significance threshold levels and does not require mitigation measures. However, "improvement measures" that could further lessen the environmental effect may be suggested if readily available and easily achievable.

No Impact. No impact would occur.

Beneficial Impact. The project would result in a beneficial impact on the environment.

Following each environmental effect discussion is a listing of mitigation measures (if required) and the residual effects or level of significance remaining after the implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts of the proposed project in conjunction with other cumulative development in the area.

4.1 Aesthetics

4.1.1 Setting

a. Visual Character of the Project Vicinity

The project site and vicinity are characterized primarily by rural development, including rural residential and other low-density single-family residential uses, agricultural activities, and rangeland. The undeveloped land and agricultural countryside form a cohesive rural visual character. The grazing and agricultural lands afford views of landscapes that are representative of San Benito County as a whole. The majority of scenic resources within the county consist of rolling terrain that provides mid- to long-range views of rangeland, cropland, rural residential uses, varying agricultural uses (including orchards), some sparse oak woodland, and historic mining uses and geologic resources in the western part of the county. Views toward rolling hillsides, open spaces, and distant views of the Diablo Range and ridgelines to the east and west are also scenic resources. Most roadways within the county offer some views of rural agricultural landscapes. In San Benito County, agricultural land and rangeland serve as scenic resources (San Benito County 2010e).

The natural landscape transitions into higher density urban development near the cities of San Juan Bautista and Hollister. The project vicinity contains several more urbanized features as well, including the Ridgemark Country Club development which has a mix of low-density single-family residential neighborhoods, higher-density multi-family residential neighborhoods, along with open space.

The existing visual character of the area immediately adjacent to the project site includes single-family residences within the Ridgemark Country Club development to the north; multi-family residences, tennis courts, a parking lot, and a stormwater detention basin within the Ridgemark Country Club development to the east; agricultural land to the south; and Southside Road, an orchard, and one single-family residence to the west. Figure 12 depicts existing views of the surrounding area.

b. Visual Character of the Project Site

The project site consists of a total of approximately 49.6 acres, including the approximately 49.2-acre blufftop site and the approximately 0.3-acre adjacent area.[11] About 37.1 acres of the blufftop site are currently used for agricultural purposes (hay production). The topography of the above referenced 37.1-acre portion of the project site gently slopes from the southeast at an elevation of approximately 515 feet downward to the northwest at an elevation of approximately 460 feet. The remaining 12.1 acres of the blufftop site contain approximately 90- to 120-foot high slopes with 1.5:1 to 3:1 slope inclinations, sloping downward toward Southside Road.

c. Viewsheds

Southside Road and Ridgemark Drive are the public viewpoints with the most direct views of the project site. The most prominent viewsheds are located along Southside Road at the base of the bluffs on the west side of the project site (key observation point, or KOP, 1); on Southside Road, south of the project site (KOP 2); at the intersection of Ridgemark Drive and proposed Street A, near the northeast corner of the project site (KOP 3); along Marks Drive, north of the project site (KOP 4);

[11] The 49.2-acre blufftop site and 0.3 acre adjacent area add to 49.6 acres when numbers are not rounded to the nearest tenth.

and at the west end of Helen Court, east side of the project site (KOP 5). The KOP locations are shown in Figure 13 and existing views from each KOP are shown in Figure 14 through Figure 18.

KOP 1 VIEWS

As shown in Figure 14 (top photo), the view from KOP 1 looking east toward the project site is dominated by the bluff slopes, existing trees and vegetation on the slope, and overhead power lines running along the north/east side of Southside Road. Above the slope and vegetation is open sky. The current agricultural activity on top of the bluff is not visible from Southside Road. As viewers travel southeast along Southside Road the bluffs become taller (ranging in height from approximately 90 to 120 feet) and then end abruptly at KOP 2. Looking west (away from the project site) from the blufftop, Southside Road is not visible (Figure 14, bottom photo).

KOP 2 VIEWS

As shown in the top image on Figure 15, the views from KOP 2 facing north include open agricultural land in the foreground, a dirt road traveling up the slopes to the top of the bluff in the middleground, and bluffs and sky in the background. Views from this KOP are expansive, affording scenic views of the bluffs. Views from this KOP facing south (away from the project site – Figure 15, bottom image) include roadside vegetation and an orchard in the foreground and middleground, which obscure the hillsides in the background.

KOP 3 VIEW

As shown in the top and middle images on Figure 16, the views from KOP 3 facing south and west (toward the project site) from Ridgemark Drive include open agricultural land in the foreground and middleground, and hillsides in the background. Views from this KOP are expansive, affording scenic views of the site itself as well as hillsides in the background. As shown in the bottom image on Figure 16, views from this KOP facing north (away from the project site) include mature trees and residential roads in the foreground, the Ridgemark golf course in the middleground, and residential development and trees in the background.

KOP 4 VIEW

As shown in the top and middle images on Figure 17, the views from KOP 4 facing south and west (toward the project site) from the north property line include the open agricultural land in the foreground and middleground, and hillsides in the background. Views from this KOP are expansive, affording scenic views of the site itself as well as hillsides in the background. The bottom image on Figure 17 shows the view from the project site looking north towards Marks Drive (away from the project site). The existing SSCWD pump house and the Ridgemark golf course are visible in the middleground and single-family residences can be seen in the background.

KOP 5 VIEW

As shown in the top image on Figure 18, the views from KOP 5 west towards the project site are unobscured, with views of open agricultural land and hillsides in the background. Views from this KOP facing east (away from the project site) are of multi-family residences (bottom image on Figure 18).

Figure 12 Surrounding Uses

Agricultural land south of Project Site
(looking southeast from southwest corner of project site)

Orchard and Agricultural land west of Project Site
(looking northwest from southwest corner of project site)

Orchard and Agricultural land southwest of Project Site
(looking southwest from southwest corner of project site)

Ridgemark County Club and Golf Course north of Project Site
(looking north from northeast corner of project site)

Figure 13 Key Observation Points

Imagery provided by Google and its licensors © 2017;
Additional data provided by Carlson, Barbee & Gibson, April 2017.

Figure 14 Existing Views of Project Site (KOP 1)

1A – On Southside Road looking east towards the project site

1B – From Blufftop looking to the southwest away from the project site

Figure 15 Existing Views of Project Site (KOP 2)

2A – On Southside Road looking north through the adjacent area towards the blufftop site (shows existing dirt access road)

2B – On Southside Road at end of proposed Emergency Vehicles/Restricted Access road, looking south away from project site

Figure 16 Existing Views of Project Site (KOP 3)

3A – At project entrance from Ridgmark Drive looking south toward project site

3A – At project entrance from Ridgmark Drive looking west toward project site

3B – At project entrance from Ridgemark Drive, looking north away from project site

Figure 17 Existing Views of Project Site (KOP 4)

4A – Along north property line, looking south toward project site

4A – Along north property line, looking west toward project site

4B – Near north property line, looking north at existing SSCWD well (away from project site)

Figure 18 Existing Views of Project Site (KOP 5)

5A – Along east property line, looking west toward project site

5B – Along east property line, looking east away from project site

SCENIC HIGHWAYS

SR 129, SR 146, and U.S. Highway 101 are County-designated scenic highways (San Benito County 2015a). The State has also designated SR 25, SR 198 and SR 156 as eligible for State scenic highway designation (California Department of Transportation [Caltrans] 2016). The segment of SR 25 eligible for designation as a State scenic highway extends from southwest of the San Benito County and Monterey County line to the portion of Bolsa Road near the City of Hollister. This segment is located approximately 0.4 mile west of the project site. The segment of SR 156 that is eligible for designation as a State scenic highway extends from U.S. Highway 101 west of San Juan Bautista to the San Benito and Santa Clara County line. This segment is approximately 6 miles west of the project site. The segment of SR 198 that is eligible for designation as a State scenic highway is located along the southern boundary of the county. Due to the distance of these highways from the project site, views of the site are not available from SR 25, SR 156, or SR 198.

d. Light and Glare

The project site currently does not include any sources of light or glare. In the immediate vicinity of the site, there is minimal lighting associated with the existing residential neighborhood to the north and east, and single-family residences on the west side of Southside Road.

The project site is located approximately eight miles northeast of Fremont Peak State Park, and therefore falls within Lighting Zone II, which, as established by Section 19.31.005 of the San Benito County Code, extends for 13 miles from the center of Fremont Peak State Park.

e. Regulatory Setting

This section describes the existing laws, regulations and policies relevant to a review of aesthetic impacts in San Benito County. For the most part, the aesthetic quality of the project would be subject to State and local laws, regulations and policies. There are no applicable federal statutory framework laws governing the project.

State

CALIFORNIA SCENIC HIGHWAY PROGRAM

The project site lies approximately 0.4 mile south of SR 25, which is eligible for designation as a State scenic highway. State scenic highways are designated by Caltrans to promote the protection and enhancement of the natural scenic beauty of California's highways and adjacent corridors. California's Scenic Highway Program was created by the Legislature in 1963. The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 *et seq*.

In order to acquire an "officially designated scenic highway" label, the State and Caltrans require local jurisdictions to adopt a scenic corridor protection program to protect and enhance the adjacent scenic resources. In the San Benito County area, San Benito County is the responsible local agency in this regard. Corridor protection programs are required to contain the following five elements:

- Regulations of land use and density of development
- Detailed land and site planning
- Control of outdoor advertising

- Careful attention to and control of earthmoving and landscaping
- The design and appearance of structures and equipment

Caltrans monitors State-designated scenic routes in order to ensure each local jurisdiction's consistency with State guidelines. Specifically, the Caltrans District Scenic Highway Coordinator (DSHC) would review a scenic highway for compliance every five years, but can recommend the revocation of scenic designation at any time. In terms of enforcement, first, the DSHC would periodically contact the Local Governing Body (LGB), in this case, San Benito County. The LGB must either respond by submitting its current Corridor Protection Program or a letter of intent to request revocation of scenic designation. The DSHC reviews the submittal and takes corrective action to resolve any issues of non-compliance, certifies compliance, or recommends revocation of scenic designation.

Regional

SAN BENITO COUNTY'S IMPLEMENTATION OF SCENIC HIGHWAY PROGRAM

As noted above, San Benito County is responsible for enforcing the protection of State-designated scenic routes within its borders. There are no designated scenic routes that are traversed by, adjacent to, or otherwise viewable from the project site. However, SR 25 is located approximately 0.4 mile from the project site, and is eligible for designation as a State scenic highway.

Local Laws, Regulations and Policies

San Benito County regulates the design of the built environment through its General Plan and Code of Ordinances.

2035 GENERAL PLAN

The 2035 General Plan Land Use Element, Circulation Element, and Natural and Cultural Resources Element provide the following goals, policies and objectives pertaining to aesthetics applicable to the proposed project. Consistency with specific 2035 General Plan policies that apply to the proposed project is further evaluated in Section 4.10, Land Use and Planning.

Land Use Element

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

LU-1.5 **Infill Development**. The County shall encourage infill development on vacant and underutilized parcels to maximize the use of land within existing urban areas, minimize the conversion of productive agricultural land and open spaces, and minimize environmental impacts associated with new development as one way to accommodate growth.

Goal LU-4 To encourage variety in new unincorporated residential development while also providing incentives for clustered residential as a means to protect valuable agricultural and natural resources.

LU-4.5 **Innovative Site Planning and Residential Design.** The County shall encourage new residential development to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy, efficiency,

and water conservation of structures and landscapes while protecting the surrounding environment.

LU-4.6 **Clustered Residential Program.** The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.

LU-4.7 **Clustered Residential Site Layout.** The County shall encourage clustered residential development be designed to respect existing natural features (e.g., rivers and streams, hills and ridgelines, and substantial tree stands) as appropriate to the density and character of the development, and if applicable to use such features to separate clustered parcels from farming areas.

LU-4.8 **Conservation Easements Related to Clustered Residential Development.** The County shall encourage new clustered residential development to provide agricultural and/or other appropriate open space easements on farming or open space parcel(s) at the time that the development occurs, or if a multi-phased Planned Development, according to an adopted specific plan.

Goal LU-7 To preserve San Benito County's historic identity and rural community character.

LU-7.7 **Screening.** The County shall require screening of storage, trash receptacles, loading docks, and other building or site features to reduce visual impacts from public areas.

LU-7.9 **Art in Public Places.** The County shall encourage the placement of art in public places such as social gathering spaces, plazas, bicycle/pedestrian areas, commercial shopping centers, 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.

Circulation Element

C-1.3 **Roadway Improvement Aesthetics.** The County shall require roadway improvements, such as roadway alignments and grading, landscaping, and/or other treatments, to reflect a context sensitive approach and be based on the intended character, whether urban or rural, of a particular location to be designed to conform to existing landforms and to include landscaping and/or other treatments to ensure that aesthetics are preserved, including the county's rural character.

C-1.15 **Street Networks that Enhance Neighborhood Character.** The County shall encourage traditional interconnected street networks that provide alternate routes between neighborhoods and other measures that slow neighborhood traffic and enhance neighborhood character, such as those associated with Complete Streets.

Natural and Cultural Resources Element

Goal NCR-8 To enhance and preserve the attractive visual qualities of scenic vistas and corridors in the county.

NCR-8.1 **Protect Scenic Corridors.** The County shall endeavor to protect the visual characteristics of certain transportation corridors that are officially designated as having unique or outstanding scenic qualities.

NCR-8.2 **Sign Regulations within Scenic Corridors.** The County shall require the elimination of signs within Scenic Corridors other than those identified in the permitted use section of the Zoning Ordinance.

NCR-8.3 **Grading within Scenic Corridors.** The County shall review all projects involving grading within Scenic Corridors to protect valuable soil resources, preserve the natural environment, and avoid significant adverse impacts within scenic areas.

NCR-8.4 **Review Architectural Massing.** The County shall review development proposals to ensure that the obstruction of views is minimized through architectural building massing and location that is compatible with scenic areas.

NCR-8.5 **Review Site Planning.** The County shall review development proposals to ensure a reasonable and attractive appearance from the highway concurrent with a harmonious relationship with the existing landscape and shall require development that determined not to be in harmonious relationship with the existing landscape to be screened from view through planting or other forms of visual buffers.

NCR-8.6 **Regulate Building Height and Setback.** The County shall regulate building height and setbacks to protect the field of vision within an officially designated Scenic Corridor. The County shall not approve building heights that exceed, nor setback requirements that are less, than those of the basic zoning district unless such variance has had the appropriate review and public comment.

NCR-8.7 **Native Landscaping in Scenic Corridors.** The County shall encourage landscaping in Scenic Corridors to use indigenous plants and grasses compatible with local vegetation and ground forms and to reestablish the natural landscape. In addition to native vegetation, other acceptable vegetation in Scenic Corridors shall include: agricultural plants such as row crops, fruit trees and other agricultural species; and grasses and fairway trees of parks and golf courses.

NCR-8.8 **Underground Utility Lines.** The County shall require all new electric and communication distribution facilities proposed within the Scenic Corridor to be placed underground, whenever feasible. Where overhead utility lines are unavoidable, every effort should be made to reduce the visual impact through elements of design.

NCR-8.10 **Sign Ordinance.** The County shall maintain and implement the Sign Ordinance to control the locations and types of signs throughout the county in an effort to protect the county's scenic character.

Goal NCR-9 The County shall promote the preservation of dark skies necessary for nighttime astronomical viewing at local observatories.

NCR-9.1 **Light Pollution Reduction.** The County shall continue to enforce the development lighting ordinance (SBC Code Chapter 19.13) and restrict outdoor lighting and glare from development projects in order to ensure good lighting practices, minimize nighttime light impacts, and preserve quality views of the night sky. The ordinance shall continue to recognize lighting zones and contain standards to avoid light

trespass, particularly from developed uses, to sensitive uses, such as the areas surrounding Fremont Peak State Park and Pinnacles National Park.

SAN BENITO COUNTY CODE OF ORDINANCES

The County's Code contains several regulations and standards implementing the General Plan Policies identified above that are relevant to an evaluation of the visual quality of the project site and vicinity. Building plans for development on the project site would be reviewed for consistency with the following ordinances.

Chapter 19.31: Development Lighting "Dark Skies" Ordinance

This chapter requires the use of outdoor lighting systems and practices be designed to reduce light pollution and glare, and to protect the nighttime visual environment by regulating outdoor lighting which interferes with astronomical observations and enjoyment of the night sky. Section 19.31.002 states the provisions of Chapter 19.31 apply to all proposed new land uses, developments, buildings, structures or building additions, as well as street lights on county and private roadways. Section 19.31.005 establishes three lighting zones, with Zone I imposing the strictest regulations and Zone III imposing the least restrictive. The project site is located in Zone II, which imposes the following restrictions:

(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.

(B) Outdoor recreational facilities in Zone II shall not be illuminated after 11:00 p.m., except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.

(C) Outdoor internally illuminated advertising signs shall be constructed either with an opaque background and translucent letters and symbols, or with a colored (not white, cream, off-white or yellow) background and lighter letters and symbols. Lamps used for internal illumination of the signs shall not be included in the lumens per net acre limit set in this section. The signs shall be turned off at 11:00 p.m. or when the business closes, whichever is later.

(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.

Chapter 25.14, Article IV. Scenic Highway District

Article IV includes development standards related to visual resources.

Section 25.14.062 Designation of Scenic Corridors and Widths adopts the scenic corridor designation for the same State Highways as are designated in the 2035 General Plan, Natural and Cultural Resources Element.

Section 25.14.065 Grading and Screening includes development standards regarding grading and screening, as follows:

(A) Recognizing that grading can have significant adverse impacts within scenic areas the county shall carefully review all projects involving grading within scenic corridors. The proposed project

shall be relocated, modified, redesigned or, if no alternative, screened to minimize visual impacts of grading operations seen from any scenic highway. County staff shall make final contour and landscaping recommendations to minimize visual impact of grading on the scenic corridor in accordance with the county's grading ordinance.

(B) Vegetative Cover and other screening devices shall be provided to hide grading scars and to blend with the natural landscape and provide erosion control.

Section 25.14.066 Development Designs and Review. Recognizing that some architectural designs could have adverse impact on the scenic resource, county staff shall review development design proposals in the scenic corridor to insure that the obstruction of view is minimized. Building height and setbacks shall be regulated to protect the field of vision in the scenic corridor. Building heights shall not exceed and setback requirements shall not be less than those of the base zoning district.

Section 25.14.067 Landscaping. All landscaping in the scenic corridor shall be compatible with local vegetation and ground forms. Indigenous plants and grasses shall be used where appropriate and possible as a means of reestablishing the natural landscape.

Section 25.14.068 Utility Lines. The county staff shall review applications and provide mitigation measures to minimize visual impact of utility lines on the scenic corridor. All new electric and communication distribution facilities shall be placed underground whenever feasible.

Chapter 25.29, Article II. Hillside Development Regulations

This article encourages design excellence and high quality projects that will: maintain existing rural character, conserve landforms and natural landscape, preserve wildlife habitats, protect/preserve viewsheds, ensure that developments are designed to fit with the characteristics and constraints of the site, and to protect life and property from sites that are constrained by slope stability, landslide hazard, fire hazard, and fault zones. The County recognizes hillsides and ridgelines are unique resources and intends to preserve and protect the ridgeline and hillside areas by regulating development that would degrade these areas, through a design review process set forth in section 25.029.033. Section 25.29.031 applies the design review requirements to all proposed new residential land uses, buildings, structures, or building additions that require a building permit which are:

(1) Located on slopes greater than 15%; or

(2) Located along the viewshed corridors of Highway 101, Highway 156, Highway 25 north of Panoche Road and Fairview Road; and

(3) Located at an elevation of 200 feet or higher above the identified viewshed corridor; and

(4) Located in a place that is visible from the nearest point along said viewshed corridor and one and one-half miles in either direction along the viewshed corridor.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds

The evaluation of impacts to aesthetic/visual resources involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. Visual or aesthetic resources generally are defined as both the natural and built features of the landscape that contribute to the public's experience and appreciation of the environment.

Depending on the extent to which a project's presence would alter the perceived visual character and quality of the environment, a visual or aesthetic impact may occur. This evaluation measures the existing visual resources against what would occur if the proposed project were developed. The project site was observed and photographically documented in its surrounding existing context. The County's Zoning Ordinance and General Plan were reviewed for policy instruction relative to visual resources and design policy. CEQA distinguishes between public and private views, and focuses on whether a project would affect the public environment rather than the views of particular individuals. Effects on private views, such as from individual homes, are not considered significant impacts on the environment pursuant to CEQA. Accordingly, views from private residences are not discussed in this impact analysis.

Views may be characterized in terms of foreground, middleground, and distant background views. Foreground views are those immediately presented to the viewer, and include objects at close range. Middleground views occupy the center of the viewshed, and tend to include objects that dominate the viewshed in normal circumstances. Background views include distant objects and other objects that form the horizon.

According to Appendix G of the State CEQA Guidelines, an aesthetic impact from the proposed project would be significant if the project would:

1) Have a substantial adverse effect on a scenic vista;
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;
3) Substantially degrade the existing visual character or quality of the site and its surroundings; and/or
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

No designated county or State scenic highways are located in the project vicinity. Although SR 25, which is located approximately 0.4 mile from the project site, is eligible for designation as a State scenic highway, it is not officially designated, and would not afford views of the site due to distance and intervening topography, trees, and structures. Therefore, impacts related to scenic resources within a State scenic highway (Threshold 2) are not discussed further in this section, but details are provided in Section 4.16, Effects Found to be Less Than Significant.

b. Project Impacts and Mitigation Measures

Impact AES-1 THE PROPOSED PROJECT WOULD HAVE A SUBSTANTIAL EFFECT ON SCENIC VISTAS AND WOULD ALTER THE VISUAL CHARACTER OF THE PROJECT SITE. HOWEVER, THE DEVELOPMENT WOULD BE SIMILAR TO SURROUNDING RESIDENTIAL DEVELOPMENT, AND MITIGATION WOULD ENSURE THAT THE DESIGN IS COHESIVE AND SCREENED FROM PUBLIC VIEW. WITH THESE REQUIREMENTS, THE PROJECT WOULD NOT SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED[THRESHOLD NUMBERS 1 AND 3]

A scenic vista is generally characterized as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The project site and immediate vicinity, as with most of the county as a whole, has a primarily rural character dominated by agricultural and grazing land, rolling hillsides, and rural residential uses. Despite the presence of adjacent suburban-style residential development to the north and east of the project site, the site and surrounding area

to the south and west maintains a rural atmosphere. As described in Section 4.1.1(c), Viewsheds, views from KOPs toward the project site (along Southside Road and from the Ridgemark Country Club development) include open agricultural land in the foreground and middleground, and rolling hills in the background (see photographs in Figure 14). While views through the site are partially obscured by existing trees and overhead power lines along Southside Road (KOP 1), views from KOP 2 and KOP 3 are expansive, affording views of the site itself (agriculture) as well as hillsides in the background. This rural landscape, although common in the county and in the site vicinity, could be considered scenic by some viewers. In addition, the transition of the site from a rural atmosphere to a more suburban and residential (developed) character would be a substantial change in aesthetic character.

The project would include construction of 90 single-family residences and related improvements on the project site, directly adjacent to the Ridgemark Country Club development. The development would be similar to and compatible with other residential developments in the Ridgemark Country Club area located just north and east of the project site. In addition, the project would comply with the County's design standards contained in Chapter 25.29 of the Code of Ordinances. Specifically, in accordance with San Benito County Code Chapter 25.29 Article II, residences would be set back from the slope edges to prevent landslides and erosion, which would make the homes less visible from KOP 1 and vantage points directly adjacent to the blufftop site. The large lots and setbacks from the edge of the blufftop site would lessen the visual degradation to some extent. However, mitigation is required to ensure that the project would feature a cohesive design and to provide vegetative screening to soften views. With this required mitigation, the proposed residential project would not substantially degrade the existing visual character or quality of the site and its surroundings. Impacts would be *less than significant with mitigation incorporated.*

Mitigation Measures

The following mitigation measures are required.

MM AES-1 (A) Design Standards

Prior to issuance of the first building permit for the project, the project proponent shall submit architectural plans for review and approval by the Planning Commission. The architectural plans shall include all proposed building elevations, materials, colors, textures, light fixtures, and perimeter fencing, and shall satisfy the following:

- Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including fences and walls.
- High contrast color combinations, such as very dark brown adjacent to white, shall be avoided on individual home roofs, walls, and fascia.
- Roof vents shall be the same earth tone shade as the surrounding roof surface.
- All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials and colors used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare.
- Building windows shall be tinted with an antireflective material.

The final map(s) for the project shall include a note indicating that this mitigation measure must be met prior to issuance of the first (1^{st}) building permits. The above referenced standards, components and materials shall be denoted on building plans. A copy of said standards,

components, and materials shall be submitted with grading and building plans prior to issuance of building permit(s) for individual lot development.

MM AES-1 (B) Landscaping

Prior to the recordation of the first final map, the project proponent shall submit tract-wide landscaping plans to the County for review and approval. Figure 7 and Figure 8 in Section 2.0, Project Description, show the currently proposed conceptual landscape plan. Tract-wide landscaping plans shall comply with the following requirements:

- Landscaping installed as part of tract improvements shall include fencing along the north and east side of the project.
- Landscaping shall consist of drought-tolerant native species, as feasible, along with other acceptable species identified by the County as appropriate. Hydroseeding areas shall be clearly indicated on the plan.
- Only natural fiber, biodegradable materials shall be used.

SIGNIFICANCE AFTER MITIGATION

Mitigation Measure AES-1(a) would help to ensure that the proposed project is designed to be cohesive, visually appealing and attractive, compatible with surrounding development. Mitigation Measure AES-1(b) would visually soften views of the site from Southside Road through visual screening. With these measures, the proposed residential project would not substantially degrade the existing visual character or quality of the site and its surroundings. Impacts would be *less than significant with mitigation incorporated.*

Impact AES-2 THE PROPOSED PROJECT WOULD CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT AND GLARE, WHICH COULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS OF THE AREA. WHILE LIGHTING IMPACTS WOULD BE LESS THAN SIGNIFICANT THROUGH COMPLIANCE WITH THE COUNTY'S DARK SKIES ORDINANCE, PROJECT GLARE IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBER 4]

Site illumination provides safety for vehicular and pedestrian movement, and increases security. Well-conceived lighting gives clarity and unity to the overall site and to each subarea within it. The introduction of new lighting into a minimally lit area would extend the light glow of a suburban area further into rural areas, proportionally affecting the extent of suburban light glow in the nighttime sky.

At present, there is no nighttime lighting on the project site. However, existing lighting associated with the residential development immediately east of the site spills onto the site. The proposed project would generate substantial additional lighting on-site as compared to existing conditions associated with streetlights, entry lights, and interior lights, all of which would be incorporated into the project design. Southside Road is the most heavily traveled roadway in the project vicinity; therefore, it is of greatest concern relative to impacts to public viewers for purposes of CEQA. Project lighting could be visible from Southside Road looking toward the east. In addition, the adverse effects of outdoor lighting could result in light pollution that would increase impacts on light-sensitive areas, including Fremont Peak State Park, located approximately eight miles southwest of the project site. While the adjacent Ridgemark County Club development to the north and east currently generates light which affects the nighttime views of the surrounding area, the proposed project would increase the level of lighting and its effects on surrounding views.

The project would be required to adhere to the County's "Dark Skies" Ordinance (Chapter 19.31), which mandates that outdoor lighting systems and practices be designed to reduce light pollution and glare, and to protect the nighttime visual environment by regulating outdoor lighting that interferes with astronomical observations and enjoyment of the night sky. Specifically, this ordinance requires that:

- Outdoor floodlighting by flood light projection above the horizontal plane shall be prohibited
- All light fixtures be shielded and installed in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal plane as determined by photometric test or certified by the manufacturer
- All light fixtures, except streetlights, be located, aimed or shielded so as to minimize stray light trespassing across property boundaries
- The property owner shall verify in writing to the County that all outdoor lighting was installed in accordance with the approved plan. (San Benito County Code, Sections 19.31.003[B] and 19.31.006[A] – [C] & [I].

In addition, because the project is located within Lighting Zone II, the following restrictions would also apply:

- 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. 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
- Outdoor recreational facilities in Zone II shall not be illuminated after 11:00 p.m., except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.

The project's required compliance with the above requirements, per Chapter 19.31 of the San Benito County Code, would ensure that any lighting-related impacts are *less than significant*, and therefore no mitigation in this regard would be required.

Glare is primarily a daytime phenomenon, caused by sunlight reflecting from structures, roadways, and cars. However, glare can also be created at night by vehicle headlights. Potential sources of glare associated with the proposed project would consist of glazing (windows) and other reflective materials used in the façades of proposed structures, the reflective surfaces of vehicles parked and travelling within and around the project site, and night time vehicle headlights. Any highly reflective façade materials would be of particular concern, as buildings would reflect the bright sunrays.

The proposed project would introduce new sources of glare on the project site, which could adversely affect daytime views of the site. This is particularly true for motorists on Southside Road. Glare-related impacts would be *less than significant with mitigation incorporated*.

Mitigation Measures

Mitigation Measure AES-1(a) requires that all structures facing any public street or neighboring property use minimally reflective glass and that all other materials and colors used on the exterior of buildings and structures be selected to minimize reflective glare. No additional mitigation is required.

Significance After Mitigation

Compliance with the County's Dark Skies Ordinance would ensure that lighting impacts are *less than significant without mitigation.* Implementation of Mitigation Measure AES-1(a) would ensure impacts related to glare are *less than significant*.

c. Cumulative Impacts

The geographic extent for this cumulative impact analysis includes viewsheds along Southside Road. This geographic extent is appropriate for the issue of aesthetics because the project's aesthetic impacts are fairly localized and site-specific. As stated in Section 3.3, Cumulative Development, this EIR examines cumulative impacts based on past, present and reasonably foreseeable future projects. This cumulative development has the potential to substantially adversely affect existing scenic vistas, and would serve to transition the aesthetic character of viewsheds along Southside Road and SR 25 from a rural, agricultural character to a more developed character. Cumulative impacts to scenic vistas and visual character as a result of this transition to a more urbanized character would be significant. Given that the proposed project would result in significant but mitigable impacts to scenic vistas and visual character within this geographic extent coupled with the anticipated other cumulative developments in the vicinity that would result in urbanized development in this currently rural setting, the project's contribution to this significant cumulative impact would be less than considerable.

With respect to light and glare impacts, while the project would create a new source of light and glare, compliance with the County's Dark Skies Ordinance would ensure impacts related to night lighting are less than significant. Implementation of required mitigation to limit reflective materials used in building construction would reduce impacts related to daytime glare associated with the proposed project to a less than significant level. It is reasonable to conclude that similar measures would be imposed on other cumulative projects within the relevant viewshed corridors, and as such, any cumulative light and glare impacts would be reduced to a less than significant level and that the project would not have any cumulatively considerable contribution to any such impact with respect to light and glare impacts.

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4.2 Agriculture

4.2.1 Setting

a. Regional Agricultural Resources

The San Benito River Valley supports some of the most productive farmland in the State. Agriculture makes a substantial contribution to the San Benito County economy and accounts for an overwhelming amount of the privately-owned land in the county. The primary crops are fruits and nuts, vegetables and other row crops, and small grains. The county lands also support the livestock industry, namely beef cattle and sheep.

San Benito County's gross agricultural production in 2015 came to over $360 million, representing a 9.7 percent increase in value over the previous year (San Benito County 2016b). The highest grossing agricultural commodity was vegetable and row crops, representing approximately 71 percent of total agricultural sales, followed by fruit and nut crops (12 percent), field crops (8 percent), cattle (7 percent), and miscellaneous livestock and poultry (2 percent).

The DOC identifies and designates important farmlands throughout the State as part of its Farmland Mapping and Monitoring Program (FMMP). The FMMP rating system classifies farmland according to the criteria described more fully in Section 4.2.1(d), Regulatory Setting. The DOC classified approximately 672,370 acres of land in San Benito County as agricultural land in 2012, accounting for approximately 76 percent of land in the county (DOC 2015c).

Of the 672,370 total acres of agricultural land in the county, the DOC has classified 27,446 acres as Prime Farmland and 6,359 acres as Farmland of Statewide Importance. According to the FMMP, between the years 2010 and 2012, approximately 10 acres of Important Farmland (comprising Prime Farmland, Unique Farmland, and Farmland of Statewide Importance) was converted to Urban and Built-Up Land, while 78 acres were converted to Other Land (DOC 2015c).

According to the California Land Conservation Act 2014 Status Report, San Benito County had 579,430 acres enrolled in the California Land Conservation Act (referred to as the Williamson Act) in 2012. Of that, 51,597 acres was enrolled as Prime Farmland while the remaining 527,833 acres were enrolled as Non-Prime Farmland. The acreage enrolled in 2013 increased slightly to a total of 580,380 acres, of which 51,717 acres was enrolled as Prime Farmland and 528,664 acres was enrolled as Non-Prime Farmland.

The Land Conservation Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. Land Conservation Act contracts are 10-year contracts that automatically renew each year unless a non-renewal of the contract is requested by either the landowner or the participating city or county. Once a non-renewal is filed, the existing contract remains in effect for the balance of the period remaining on the contract (usually 9 years), and valuation for property tax purposes gradually increases to fair market value. In 2013, almost 4,000 acres were slated for non-renewal in San Benito County (DOC 2015b).

b. Agricultural/Urban Interface Issues; Agricultural Resources in the Project Vicinity

Existing agricultural operations are located to the south and west of the project site. Urban development, as proposed by the project, which is adjacent to agricultural areas, has the potential to create a variety of conflicts for both growers and urban uses. Potential agricultural/urban land use conflicts are commonly associated with the following activities.

POTENTIAL CONCERNS FOR URBAN NEIGHBORS

- Use of pesticides/dust problems in vicinity of residential neighborhoods
- Odors and health concerns associated with fertilizer/pesticide application
- Noise related to farming equipment or farm worker activities
- Farm worker parking

POTENTIAL CONCERNS FOR AGRICULTURAL INTERESTS

- Restrictions on activity arising from neighbor concerns/complaints
- Loss of revenue and competitiveness
- Competition for water and land
- Pilferage, trespassing, and littering
- Dust from adjacent construction activity

c. Project Site Setting

OnSite and Surrounding Agricultural Uses

As discussed in Section 2.0, Project Description, approximately 37.1 acres of the 49.2-acre blufftop site are currently used for agricultural production; the remainder of the blufftop site consists of steep slopes that are not farmed, including the 0.3-acre adjacent area that is currently used as a dirt access road. Figure 19 shows the mapped soils on the project site.

The project site has a County General Plan land use designation of Residential Mixed (RM). As described in the 2035 San Benito County General Plan, the purpose of the RM designation is to allow areas of unincorporated urban uses where circulation and utility services exist and can accommodate the increased density. The designation allows mixed-use developments that include residential, retail, and office uses. RM allows a density of up to 20 dwelling units per acre based on level and availability of services (San Benito County 2015a).

The 49.2-acre blufftop site has a zoning designation of Single-Family Residential (R1). The R1 zoning designation allows for single family residential development and complementary uses, and is in conformity with the current RM General Plan designation. The 0.3-acre adjacent area has a zoning designation of Agricultural Productive (AP), which is inconsistent with the RM General Plan land use designation.

FMMP Important Farmland on the Project Site

The DOC's FMMP maps were reviewed to identify Important Farmland (comprising of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance) on the project site. The FMMP rating system criteria is described more fully in Section 4.2.1(e), Regulatory Setting.

To classify land as Prime Farmland under the DOC's definition, the FMMP must determine that it has the best combination of physical and chemical features able to sustain long term agricultural production, with the soil quality, growing season, and moisture supply needed to produce sustained high yields. The FMMP designates Farmland of Statewide Importance as land other than Prime Farmland which has a good combination of physical and chemical characteristics for the production of crops. In order to be classified as Prime Farmland or Farmland of Statewide Importance by FMMP, land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date, which is currently 2012. The FMMP also classifies land which does not meet the criteria for Prime Farmland or Farmland of Statewide Importance, but which has been used for the production of specific high economic value crops at some time in the last four years, as Unique Farmland. Examples of crops on Unique Farmland are oranges, olives, avocados, rice, grapes, and cut flowers.

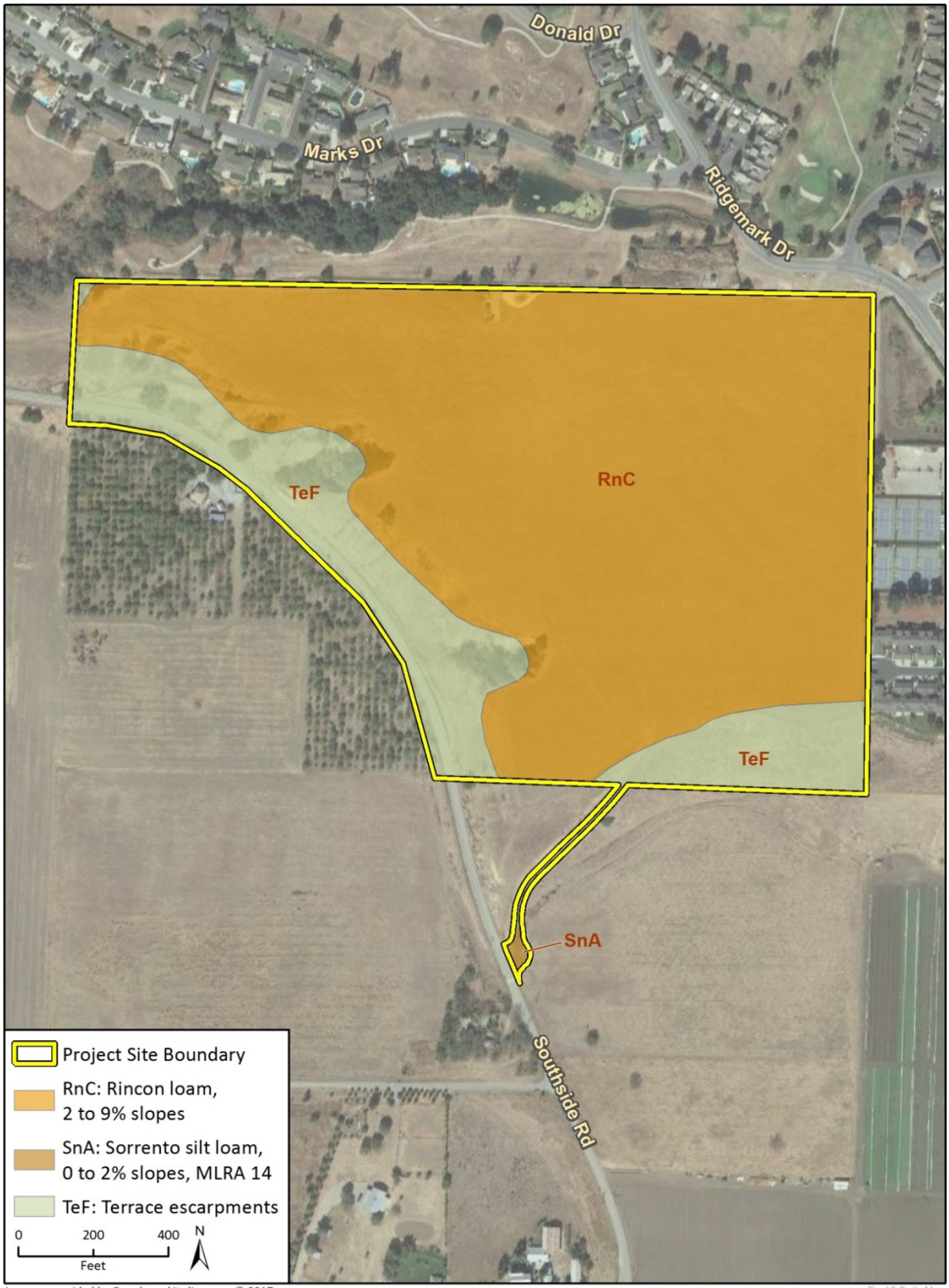
In accordance with CEQA requirements, this analysis relies on the FMMP's mapping of Important Farmland to calculate the acreages of each FMMP designation present on the project site. Table 5 shows the acreage of FMMP designations on the project site, and Figure 20 maps these designations on the project site.

Table 5 FMMP Designations on the Project Site

Designation	Acreage (Approximate)
Prime Farmland	34.0
Other Land	13.1
Unique Farmland	2.3
Urban and Built-Up Land	0.2
Total	49.6

As shown in Table 5, approximately 34 acres of the project site has an FMMP designation of Prime Farmland. An additional 2.3 acres of the site has a designation of Unique Farmland. Together, these areas are considered Important Farmland under the FMMP. The remainder of the site contains

Figure 19 Soil Map



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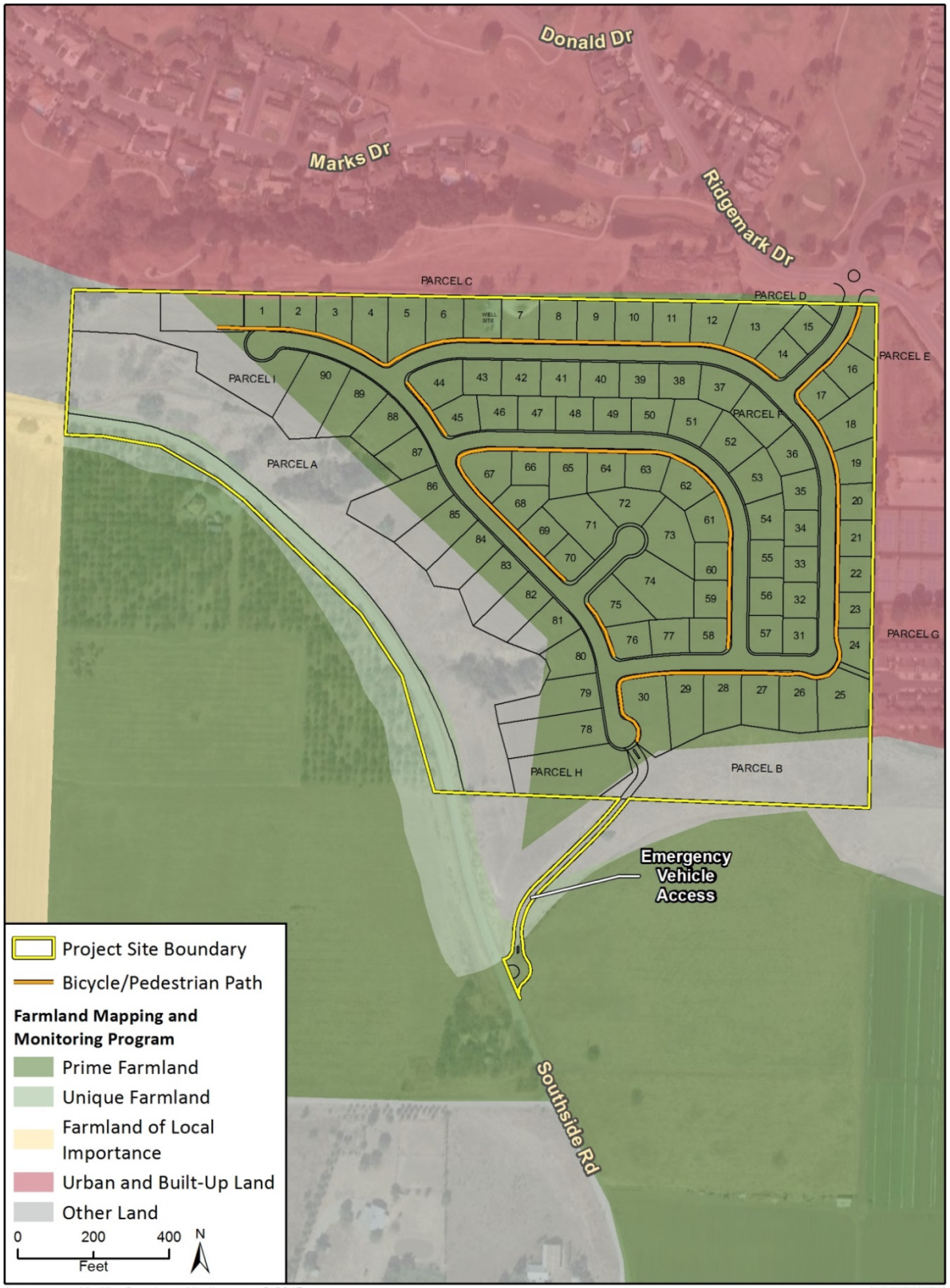
Additional data provided by U.S.Department of Agriculture, Natural Resources Conservation Service SSURGO, 2016; Carlson, Barbee & Gibson, April 2017.

Fig 19 Soils Map

Figure 20 Important Farmland



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Additional data provided by California Department of Conservation, 2012; Carlson, Barbee & Gibson, April 2017.

approximately 13.1 acres of Other Land and 0.2 acre of Urban and Built-Up Land. The locations of each of these FMMP designations are shown in Figure 20.

LESA Model Agricultural Suitability

The DOC's California Land Evaluation and Site Assessment (LESA) model was used to evaluate the relative importance of this farmland and thereby determine the significance of any conversion of farmland under the proposed project. The LESA model is composed of six factors, each of which is separately rated on a 100-point scale. Two Land Evaluation factors are based on measures of soil resource quality. Four Site Assessment factors provide measures of a project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands.

The factors are weighted relative to each other and combined into a final single numeric score for the project, which has a maximum value of 100 points. The final numeric score, as well as the sub-scores for LESA factors, can be used to make determinations of the significance of a project's conversion of agricultural lands (DOC 1997). As shown in Table 6, the project site has a total score of 41.88 out of 100 points, including Land Evaluation sub-score of 30.63 points and Site Assessment sub-score of 11.25 points. Table 7 shows the scoring thresholds for the LESA sub-scores. For the purposes of the LESA analysis, it is assumed that the entire project site cannot be irrigated, but that rainfall is adequate for dryland production in both drought and non-drought years. According to the project applicant, dryland production is not feasible (Fred Bates, Project Applicant, personal communication, March 2017). As such, this assumption is conservative for the purpose of this analysis.

Table 6 Summary of LESA Model Score Sheet

Factor Name	Factor Score (0-100 Points)	X	Factor Weight (Total = 1.0)	=	Weighted Factor Score
Land Evaluation (LE)					
1. Land Capability Classification	57.45	X	0.25	=	14.36
2. Storie Index Rating	65.07	X	0.25	=	16.27
LE Subtotal					*30.63*
Site Assessment (SA)					
1. Project Size	30	X	0.15	=	4.50
2. Water Resource Availability	25	X	0.15	=	3.75
3. Surrounding Agricultural Lands	20	X	0.15	=	3.00
4. Protected Resource Lands	0	X	0.05	=	0.00
SA Subtotal					*11.25*
Total LESA Score					**41.88**

Source: DOC, California Agricultural Land Evaluation and Site Assessment Model Instruction Manual, 1997.

Table 7 LESA Model Scoring Thresholds

Total LESA Score	Scoring Decision
0 to 39 points	Not considered significant.
40 to 59 points	Considered significant only if LE and SA sub-scores are each greater than or equal to 20 points.
60 to 79 points	Considered significant unless either LE or SA sub-score is less than 20 points.
80 to 100 points	Considered significant.

Source: DOC, California Agricultural Land Evaluation and Site Assessment Model Instruction Manual, 1997.

Williamson Act Land on the Project Site

As shown in Figure 21, the project site is not under Williamson Act contract. Lands to the west of the project site, across Southside Road, are under contract. However, this land is in non-renewal of its contract (DOC 2015). See Figure 21 for Williamson Act contracted land on the project site and in the vicinity.

d. Regulatory Setting

Federal

U.S. Department of Agriculture Natural Resources Conservation Service Farmland Designation

As noted above, the USDA NCRS classifies farmland based on the location and quality of soils. According to the federal definition in the Code of Federal Regulations Title 7 (Agriculture) section 657.5(a)(1), Prime Farmland is "land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses." Based on the federal Farmland Protection Policy Act, the NRCS uses the following classifications for agricultural land: Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Unique Farmland, and Non-Prime Farmland.

Farm Bill Conservation Programs

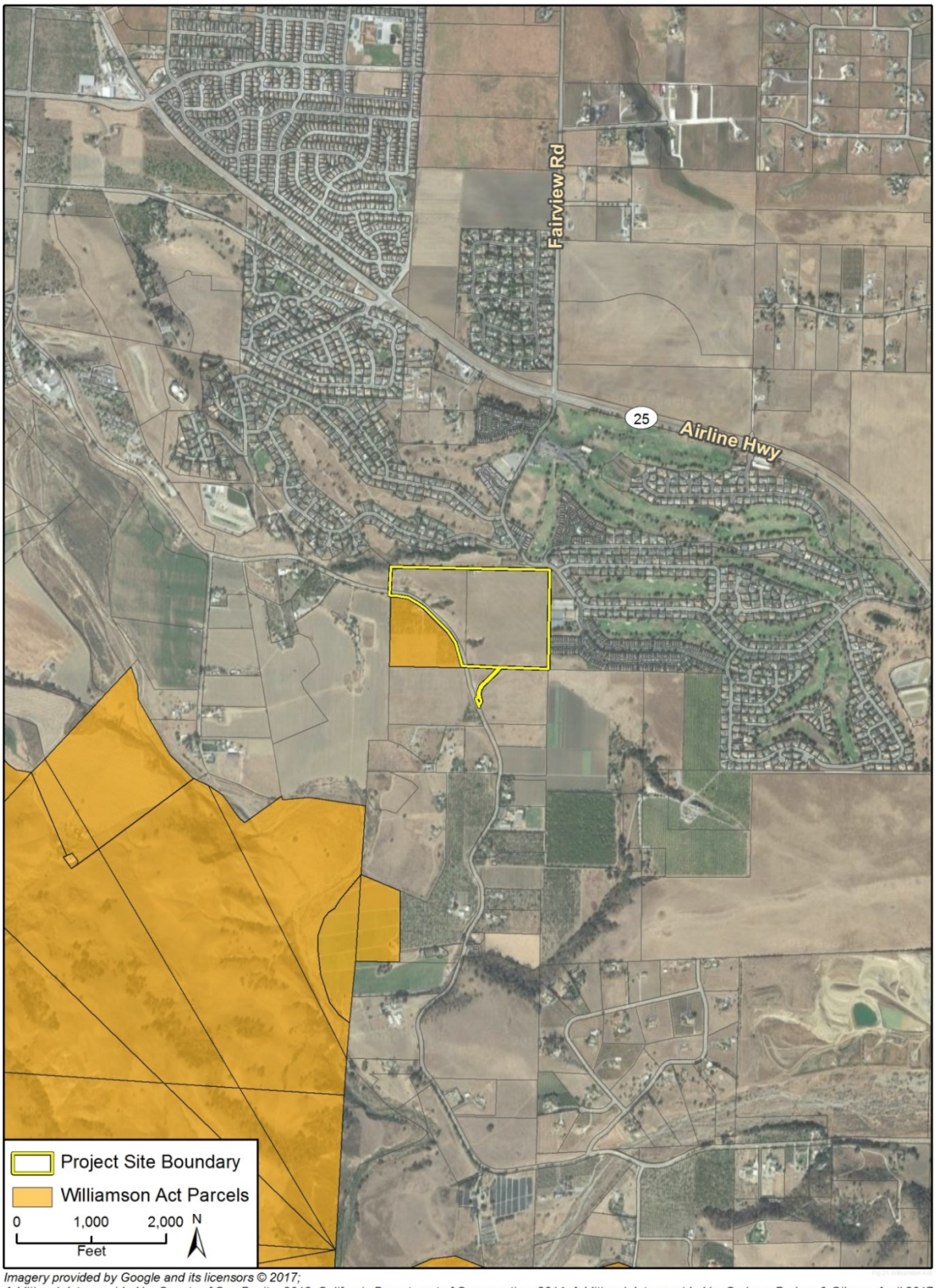
The Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) designated funding for NRCS farmland conservation programs, including the Farm and Ranch Lands Protection Program, Wetland Reserve Program, Grassland Reserve Program, Conservation of Private Grazing Land Program, Conservation Reserve Program, Conservation Stewardship Program , Environmental Quality Incentives Program , Agricultural Water Enhancement Program, and Wildlife Habitat Incentives Program.

State

Farmland Mapping and Monitoring Program

Within the California Natural Resources Agency, the DOC provides services and information that promote informed land-use decisions and sound management of the State's natural resources. As noted above, the DOC manages the FMMP, which supports agriculture throughout California by developing maps and statistical data for analyzing land use impacts to farmland.

Figure 21 Williamson Act Lands



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Additional data provided by County of San Benito, 2013; California Department of Conservation, 2014; Additional data provided by Carlson, Barbee & Gibson, April 2017.

The developed maps are called the Important Farmlands Inventory (IFI). The IFI categorizes land based on the productive capabilities of the land. There are many factors that determine the agricultural value of land, including the suitability of soils for agricultural use, whether soils are irrigated, the depth of soil, water-holding capacity, and physical and chemical characteristics. To categorize soil capabilities under the FMMP, two soil classification systems are used: the Capability Classification System and the Storie Index (which takes into account other factors as well, such as slope and texture). The FMMP data is updated every two years.

FMMP rates the production potential of agricultural land according to the following classifications:

- **Prime Farmland.** Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. These are Class I and Class II soils.
- **Farmland of Statewide Importance.** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Unique Farmland.** Farmland of lesser quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California.
- **Farmland of Local Importance.** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- **Grazing Land.** Land on which the existing vegetation is suited to the grazing of livestock.
- **Urban and Built-Up Land.** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land.** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas, not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.
- **Water.** This is used to describe perennial water bodies with an extent of at least 40 acres.

CALIFORNIA GOVERNMENT CODE SECTION 56064

This section of the Government Code (LAFCO law) defines "Prime Agricultural Land" in a different way, as follows:

"Prime Agricultural Land means an area of land, whether a single parcel or contiguous parcels, which has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- Land that qualifies, if irrigated, for rating as class I or class II in the USDA NRCS land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible

- Land that qualifies for rating 80 through 100 on the Storie Index
- Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the USDA in the National Range and Pasture Handbook, Revision 1, December 2003
- Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant products not less than four hundred dollars ($400) per acre
- Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years

WILLIAMSON ACT

Preservation of agricultural, recreational, and open space lands through agricultural preserve contracts between the County and property owners is a technique encouraged by the State for implementing the general plan and preserving agricultural resources. Agricultural preserve contracts are executed through procedures enabled by the California Land Conservation Act of 1965, also known as the Williamson Act (per California Government Code Sections 51200-51207). A contract may be entered into for property where the property owner agrees to restrict uses on the property to agricultural, recreational, and open space uses in return for reduced property taxes. The County Agricultural Preserve Rules of Procedure require certain minimum parcel sizes, minimum income generation, and land use restrictions applicable to agricultural preserve lands under their respective contracts. To be eligible for Williamson Act designation in San Benito County, the following criteria must be met:

- Ten acres of orchards, vineyards or irrigated vegetable and field crops; or
- Forty acres of irrigated pasture or dry-land farmed land; or
- One hundred sixty acres of grazing land; or
- A combination of actual acreage in any of the above three categories; provided that the sum of the percentages in any of the above categories equals or exceeds 100%; and
- Shall produce a minimum of $3,500 annual gross income from the sale of agricultural commodities. An agricultural preserve shall produce this minimum income amount for three out of every immediately preceding five consecutive year period

Local

SAN BENITO COUNTY LOCAL AGENCY FORMATION COMMISSION

The San Benito County LAFCO is responsible for coordinating orderly growth via jurisdictional boundaries, including annexations, sphere of influence amendments, and approval of out of area service agreements. State law requires LAFCOs to consider agricultural land and open space preservation, among other factors, in all decisions related to boundary changes and related actions. LAFCO's definition of Prime Agricultural Land refers to California Government Code section 56064, which is described previously in this section (San Benito LAFCO 2014).

2035 GENERAL PLAN

The 2035 General Plan Land Use Element and Natural and Cultural Resources Element provide the following goals, policies, and objectives pertaining to agricultural resources that are relevant to this analysis. Consistency with specific 2035 General Plan policies that apply to the project is further evaluated in Section 4.10, Land Use and Planning.

Land Use Element

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

LU-1.5 **Infill Development.** The County shall encourage infill development on vacant and underutilized parcels to maximize the use of land within existing urban areas, minimize the conversion of productive agricultural land and open spaces, and minimize environmental impacts associated with new development as one way to accommodate growth.

Goal LU-3 To ensure the long-term preservation of the agricultural industry, agricultural support services, and rangeland resources by protecting these areas from incompatible urban uses and allowing farmers to manage their land and operations in an efficient, economically viable manner.

LU-3.2 **Agricultural Integrity and Flexibility.** The County shall protect the integrity of existing agricultural resources, and provide for flexibility and economic viability of farming and ranching operations.

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 – 2305 General Plan, Appendix A) 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-3.10 **Agricultural Land Mitigation.** If new development permanently converts Prime Farmland that is Class 1 soil to non-agricultural uses, the County shall encourage project applicants to preserve up to an equal number of Prime Farmland acres (i.e. up to a 1:1 ratio) either on- or off-site. An applicant may pay in lieu mitigation fees for some or all of the converted Prime Farmland that is designated Class I soils to non-agricultural protection and/or affiliated programs within San Benito County. Further, the County shall work with the City of San Juan Bautista and the City of

Hollister to encourage them to adopt a similar agricultural conversion mitigation ratio.

LU-3.14 **Land Trusts and Financial Incentives.** The County shall consider land trusts and financial incentives to preserve agricultural soil resources and to protect the integrity of important agricultural areas for future use.

Goal LU-4 To encourage variety in new unincorporated residential development while also providing incentives for clustered residential as a means to protect valuable agricultural and natural resources.

LU-4.6 **Clustered Residential Program.** The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.

LU-4.8 **Conservation Easements Related to Clustered Residential Development.** The County shall encourage new clustered residential development to provide agricultural and/or other appropriate open space easements on farming or open space parcel(s) at the time that the development occurs, or if a multi-phased Planned Development, according to an adopted specific plan.

Goal LU-9 To ensure that planning and development approvals within city fringe areas are coordinated between the County and the Cities in order to ensure future growth in these areas is orderly, efficient, and has sufficient and necessary public facilities and infrastructure.

LU-9.2 **City Sphere of Influence Expansion Proposals.** The County will support spheres of influence expansion proposals only when the Cities sufficiently demonstrate the need for additional land to accommodate planned growth and document a good faith effort to implement an infill development program(s) to minimize the conversion of productive agricultural land and reduce impacts on environmental resources.

Natural and Cultural Resources Element

Goal NCR-1 To preserve and enhance valuable open space lands that provide wildlife habitat and conserve natural, historical, archaeological, paleontological, tribal, and visual resources of San Benito County.

NCR-1.1 **Maintenance of Open Space.** The County shall support and encourage maintenance of open space lands that support natural resources, agricultural resources, recreation, tribal resources, wildlife habitat, water management, scenic quality, and other beneficial uses.

NCR-1-3 **Open Space Overlay District.** The County shall continue to protect and preserve the rural landscape and implement open space policies for: public health, safety, and welfare; continued agricultural uses; scenic viewscape preservation, including scenic highway corridors; park and recreation uses; conservation of significant natural resources; the containment and definition of limits to urbanization; and the preservation of the natural habitat for threatened and/or endangered plant and animal species.

SAN BENITO COUNTY CODE OF ORDINANCES

The County's Code of Ordinances contains several regulations and standards implementing the General Plan Policies identified above that are relevant to an evaluation of agricultural resources.

Chapter 19.01, Article 1. Agricultural Community Disclosure (Right-To-Farm)

This article protects commercial agricultural operations against nuisance lawsuits, and requires disclosure to potential land buyers that agricultural operations are protected from such actions. To resolve potential landowner disputes, the Agricultural Commissioner's office is to provide non-binding mediation. While the County Right-to-Farm Ordinance specifically applies to commercial agricultural operations within the unincorporated area, all commercial agricultural operations that comply with agricultural standards currently are protected from nuisance claims under State law (section 3482.5 of the California Civil Code), whether located within cities or unincorporated areas.

Chapter 19.01, Article 2. Agricultural Preserves (Williamson Act)

This article implements the provisions of the Williamson Act's restrictions applicable to agricultural preserve lands under their respective contracts. The minimum length of Williamson Act contracts is ten years. Because the contract term automatically renews on each anniversary date (unless a non-renewal is filed), the actual contract length is essentially indefinite. Under the County's ordinance, a preserve must be comprised of a minimum of 10 acres of orchards, vineyards or irrigated vegetable and field crops; 40 acres of irrigated pasture or dry-land farmed land; or 160 acres of grazing land; or a combination of actual acreage in any of these categories, provided that the sum equals or exceeds 100 percent of the required acreage. Also, the preserve must produce a minimum of $3,500 annual gross income from the sale of agricultural commodities for three out of every immediately preceding five consecutive year period. In addition to commercial agricultural operations, the ordinance specifies certain land uses that are deemed to be compatible with agricultural use of the lands subject to the preserves.

Chapter 25.07: Agricultural Districts

This Chapter specifies permitted and conditional uses of agricultural land, and standards applicable specifically to designated agricultural uses, such as building site areas, height limitations, building setbacks, accessory buildings and agricultural employee housing.

4.2.2 Impact Analysis

a. Methodology

According to Appendix G of the State CEQA Guidelines, impacts related to agricultural resources from the proposed project would be significant if the project would:

1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section

4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))

4) Result in the loss of forest land or conversion of forest land to non-forest use; and/or

5) 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

The project site is not located on, adjacent to or near forest land or timberland. Pursuant to Public Resources Code section 12220(g), "forest land" is land that can support 10 percent native tree cover of any species. Timberland, according to Public Resources Code section 4526, refers to land which is available for and capable of growing a crop of trees of a commercial species used to produce lumber and other forest products. As shown in Figure 21, the project site is not under a Williamson Act contract. Therefore, there would be no impact related to conflicts with a Williamson Act contract. These impacts (Thresholds 3 and 4, and a portion of Threshold 2) are not discussed further in this section. Details are provided in Section 4.16, Effects Found to Be Less Than Significant.

b. Project Impacts and Mitigation Measures

Impact AG-1 THE PROPOSED PROJECT WOULD PERMANENTLY CONVERT IMPORTANT FARMLAND TO NON-AGRICULTURAL USE. MITIGATION WOULD REQUIRE THE PROVISION OF REPLACEMENT FARMLAND OR PAYMENT OF AN IN-LIEU FEE, CONSISTENT WITH GENERAL PLAN POLICY LU-3.10. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBER 1]

Approximately 37.1 acres of the 49.2-acre blufftop site are currently used for agricultural production; the remainder of the blufftop site consists of steep slopes that are not farmed, including the 0.3-acre adjacent area that is currently used as a dirt access road. As noted in Table 5 and Figure 20, the proposed project site contains approximately 34 acres of Prime Farmland and 2.3 acres of Unique Farmland, totaling 36.3 acres of Important Farmland, as defined by the DOC FMMP. Development of the proposed project would entail the conversion of approximately 36.3 acres of FMMP-designated Important Farmland to non-agricultural use. The permanent conversion of Important Farmland to residential use and related improvements would represent a potentially significant impact on agricultural resources.

The conversion of Important Farmland to non-agricultural use was accounted for in the General Plan EIR and the proposed project would not result in new or more sever impacts that were not already evaluated and mitigated as part of the General Plan EIR, since the project site has already been designated for residential use by the General Plan. Furthermore, the California LESA model was utilized to further evaluate the suitability of the project site for productive agriculture and to assess the significance of the proposed project's conversion of agricultural land. This model has generally been used to evaluate potential impacts from the conversion of agricultural land to permanent urban uses. The LESA model was prepared by the DOC to rate the relative quality of land resources. It "provides lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code section 21095).

As shown in Table 6, the project site has a total LESA score of 41.88 out of 100 points, including a Land Evaluation sub-score of 30.63 points and a Site Assessment sub-score of 11.25 points. Based on the scoring thresholds shown in Table 7, the project would result in significant impacts only if LE *and* SA sub-scores are each greater than or equal to 20 points. The SA sub-score of 11.24 is below this

threshold. Therefore, the project would not result in significant impacts in terms of LESA model agricultural suitability based.

Mitigation Measures

According to 2035 General Plan Policy LU 3.10, the loss of Prime Agricultural Lands should be avoided and replaced at a ratio of up to 1 to 1 to protect this important resource in the county. In San Benito County, the San Benito Agricultural Land Trust currently protects 5,454 acres of working ranches and farms and is working to acquire additional acreage (Land Trust 2016). The Land Trust is devoted to providing financial options to landowners in order to protect the agricultural heritage of San Benito County. The Land Trust may be a potential holder of such easements or fee title for Important Farmland. This type of mitigation has been found to be feasible in many California communities facing suburban development pressures in traditional agricultural areas with Important Farmland. The mitigation ratios in those communities can range from 1 to 1 (as suggested in the San Benito County 2035 General Plan) to higher levels reported up to 3 to 1.

MM AG-1 Agricultural Conservation

Prior to issuance of any grading permits, the project proponent shall provide that for every one (1) acre of FMMP Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) on the project site that is permanently converted to non-agricultural use as a result of project development, one (1) acre of land of comparable agricultural productivity shall be preserved in perpetuity. Said mitigation shall be satisfied by the applicant through:

a. Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the County or qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of 36.4 acres of FMMP Important Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or

b. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward the future purchase of a minimum of 36.4 acres of FMMP Important Farmland in San Benito County, together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or

c. Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Land Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of 36.4 acres of FMMP Important Farmland in San Benito County. The amount of the payment shall be equal to 110 percent of the amount determined by the qualifying entity or a licensed appraiser; or

d. Any combination of the above.

Significance After Mitigation

Implementation of Mitigation Measure AG-1 would preserve other land off-site through conservation easements, acquisition and/or payment of in lieu fees consistent with General Plan Policy LU-3.10, and would reduce the impact to a less than significant level

Impact AG-2 The 49.2-acre blufftop site is zoned Single Family Residential (R1) and the 0.3-acre adjacent area is zoned Agricultural Productive (AP). Because no residential development would occur within the AP area, impacts related to conflicts with Zoning for an agricultural use would be less than significant. [Threshold number 2]

The 49.2-acre blufftop site is designated Residential Mixed (RM) and zoned Single Family Residential (R1). This designation allows mixed-use developments that include residential, retail, and office uses, and allows single-family uses at a density of up to 20 dwelling units per acre. Thus, conversion of the project site from its current agricultural use to a residential development is consistent with the General Plan and zoning designations for the site, as well as with the County's vision for this area.

The 0.3-acre adjacent area, which would be developed with an emergency vehicle access road, has a zoning designation of Agricultural Productive (AP). The current General Plan designation for this area, as shown in Figure 4, is Residential Mixed (RM). This area is not actively farmed and would be developed with an emergency vehicle access road. Development of an access road in this location would not conflict with an existing agricultural zoning designation. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Impact AG-3 Implementation of the proposed project may result in the conversion of off-site Important Farmland due to land use conflicts between existing surrounding agricultural land uses and the proposed residential uses and related improvements. Adherence to the County Right-to-Farm Ordinance and the natural barrier that the bluffs provide would help to minimize conflicts, but the exposure of residents to agricultural chemicals would remain a concern, as well as general development pressure to convert agricultural uses to urban uses. Impacts would be less than significant. [Threshold number 5]

The proposed project would facilitate residential development adjacent to agricultural operations to the south and across Southside Road to the east, which could result in land use conflicts for both residential and agricultural interests. Conflicts between urban and agricultural uses can potentially result in the loss of Important Farmland without buffers between uses or unless other appropriate measures are implemented. Potential land use conflicts are described below.

Impacts to Agricultural Uses

Urban development adjacent to farmland can have several negative impacts on agricultural activities. Increasing the number of residents near commercial agricultural operations increases the potential for complaints regarding that operation. An increase in complaints on the agricultural operation can potentially lead to restrictions on the nearby farming operations, causing decreased production and increased costs to the operation in addition to increased liability for the agricultural operation.

The proposed project also would not be expected to result in any significant conflicts with agricultural operations related to traffic. Construction of the proposed project would not involve closure or obstruction of any unpaved farm roads outside the project site. Therefore, construction would not interfere with the circulation of agricultural vehicles and equipment on unpaved farm roads on adjacent private properties. After the construction phase, the project would generate

traffic associated with residential uses, although this traffic would occur only on paved roads, rather than unpaved farm roads on adjacent private properties. During operation of the project, access to the project site would direct project-generated traffic though the Ridgemark Country Club development (Ridgemark Drive).

The proposed project also would not be expected to result in any significant conflicts with agricultural operations related to water use or wastewater generation. The project would not draw water from nearby wells that serve surrounding agricultural operations. Because residences on the project site would be connected through a water main to the SSCWD municipal water supply, the project would not substantially affect the water supply for agricultural operations in the area (refer to Section 4.15, Utilities and Service Systems, for a more detailed analysis of water supply impacts). Wastewater generated by residences on the project site would be conveyed to the SSCWD Sequential Batch Reactor WWTP in accordance with applicable laws and regulations and which has the capacity to adequately serve the project site (as discussed more fully in Section 4.15, Utilities and Service Systems), such that wastewater discharge would not affect adjacent agricultural uses.

It should also be noted that the 2035 General Plan re-designated the project site and surrounding properties to the south and southeast as Residential Mixed (RM), indicating a desired shift from agriculture to urban uses in the project vicinity and reflecting the General Plan's approach of preserving agricultural and biological resources, as feasible, while still accommodating appropriate amounts of urban growth. Nevertheless, the introduction of residents on the project site could increase the risk of trespassing on adjacent land that is currently in agricultural use. The sloped bluff area would serve as a natural buffer between new residences and farmland located to the west and south. Pursuant to Policy LU-3.8 of the County's 2035 General Plan Land Use Element, the County encourages the establishment of a buffer, between new urban density residential development and existing conventional agricultural operations. Since the approximately 12.1-acre portion of the blufftop site that has steep slopes is not suitable for residential or agricultural uses, it would remain in its current state and this natural buffer would render impacts between agricultural uses and residential uses *less than significant*.

Impacts to Residential Uses

While not technically a CEQA issue (since this would be considered an impact of the existing environment on the project, rather than an impact of the project on the environment); the following is provided for informational purposes only. Those residing adjacent to farmland commonly cite odor nuisance impacts, noise from farm equipment, dust, and pesticide spraying as land use conflicts. With respect to the project site, potential conflict areas include residences along the western and southern property boundary. Farm equipment associated with agricultural land uses can generate substantial noise levels. As discussed in Impact N-4 in Section 4.11, Noise, noise generated from agricultural equipment on adjacent farmland would be infrequent and distributed across large areas of agricultural land, much of which is at least 300 feet from the proposed residences, and would therefore be a *less than significant* impact to the proposed land uses.

Complaints by neighbors about agricultural operations are reportedly uncommon in San Benito County (San Benito County 2010c). The County's Right-to-Farm Ordinance would help to protect on-going commercial agricultural operations from nuisance lawsuits and provide for advanced disclosure to new residents of agricultural activities on adjacent properties. The Agricultural Commissioner's Office has Agricultural Community Disclosure requirements (described below) that are designed to inform the community about agricultural operations, and thus help reduce conflicts.

These requirements would be adhered to in order to reduce conflicts between agricultural operations and adjacent uses.

Disclosure of Potential Nuisance

In accordance with the County Right-to-Farm Ordinance (No. 577), upon the transfer of real property on the project site within 500 feet of an existing agricultural use or land zoned for agricultural use, the transferor shall deliver to the prospective transferee a written disclosure statement that shall make all prospective residents in the proposed project aware that although potential impacts or discomforts between agricultural and non-agricultural uses may be lessened by proper maintenance, some level of incompatibility between the two uses would remain. This notification shall include disclosure of potential nuisances associated with on-site agricultural uses, including the types of land uses allowed in agricultural zones, the frequency, type, and technique for pesticide spraying, frequency of noise-making bird control devices, dust, and any other agricultural practices that may present potential health and safety effects. Should crop maintenance practices change substantially (e.g., through the use of new agricultural chemicals or application techniques), notification shall be provided to existing and prospective project residents.

The disclosure shall be provided by the property transferor to prospective residents upon the transfer of real property on the project site. Updated disclosure notifications shall be provided to existing and prospective residents on the project site as necessary if agricultural maintenance practices change. Planning and Building staff shall review the disclosure statement prior to project occupancy.

Finally, pesticide use on nearby crops and the suspension of dust from operation of farm equipment and earth-moving activities could create health concerns for residents on the project site. Odors from fertilizers, herbicides, pesticides, and farm equipment exhaust can be incompatible with the proposed residential uses. Impacts from exposure to agricultural chemicals and odors could indirectly result in the removal of agricultural land at the interface with urban land uses, but would be *less than significant* due to the natural barrier created by the sloped bluff.

Mitigation Measures

No mitigation is required.

c. Cumulative Impacts

The geographic extent for the analysis of cumulative impacts associated with agricultural resources is the entire San Benito County. This extent is appropriate for cumulative impacts because, with respect to agricultural resources, these are not limited to site-specific issues and further because the FMMP assesses the acreage of farmland converted to urban uses on a countywide basis.

Cumulative development associated with the project list provided in Table 4 includes approximately 9,675 new residents and approximately 3,005 new housing units. This growth would gradually transform the region's agricultural land uses to a certain extent. In the vicinity of the project site, cumulative development along the unincorporated county lands at the fringe of the Hollister urban area would involve conversion of productive farmland. As discussed in Impact AG-1, the proposed project would involve the loss of approximately 41.1 acres of Important Farmland (under the FMMP designation). Given the General Plan policy of this issue, it is assumed that other cumulative development would also be required to mitigate accordingly. However, while mitigation in the form of off-site preservation of farmland or in-lieu fee would mitigate the impacts to the extent feasible,

preserving other land off-site does not fully mitigate the permanent loss of on-site agricultural land. And therefore, the project's impacts in this regard would be cumulatively considerable.

Individual development projects in the region also would have the potential to create compatibility conflicts relating to the interface of agricultural uses and new urban development. However, potential compatibility conflicts would be mitigated on a project-by-project basis by buffers between agricultural uses and new urban development, consistent with Policy LU-3.8 in the 2035 General Plan Land Use Element. Therefore, cumulative impacts in terms of potential compatibility conflicts would be *less than significant*, and the project's contribution would not be cumulatively considerable.

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4.3 Air Quality

4.3.1 Setting

a. Climate and Topography

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

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

Winds originating in the San Francisco Bay Area Air Basin often transport pollutants into the NCCAB, where surface winds move the pollutants to the eastern part of the NCCAB. For instance, the transport of ozone precursor emissions from San Francisco Bay Area Air Basin through the Santa Clara Valley/San Benito River Valley plays a dominant role in ozone concentrations measured in San Benito County (MBARD 2013b). The transport of pollutants can often cause exceedances of air quality standards in the NCCAB. The regional temperature averages highs in the low 70s°F and lows in the mid-40s°F. Precipitation averages approximately 13.5 inches per year (1935 to 1974) (Western Regional Climate Center 2006).

b. Air Pollutants of Primary Concern

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

OZONE

Ozone is a colorless gas with a pungent odor. Most ozone in the atmosphere is formed as a result of the interaction of ultraviolet light, reactive organic gases (ROG), and oxides of nitrogen (NO_X). ROG, which is the organic compound fraction relevant to ozone formation and sufficiently equivalent to volatile organic compounds (VOCs[12]) for the purposes of this analysis, is composed of non-methane hydrocarbons (with some specific exclusions). NO_X is made of different chemical combinations of nitrogen and oxygen, mainly nitric oxide (NO) and nitrogen dioxide (NO_2). A highly reactive molecule, ozone readily combines with many different components of the atmosphere.

[12] ROG is equivalent to volatile organic compounds (VOC) per MBUAPCD Rule 101, 2.32.

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

CARBON MONOXIDE

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

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

NITROGEN DIOXIDE

Nitrogen dioxide (NO_2) is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2 commonly called NO_X. Nitrogen dioxide is an acute irritant. A relationship between NO_2 and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light and causes a reddish brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM_{10} (particulate matter 10 microns or less in size) and acid rain.

PARTICULATE MATTER

Suspended particulate matter (airborne dust) consists of particles small enough to remain suspended in the air for long periods. Fine particulate matter includes particles small enough to be inhaled, pass through the respiratory system, and lodge in the lungs, with resultant health effects. Particulate matter can include materials such as sulfates and nitrates, which are particularly damaging to the lungs. Health effects studies resulted in revision of the Total Suspended Particulate (TSP) standard in 1987 to focus on particulates that are small enough to be considered "inhalable," i.e. 10 microns or less in size (PM_{10}). In July of 1997, a further revision of the federal standard added criteria for $PM_{2.5}$, reflecting recent studies that suggested that particulates less than 2.5 microns in diameter are of particular concern.

CARB and USEPA establish ambient air quality standards for major pollutants at thresholds intended to protect public health. Federal and State standards have been established for ozone, CO, NO_2, sulfur dioxide (SO_2), lead, and fine particulates (PM_{10} and $PM_{2.5}$). Table 8 summarizes the CAAQS and the NAAQS for each of these pollutants. Standards have been set at levels intended to be protective of public health. California standards are more restrictive than federal standards for each of these pollutants except for lead and the eight-hour average for CO.

Table 8 Current Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	California Standard (CAAQS)	Federal Standard (NAAQS)
Ozone (O_3)	1-Hour	0.09 ppm	–
	8-Hour	0.070 ppm	0.070 ppm
Carbon Monoxide (CO)	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	20.0 ppm	35.0 ppm
Nitrogen Dioxide (NO_2)	Annual	0.030 ppm	0.053 ppm
	1-Hour	0.18 ppm	0.100 ppm
Sulfur Dioxide (SO_2)	Annual	–	–
	24-Hour	0.04 ppm	–
	1-Hour	0.25 ppm	0.075 ppm
PM_{10}	Annual	20 µg/m^3	–
	24-Hour	50 µg/m^3	150 µg/m^3
$PM_{2.5}$	Annual	12 µg/m^3	12 µg/m^3
	24-Hour	–	35 µg/m^3
Lead	30-Day Average	1.5 µg/m^3	–
	Rolling 3-Month Average	–	0.15 µg/m^3

ppm = parts per million;
µg/m^3 = micrograms per cubic meter
Source: CARB 2016b

ASBESTOS

Asbestos is a highly friable material often found in older buildings (pre-1979), typically used as insulation in walls or ceilings. It was formerly popular as an insulating material; however, it can pose a health risk when very small particles become airborne. In conformance with the Clean Air Act, USEPA established the National Emissions Standards for Hazardous Air Pollutants (NESHAP) to protect the public. The asbestos regulations under NESHAP control work practices during the demolition and renovation of institutional, commercial, or industrial structures. Following identification of friable asbestos, the federal Occupational Safety and Health Administration (OSHA) required that asbestos trained and certified abatement personnel perform asbestos abatement. OSHA also required that all asbestos containing material removed from on-site structures be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos. Disposal of any asbestos containing material is also regulated by the Monterey Bay Air Resources District, and specific requirements are determined during the permitting process.

LEAD

Lead is a metal found naturally in the environment, as well as in manufacturing products. The major sources of lead emissions historically have been mobile and industrial sources. As a result of the phase-out of leaded gasoline, as discussed below, metal processing currently is the primary source of lead emissions. The highest level of lead in the air is generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.

In the past, mobile sources were the main contributor to ambient lead concentrations in the air. In the early 1970s, USEPA set national regulations to gradually reduce the lead content in gasoline. In 1975, unleaded gasoline was introduced for motor vehicles equipped with catalytic converters. USEPA completed the ban prohibiting the use of leaded gasoline in highway vehicles in December 1995. [13] As a result of USEPA's regulatory efforts to remove lead from gasoline, lead concentrations have declined substantially over the past several decades. The most dramatic reductions in lead emissions occurred prior to 1990 in the transportation sector due to the removal of lead from gasoline sold for most highway vehicles. Lead emissions were further reduced substantially between 1990 and 2008, with substantial reductions occurring in the metals industries at least in part as a result of national emissions standards for hazardous air pollutants. [14]

c. Current Ambient Air Quality

Local air districts and CARB monitor ambient air quality to assure that air quality standards are met, and if they are not met, to also develop strategies to meet the standards. Air quality monitoring stations measure pollutant ground-level concentrations (typically, ten feet aboveground level). Depending on whether the standards are met or exceeded, the local air basin is classified as in "attainment" or "non-attainment." Some areas are unclassified, which means no monitoring data are available. Unclassified areas are considered to be in attainment. Table 9 summarizes the State and federal attainment status for criteria pollutants in the NCCAB.

Table 9 Attainment Status of the North Central Coast Air Basin

Pollutant	State Standard (CAAQS)	Federal Standard (NAAQS)
Ozone (O_3)	Non-attainment	Attainment
Inhalable Particulates (PM_{10})	Non-attainment	Attainment
Fine Particulates ($PM_{2.5}$)	Attainment	Attainment
Carbon Monoxide (CO)	Unclassified (San Benito County)	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_X)	Attainment	Attainment
Lead	Attainment	Attainment

Source: MBARD 2013a
Note: Non-attainment pollutants are highlighted in **Bold**.

As shown in Table 9, although the NCCAB is in attainment for all NAAQS, it is designated as non-attainment with respect to the more stringent CAAQS PM_{10} standard and eight-hour ozone standard and is designated as unclassified for Carbon Monoxide (CO).

Ambient air quality is monitored at seven MBARD-operated monitoring stations located in Salinas, Hollister, Carmel Valley, Santa Cruz, Scotts Valley, Watsonville, and Davenport. In addition, the National Park Service operates a station at the Pinnacles National Monument and an industry consortium operates a station in King City. Table 10 summarizes the representative annual air quality data for the project vicinity over the years 2013-2015, which is the most recent available data. The nearest monitoring stations to the project site are the Hollister – Fairview Road monitoring station (approximately two miles northeast of the site).

[13] 40 Code of Federal Regulations (CFR) Part 80, http://www.ecfr.gov/cgi-bin/text-idx?SID=b88a941cb8b5c173b388a20c0bf9a157&mc=true&node=pt40.19.80&rgn=div5, assessed 11/28/2016.
[14] USEPA 2014. Policy Assessment for the Review of the Lead National Ambient Air Quality Standards. USEPA – 452/R-14-001.

Given that the NCCAB is designated as non-attainment for the State standards for ozone and PM_{10}, these are the primary pollutants of concern for the NCCAB. Table 10 shows the ambient air quality data from the nearest NCCAB monitoring station, Hollister – Fairview Road, in 2013, 2014, or 2015. As indicated in Table 10, there were only two State 8-hour ozone exceedances during this time period. No other State or federal standards were exceeded in 2013, 2014, or 2015.

Table 10 Ambient Air Quality Data

Pollutant	2013	2014	2015
Ozone (ppm), Worst 1-Hour	0.076	0.083	0.079
Number of days of State exceedances (>0.09 ppm)	0	0	0
Ozone (ppm), 8-Hour Average	0.070	0.071	0.065
Number of days of State exceedances (>0.07 ppm)	0	2	0
Number of days of Federal exceedances (>0.08 ppm)	0	0	0
Carbon Monoxide (ppm), Highest 8-Hour Average	*	*	*
Number of days of above State or Federal standard (>9.0 ppm)	*	*	*
Particulate Matter <10 microns, $\mu g/m^3$, Worst 24 Hours	98.4	48.4	65.8
Number of days above State standard (>50 $\mu g/m^3$)	*	*	*
Number of days above Federal standard (>150 $\mu g/m^3$)	0	0	0
Particulate Matter <2.5 microns, $\mu g/m^3$, Worst 24 Hours	21.2	24.3	18.6
Number of days above Federal standard (>65 $\mu g/m^3$)	0	0	0

* There was insufficient (or no) data available to determine the value.
ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter
Source: CARB 2015c

d. Hazardous Air Pollutants/Toxic Air Contaminants

Both USEPA and CARB regulate hazardous air pollutants (HAPs)/toxic air contaminants (TACs). According to section 39655 of the California Health and Safety Code, a TAC is "an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health." In addition, 189 substances that have been listed as federal HAPs pursuant to section 7412 of Title 42 of the United States Code are TACs under the State's air toxics program pursuant to section 39657(b) of the California Health and Safety Code.

TACs can cause various cancers, depending on the particular chemicals, their type and duration of exposure. Additionally, some of the TACs may cause other health effects with short or long term exposure. The ten TACs posing the greatest health risk in California are acetaldehyde, benzene, 1-3 butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchlorethylene, and diesel particulate matter. Mobile sources of TACs include freeways and other roads with high traffic volumes (urban roads with traffic volumes exceeding 100,000 vehicles per day, or rural roads with volumes greater than 50,000 vehicles per day), while stationary sources include distribution centers, rail yards, ports, refineries, dry cleaners, and large gas dispensing facilities, none of which currently occur in the vicinity of the project site. As discussed in the Transportation Impact Analysis (Hexagon 2017) and Section 4.13, Transportation and Circulation, no roadways in the project vicinity would exceed 50,000 vehicles per day. In fact, Table 37 in Section 4.13, Transportation and Circulation, indicates roadway segments would not exceed volumes of 5,300 trips per day which is well below the rural threshold (see Appendix E for Traffic

Study results). Therefore, the project site is not located near any major sources of mobile TACs or otherwise (given the relatively rural setting).

e. Regulatory Setting

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

- Federal Clean Air Act (FCAA), in particular, the 1990 amendments
- California Clean Air Act (CCAA)
- California Health and Safety Code, in particular, Chapter 3.5 (Toxic Air Contaminants) (section 39650 et. seq.) and Part 6 (Air Toxics "Hot Spots" Information and Assessment) (section 44300 et. seq.)
- MBARD's Rules and Regulations and air quality planning documents:
  - MBARD Rule 400 (Visible Emissions), Rule 402 (Nuisance), Rule 425 (Use of Cutback Asphalt)
  - 2012 Triennial Plan Revision - Adopted April 2013 to update the 2008 Air Quality Management Plan
  - 2012-2015 Air Quality Management Plan - Adopted March 2017 for achieving the 2006 California ozone standard
  - 2007 Federal Maintenance Plan - Adopted May 2007 for maintaining the 1997 federal ozone standard
  - 2005 Particulate Matter Plan - Adopted December 2005 for particulate matter made in response to Senate Bill 656
  - 2008 MBARD California Environmental Quality Act Air Quality Guidelines

Federal and State

As discussed more fully below, the federal and State governments have been empowered by the federal and State Clean Air Acts to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. USEPA is the federal agency designated to administer air quality regulation, while CARB is the State equivalent in California. Local control in air quality management is provided by CARB through county-level or regional (multi-county) air pollution control districts (APCDs). CARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. CARB has established 14 air basins statewide.

FEDERAL CLEAN AIR ACT

USEPA is charged with implementing national air quality programs. USEPA's air quality mandates are drawn primarily from the federal CAA. The CAA was passed in 1963 by the U.S. Congress and has been amended several times. The 1970 CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 CAA amendments represent the latest in

a series of federal efforts to regulate the protection of air quality in the U.S. The CAA allows states to adopt more stringent standards or to include other additional pollution species.

NATIONAL AMBIENT AIR QUALITY STANDARDS

As discussed above, the federal CAA requires USEPA to establish primary and secondary NAAQS for a number of criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants that are known to be hazardous to human health. NAAQS have been established for the following pollutants: ozone, CO, SO_2, PM_{10}, $PM_{2.5}$, and lead.

TITLE III OF THE FEDERAL CLEAN AIR ACT

As discussed above, HAPs are the air contaminants identified by USEPA as known or suspected to cause cancer, other serious illnesses, birth defects, or death. The federal CAA requires USEPA to set standards for these pollutants and reduce emissions of controlled chemicals. Specifically, Title III of the CAA requires USEPA to promulgate NESHAP for certain categories of sources that emit one or more pollutants that are identified as HAPs. The federal CAA also requires USEPA to set standards to control emissions of HAPs through mobile source control programs. These include programs that reformulated gasoline, national low emissions vehicle standards, Tier 2 motor vehicle emission standards, gasoline sulfur control requirements, and heavy-duty engine standards.

HAPs tend to be localized and are found in relatively low concentrations in ambient air. However, they can result in adverse chronic health effects if exposure to low concentrations occurs for long periods. Many HAPs originate from human activities, such as fuel combustion and solvent use. Emission standards may differ between “major sources” and “area sources” of the HAPs/TACs. Under the federal CAA, major sources are defined as stationary sources with the potential to emit more than 10 tons per year (tpy) of any one HAP or more than 25 tpy of any combination of HAPs; all other sources are considered area sources. Mobile source air toxics (MSATs) are a subset of the 188 HAPs. Of the 21 HAPs identified by USEPA as MSATs, a priority list of six priority HAPs were identified that include: diesel exhaust, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene. While vehicle miles traveled in the U.S. are expected to increase by 64 percent over the period 2000 to 2020, emissions of MSATs are anticipated to decrease substantially as a result of efforts to control mobile source emissions (by 57 percent to 67 percent depending on the contaminant).

CALIFORNIA CLEAN AIR ACT

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

CALIFORNIA AMBIENT AIR QUALITY STANDARDS

The CCAA requires CARB to establish CAAQS. Similar to the NAAQS, CAAQS have been established for the following pollutants: ozone, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, lead, vinyl chloride, hydrogen sulfide,

sulfates, and visibility-reducing particulates. In most cases, the CAAQS are more stringent than the NAAQS pollutants. The CCAA requires that all local air districts in the State endeavor to achieve and maintain the CAAQS by the earliest practical date. The CCAA specifies that local air districts should focus particular attention on reducing the emissions from transportation and area-wide emission sources, and provides districts with the authority to regulate indirect sources.

TANNER AIR TOXICS ACT AND AIR TOXICS HOT SPOTS INFORMATION AND ASSESSMENT ACT

TACs in California primarily are regulated through the Tanner Air Toxics Act and the Air Toxics Hot Spots Information and Assessment Act of 1987 (Hot Spots Act). As discussed above, HAPs/TACs are a broad class of compounds known to cause morbidity or mortality (cancer risk). HAPs/TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level.

The Tanner Air Toxics Act sets forth a formal procedure for CARB to designate substances as TACs. Research, public participation, and scientific peer review are necessary before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted USEPA's list of HAPs as TACs. In 1998, diesel particulate matter (DPM) was added to CARB's list of TACs. Once a TAC is identified, CARB adopts an Airborne Toxic Control Measure for sources that emit that particular TAC. If a safe threshold exists at which no toxic effect occurs from a substance, the control measure must reduce exposure below that threshold. If no safe threshold exists, the measure must incorporate Best Available Control Technology to minimize emissions.

The Hot Spots Act requires existing facilities that emit toxic substances above a specified level to prepare a toxic emissions inventory and a risk assessment if the emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

DIESEL EXHAUST AND DIESEL PARTICULATE MATTER

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). According to CARB, diesel exhaust is a complex mixture of gases, vapors, and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by CARB, and are listed as carcinogens either under State Proposition 65 or under the federal Hazardous Air Pollutants programs.

CARB reports that recent air pollution studies have shown diesel exhaust and other cancer-causing TACs emitted from vehicles are responsible for much of the overall cancer risk from TACs in California. Particulate matter emitted from diesel-fueled engines (i.e., DPM) was found to comprise much of that risk. CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of DPM. Several of these regulatory programs affect medium and heavy duty diesel trucks that represent the bulk of DPM emissions from California highways. These regulations include the solid waste collection vehicle rule, in-use public and utility fleets, and the heavy-duty diesel truck and bus regulations. In 2011, CARB approved the latest regulation to reduce emissions of DPM and nitrogen oxides from existing on-road heavy-duty diesel fueled vehicles. The regulation requires affected vehicles to meet specific performance requirements between 2012 and 2023, with all affected diesel vehicles required to have 2010 model-year engines or the equivalent by 2023. These requirements are phased in over the compliance period and depend on the model year of the vehicle. With implementation of CARB's Risk Reduction Plan, DPM

concentrations are expected to be reduced by 85 percent in 2020 from the estimated year-2000 level. As emissions are reduced, risks associated with exposure to DPM emissions also are expected to be reduced.

CALIFORNIA AIR RESOURCES BOARD AIR QUALITY AND LAND USE HANDBOOK

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

CALIFORNIA AIR POLLUTION CONTROL OFFICER'S ASSOCIATION HEALTH RISK ASSESSMENTS FOR PROPOSED LAND USE PROJECTS

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

Regional

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

AIR QUALITY MANAGEMENT PLAN

In accordance with the CCAA, the MBARD developed the 2012-2015 Air Quality Management Plan (AQMP) for the Monterey Bay Region (MBARD 2017). The 2012-2015 AQMP discusses MBARD's efforts for achieving the 8-hour ozone requirement as the region has already attained the 1-hour standard. The plan includes an updated air quality trends analysis, which reflects the 8-hour standard, as well as an updated emission inventory, which includes the latest information on stationary, area, and mobile emission sources.

The 2012-2015 AQMP is an assessment and update of the 2012 Triennial Plan adopted in April 2013. In 2012, EPA designated the NCCAB as attainment of the national 8-hour ozone standard of 0.075 ppm and in 2015 the national standard was revised to 0.070 ppm.

The following MBARD rules would limit emissions of air pollutants from construction and operation of the proposed project.

- Rule 400 (Visible Emissions) – Discharge of visible air pollutant emissions into the atmosphere from any emission source for a period or periods aggregating more than three minutes in any one hour, as observed using an appropriate test method, is prohibited.
- Rule 402 (Nuisances) - No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property.
- Rule 425 (Use of Cutback Asphalt) – The use of cutback asphalt (asphalt cement that has been blended with petroleum solvents) is restricted.
- Rule 426 (Architectural Coatings) – This rule limits the emissions of ROGs from the use of architectural coatings.

Local

2035 GENERAL PLAN

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

Circulation Element

Goal C-3 To promote a safe and efficient public transit system that provides a viable travel alternative to automobiles, maximizes mobility, and reduces roadway congestion and greenhouse gas emissions

Policy C-3.8 Transit in New Development. The County shall require new development at densities of one unit per acre or greater to provide funding for or construct transit stops and signs in appropriate locations and facilitate access to existing or future public transit through project designed, consistent with the Local Transportation Authority Transit Design Guidelines

Health and Safety Element

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

HS-5.1 **New Development**. The County shall use the CEQA process to ensure development projects incorporate feasible mitigation measures to reduce construction and operational air quality emissions, and consult with the Monterey Bay Unified Air Pollution Control District early in the development review process

HS-5.2 **Sensitive Land Use Locations.** The County shall ensure adequate distances between sensitive land uses and facilities or operations that may produce toxic or hazardous air pollutants or substantial odors

HS-5.4 **PM10 Emissions from Construction.** The County shall require developers to reduce particulate matter emissions from construction (e.g., grading, excavation,

and demolition) consistent with standards established by the Monterey Bay Unified Air Pollution Control District

HS-5.6 **New Construction Mitigation.** The County shall work in coordination with the Monterey Bay Unified Air Pollution Control District to minimize air emissions from construction activities associated with proposed development

HS-5.10 **Vehicle Emissions Reductions.** The County shall study alternatives for improving circulation (e.g., roundabouts, one ways, etc.), when feasible, to reduce idling motor vehicle emissions

HS-5.13 **Reduce Air Pollution from Wood Burning**. No permanently installed wood-burning devices shall be allowed in any new development, except when necessary for food preparation in a restaurant or other commercial establishment serving food

f. Sensitive Receptors

Certain population groups are more sensitive to air pollution than the general population; in particular, sensitive receptors include children, the elderly, and acutely ill and chronically ill persons, especially those with cardio-respiratory diseases. Sensitive receptors that are in proximity to localized sources of particulate matter, toxics, and CO are of particular concern. As described in the MBARD's 2008 CEQA Guidelines, a sensitive receptor is defined as: any residence including private homes, condominiums, apartments, and 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.

The MBARD recommends evaluating potential impacts to sensitive receptors located within 1,000 feet of a subject site. The sensitive receptors closest to the project site are multi-family residences within the Ridgemark Country Club development located approximately 30 feet from the eastern boundary of the project site (see Section 4.11 Noise, Figure 31, Receptor 5) and single-family residences located approximately 200 feet north of the proposed project. The nearest schools to the project site include, Southside Elementary School (located less than one mile south of the project site) and San Benito High School (located approximately 3.7 miles northwest of the project site. The nearest elderly care facilities include Clearview Care Homes (located approximately three miles west of the project site) and Tri Angels Assisted Living and Visiting Angels Living Assistance Services (located approximately three miles northwest of the project site). The nearest hospital is Hazel Hawkins Memorial Hospital, located approximately 2.5 miles northwest of the project site. The following sections will provide a discussion about how the air emissions resulting from the proposed project would potentially affect the sensitive receptors listed above.

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds

The analysis of the project's air quality impacts follows the guidance and methodologies recommended in the MBARD CEQA Air Quality Guidelines (2008) as well as Appendix G of the State CEQA Guidelines.

According to Appendix G of the State CEQA Guidelines, impacts related to air quality from the proposed project would be significant if the project would:

1) Conflict with or obstruct implementation of the applicable air quality plan;
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed qualitative thresholds for ozone precursors);
4) Expose sensitive receptors to substantial pollutant concentrations; and/or
5) Create objectionable odors affecting a substantial number of people.

The State CEQA Guidelines further state that the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the determinations above.

Impacts related to naturally-occurring asbestos, asbestos containing materials, and lead are discussed in Section 4.8, Hazards and Hazardous Materials.

MBARD Thresholds of Significance

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

- Be inconsistent with the adopted AQMP
- During construction, cause a violation of PM_{10} CAAQS at nearby or upwind of sensitive receptors, based on whether the project would:
  - Emit greater than 82 lb/day of PM_{10} if located nearby or upwind of sensitive receptors (note: projects which require minimal earthmoving on 8.1 or more acres per day or grading and excavation on 2.2 or more acres per day are likely to exceed this threshold); or
  - Use equipment that is not "typical construction equipment" as specified in Section 5.3 of the MBARD CEQA Guidelines
- During operations:
  - Generate direct (area source or stationary) plus indirect (operational or mobile) emissions of either ROG or NOX that exceed 137 lbs/day
  - Generate on-site emissions of PM10 exceeding 82 lbs/day
  - Generate direct emissions of CO exceeding 550 lbs/day, or
  - Generate direct emissions of SOX exceeding 150 lbs/day
- Cause or substantially contribute to a violation of a CO standard

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

- Intersections or road segments that operate at LOS D or better would operate at LOS E or F with the project's traffic
- Intersections or road segments that operate at LOS E or F where the volume-to-capacity (V/C) ratio would increase 0.05 or more with the project's traffic
- Intersections that operate at LOS E or F where delay would increase by 10 seconds or more with the project's traffic
- Unsignalized intersections which operate at LOS E or F where the reserve capacity would decrease by 50 or more with the project's traffic
- The project would generate substantial heavy duty truck traffic or generate substantial traffic along urban street canyons or near a major stationary source of CO

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

Air Quality Management Plan Consistency

Residential projects which increase population will also generate population-related emissions (e.g., motor vehicles, residential heating and cooling emissions). Therefore, a project would conflict with or obstruct implementation of the AQMP for the Monterey Bay Region if it is inconsistent with the Plan's population growth assumptions. Population-related emissions have been forecast in the AQMP using population forecasts adopted by the Association of Monterey Bay Area Governments (AMBAG). For a proposed residential project, the MBARD *CEQA Air Quality Guidelines* (2008) states that consistency is determined by comparing the project population at the year of project completion with the forecast for the appropriate five year increment (e.g., if project completion is 2018, the project would be compared with year 2020 forecasts) for the jurisdiction in which the project is located. Thus, a proposed residential project is consistent with the AQMP if the countywide increase in population resulting from the project will not cause the estimated cumulative population (i.e., existing population plus population from locally approved and unconstructed projects) to exceed forecasts for the next five year increment.

Methodology

The analysis of air quality impacts conforms to the methodologies recommended in the MBARD's CEQA Air Quality Guidelines (2008). The handbook includes thresholds for emissions associated with both construction and operation of proposed projects.

Construction Emissions

The regional construction emissions associated with development of the proposed project were calculated using the California Emissions Estimator Model (CalEEMod) version 2016.3.1. As discussed in Section 2.0, Project Description, the proposed project involves an approximately 49.2-acre blufftop site, of which approximately 37.1 acres would be utilized for the development of 90 single-family residences (37.7 acres) and related improvements, including an onsite 0.5-acre retention basin, as well as three parks totaling approximately 3.2 acres. Additionally, approximately

0.3 acre on the adjacent area would be developed to accommodate the emergency vehicle access road. No demolition would occur since no buildings currently exist on site. However, the 37.1-acre blufftop development area and the 0.3-acre adjacent area would be graded, including all pads, streets, other improvements, and parks. Approximately 67,400 cubic yards would be cut and approximately 57,300 cubic yards would be filled, while the remaining approximately 10,100 cubic yards would be accounted for by soil shrinkage from compaction. Therefore, no additional soil would be imported for infill. For the purposes of this analysis, it is assumed that vegetation over the entire project site would be removed, with the exception of the approximately 12.1 acres of steep slopes within the western and southern portions of the blufftop site where no development is proposed. Vegetation within the developable areas of the blufftop site consists primarily of agriculture (hay production).

The actual commencement and possible phasing of construction would be determined by market forces and other considerations; however, for CalEEMod purposes, it is anticipated that construction would begin in September 2017 and that all of the homes would be constructed by approximately December 2021. Given the timing of environmental review, construction would likely begin after September 2017. By using September 2017 as the start date, CalEEMod assumptions and calculations are more conservative and provide a slight overestimate of emissions compared to a later start date. With each year, the model accounts for improved technology, newer equipment, and cleaner fuels in the future, thus starting a project later would result in fewer emissions. Mass excavation would be anticipated to take approximately one month, grading of building pads and installation of roads and other improvements would take approximately six months, and buildout of the homes would be phased over time, taking approximately 30 months. Given the nature of the project and the project site, it is anticipated that typical equipment would be used for site preparation, such as excavators, a grader, a skid steer loader, a bulldozer, watering tankers, and an off-highway truck. Equipment used for construction of the project would typically include a backhoe, crane, aerial lifts, a generator, diesel pump, dumpers, rollers, and a paver. In order to provide a reasonable worst-case evaluation of daily levels of construction emissions, this analysis assumes that all lots on the project site and related improvements would be developed concurrently. Architectural coating was also assumed to begin approximately halfway during construction, consistent with standard construction schedules.

Operational Emissions

Operational emissions associated with project implementation were estimated using CalEEMod and vehicle trip data provided in the traffic study prepared by Hexagon Transportation Consultants, Inc. (Appendix E). The traffic study concluded that the 93 single family units would generate 885 new trips per day. For consistency with the traffic study, the trip generation rate was modified to assume that the proposed 90 units would still generate 885 new trips per day. The modified trip generation rate was utilized in CalEEMod and calculated by dividing 885 new trips by 90 units to yield a rate of 9.83 trips per unit. This trip generation rate of 9.83 trips per unit for 90 residential units was applied to both weekdays and weekends to generate 885 total new trips per day, consistent with the traffic study. Operational emissions would be comprised of mobile source emissions, emissions associated with energy consumption, and area source emissions. Mobile source emissions are generated by the increase in motor vehicle trips to and from the project site associated with operation of onsite development. Emissions attributed to energy use include electricity and natural gas consumption for space and water heating and cooling. Area source emissions are generated by landscape maintenance equipment, consumer products, and architectural coatings.

Table 11 summarizes MBARD's project-level thresholds of significance for operational impacts by pollutant. An exceedance of any threshold would represent a significant impact on local or regional air quality.

Table 11 Air Quality Significance Thresholds for Criteria Pollutants of Concern - Operational Impacts

Pollutant Source	Threshold(s) of Significance
NO_x, as NO_2	137 lbs/day (direct + indirect)
ROG	137 lbs/day (direct + indirect)
PM_{10}	82 lbs/day (on-site)
SO_x, as SO_2	150 lbs/day (direct)
CO	550 lbs/day (direct)

Source: MBARD 2008b

MBARD recommends that a local CO hotspot analysis be conducted if any of the following scenarios would occur:

1) Intersections or road segments that operate at LOS D or better would operate at LOS E or F with the project's traffic
2) Intersections or road segments that operate at LOS E or F where the volume-to-capacity (V/C) ratio would increase 0.05 or more with the project's traffic
3) Intersections that operate at LOS E or F where delay would increase by 10 seconds or more with the project's traffic
4) Unsignalized intersections which operate at LOS E or F where the reserve capacity would decrease by 50 or more with the project's traffic; or
5) The project would generate substantial heavy duty truck traffic or generate substantial traffic along urban street canyons or near a major stationary source of CO

Toxic Air Contaminants

Human health risks from TACs are analyzed based on the presence of mobile equipment that would generate diesel particulate matter during construction and operation of the proposed project and in proximity to the nearest sensitive receptors that could be exposed to TACs from the project site.

Cumulative Impacts

Given the nature of air quality impacts, the criteria for assessing cumulative impacts on localized air quality (i.e., carbon monoxide, PM_{10}) are the same as those for assessing individual project impacts (listed in Table 11). Projects that do not exceed MBARD's construction or operational thresholds and that are consistent with the AQMP would not have cumulatively considerable impacts on regional air quality (MBARD 2008a).

b. Project Impacts and Mitigation Measures

Impact AIR-1 THE PROPOSED PROJECT WOULD CONTRIBUTE TO POPULATION GROWTH, BUT WOULD BE CONSISTENT WITH THE GROWTH ASSUMPTIONS IN THE AIR QUALITY MANAGEMENT PLAN. THIS IMPACT IS LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 1]

The State CEQA Guidelines section 15125(b) requires that an EIR evaluate a project's consistency with applicable regional air quality plans, in this instance the 2012-2015 Air Quality Management Plan (AQMP), which assesses the Monterey Bay Region's attainment status for criteria pollutants and updates attainment strategies from the 2009-2011 Triennial Plan and 2008 AQMP for the Monterey Bay Region. Project emissions that are not consistent with the AQMP would represent a potentially significant impact for the purposes of CEQA.

As noted in Section 4.3.2(a), Methodology and Significance Thresholds, a project would conflict with or obstruct implementation of the AQMP if it is inconsistent with the population growth assumptions included in the AQMP (MBARD 2017). The current population of unincorporated San Benito County is 18,321 and the average household size is approximately 3.22 persons per household (DOF 2016b). As discussed in Section 5.1.1, Economic and Population Growth, the proposed project would add approximately 290 additional residents (90 dwelling units x 3.22 people/dwelling unit), which would increase the county's unincorporated population to approximately 18,611. According to AMBAG's most recent population forecast, the county's unincorporated population would be 31,135 in 2020, 31,885 in 2025, 32,814 in 2030, and 33,843 in 2035 (AMBAG 2014). Therefore, the estimated population of 18,611 with buildout of the proposed project would not exceed AMBAG's population forecasts for 2020, 2025, 2030, and 2035. Additionally, the San Benito County General Plan has designated the project site and general vicinity as Residential Mixed (RM), which includes a maximum density of up to 20 units per acre. Given that the project would have 90 units in an approximate 49.6-acre area, the project would have a density of approximately 1.8 units per acre, which is consistent with the General Plan and AMBAG population forecasts. The proposed project's contribution to population growth would be less than one percent of the projected growth by 2035. Since the anticipated increase in population would be consistent with long-term growth projections for the county, implementation of the project would not conflict with an air quality plan and therefore the project would have a *less than significant impact*.

Mitigation Measures

No mitigation measures are required.

Impact AIR-2 CONSTRUCTION OF THE PROPOSED PROJECT WOULD RESULT IN THE TEMPORARY GENERATION OF AIR POLLUTANTS, WHICH WOULD AFFECT LOCAL AIR QUALITY. SHORT-TERM EMISSIONS OF PM_{10} DURING THE CONSTRUCTION PERIOD WOULD NOT EXCEED MBARD THRESHOLDS. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 2]

Construction emissions are generally referred to as temporary impacts of a project, but have the potential to represent a significant impact with respect to air quality. Fugitive dust emissions are among the pollutants of greatest concern with respect to construction activities. These emissions from construction activities can lead to adverse health effects and nuisance concerns, such as reduced visibility and soiling of exposed surfaces. General site grading operations are the primary sources of fugitive dust emissions. However, these emissions can vary greatly, depending on the level of activity, the specific operations taking place, the number and types of equipment operated,

vehicle speeds, local soil conditions, weather conditions, and the amount of earth disturbance (e.g., site grading, excavation, cut and fill).

As stated in Section 2.0, Project Description, the project site totals approximately 49.6 acres, which includes a 49.2-acre blufftop site and 0.3-acre adjacent area, which would be developed with an emergency vehicle access road. Of the 49.2-acre blufftop site, approximately 37.1 acres are relatively flat and would be developed with 90 single-family dwellings and related improvements; the remaining 12.1 acres consist of steep slopes along the western and southern edges of the blufftop site. These areas would not be developed.

In order to prepare the lots for construction, approximately 67,400 cubic yards of soil would be cut enabling approximately 57,300 cubic yards to be used as fill, and the remaining 10,100 cubic yards of soil volume would be accounted for by soil compaction. These earth disturbing activities would generate dust emissions and would be managed by watering two times per day, in accordance with MBARD's Best Management Practices.

Emissions of ozone precursors (ROG and NO_x) are primarily generated from off-road construction equipment and mobile sources (i.e., delivery vehicles, construction worker vehicles). Generation of these emissions vary as a function of the types and number of heavy-duty, off-road equipment used and the intensity and frequency of their operation, as well as vehicle trips per day associated with delivery of construction materials, vendor trips, and worker commute trips. These trips per day were estimated using CalEEMod default values.

The proposed project would not involve demolition, but would involve site preparation, grading, excavation, and paving to develop 90 residential lots and associated infrastructure. The ozone precursors NO_x and ROG would be emitted by the operation of construction equipment, while PM_{10} would be emitted by activities that disturb the soil, such as grading and excavation. Emissions would also be generated by construction employees traveling to and from the construction site, as well as trucks hauling materials to and from the site. Construction-related emissions could result in significant adverse effects to nearby sensitive receptors if emission thresholds are exceeded.

Construction emissions were estimated in CalEEMod. For purposes of this analysis, site preparation, demolition, and grading of the project site were assumed to begin in September 2017. It is likely that construction may not begin until early 2018; however, the assumption of an earlier start date is conservative. If construction began later than 2018, equipment efficiency would be improved as technology improves, and emissions resulting from construction would be lower.

CalEEMod default construction scheduling was adjusted to accommodate the construction schedule provided by the applicant. According to CalEEMod defaults, construction of 90 single-family homes and related on and off site improvements on a 49.6-acre project site with approximately 37.5 acres of total grading/ground disturbance would occur over approximately 52 months between September 2017 and December 2021, with the first operational year estimated to be 2022. In order to provide a reasonable worst case evaluation of daily levels of construction emissions, this analysis assumed that all lots and related improvements on the project site would be developed concurrently. More likely, lots would be developed slowly over time throughout the project site, which would result in lower daily emissions than shown in Table 12.

The MBARD uses a threshold of 82 pounds per day of PM_{10} for determining significance of construction related emissions (MBARD 2008b). Table 12 summarizes the overall emissions anticipated to result from earth disturbing activities and construction of the proposed project.

Table 12 Estimated Overall Construction Emissions

	Maximum Daily Emissions (lbs/day)					
Year	ROG	NO_x	CO	SO_X	PM_{10}	$PM_{2.5}$
2017	5.9	68.0	39.6	0.1	11.2	7.2
2018	5.2	59.6	35.8	0.1	5.7	4.0
2019	2.8	24.6	20.3	<0.1	2.0	1.4
2020	11.1	24.1	21.8	<0.1	2.1	1.4
2021	10.8	21.9	21.2	<0.1	1.9	1.2
Maximum Daily Construction Emissions	11.1	68.0	39.6	0.1	11.2	7.2
MBARD Significance Threshold	N/A	N/A	N/A	N/A	82	N/A
Exceeds Threshold?	N/A	N/A	N/A	N/A	No	N/A

See Appendix B for CalEEMod worksheets. Winter emissions were used for a conservative estimate.

As shown in Table 12, construction of the proposed project would result in a maximum of 11.2 lbs/day of PM_{10}, which is below the MBARD threshold of 82 lbs/day of PM_{10}. Furthermore, compliance with MBARD Rule 400 (Visible Emissions), Rule 425 (Use of Cutback Asphalt), and Rule 426 (Architectural Coatings) would further reduce emissions of dust particulates and ROGs during construction activity. Although the project would be below thresholds of significance for PM_{10}, MBARD recommends the use of the following Best Management Practices for the control of short-term construction generated emissions in any event:

- Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil and wind exposure
- Prohibit all grading activities during periods of high wind (over 15 mph)
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days)
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas
- Haul trucks shall maintain at least 2'0" of freeboard
- Cover all trucks hauling soil, sand, and other loose materials
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land
- Plant vegetative ground cover in disturbed areas as quickly as possible
- Cover inactive storage piles
- Install wheel washers at the entrance to construction sites for all exiting trucks
- Pave all roads on construction sites
- Sweep streets, if visible soil material is carried out from the construction site
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action

within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance)

- Limit the area under construction at any one time

Implementation of the MBARD recommended Best Management Practices would further reduce the proposed project's already *less than significant* impacts related to construction air emissions.

Mitigation Measures

No mitigation measures are required.

Impact AIR-3 Operational emissions would not exceed MBARD's daily significance thresholds. Therefore, the project would have a less than significant impact on regional air quality. [Threshold number 2 and number 3]

Long-term operational emissions associated with the proposed project are those attributed to vehicle trips (mobile emissions), the use of natural gas and electricity (energy source emissions), and consumer products, architectural coatings, and landscape maintenance equipment (area source emissions). CalEEMod was used to calculate emissions based on the proposed land uses for the project site and the number of trips generated.

Mobile source emissions constitute the vast majority of operational emissions from these types of land use development projects; compared to mobile source emissions, area source emissions and energy source emissions are negligible. Mobile emissions are based on the estimated amount of project-generated vehicle trips determined by the project traffic study (see Section 4.13, Transportation and Circulation) and are shown below in Table 13.

Table 13 Estimated Operational Emissions

	Maximum Daily Emissions (lbs/day)					
Year	ROG	NO_x	CO	SO_X	PM_{10}	$PM_{2.5}$
Area	8.0	0.9	7.4	<0.1	<0.1	<0.1
Energy	0.1	0.6	0.3	<0.1	<0.1	<0.1
Mobile	2.0	25.6	20.3	0.1	5.6	1.6
Total*	10.1	26.3	27.8	0.1	5.6	1.6
MBARD Significance Threshold	137	137	550	150	82	N/A
Exceeds Threshold?	No	No	No	No	No	N/A

*Numbers may not total due to rounding.

See Appendix B for CalEEMod worksheets. Winter emissions were used for a conservative estimate except for ROG, which was higher in the summer and therefore shown in this table for a conservative analysis.

Area source emissions associated with landscaping equipment were calculated using CalEEMod defaults, based on the proposed land uses, an assumed number of days on which landscape equipment would be operated, and emissions factors for appropriate types of landscape equipment (CAPCOA 2013).

The project includes design features that would improve air quality and reduce GHG emissions as compared to traditional development techniques, including energy and water efficient appliances, native or drought tolerant plants, and water efficient outdoor irrigation systems, as described in

Section 2.0, Project Description. The project would not have any wood burning devices and would also be subject to comply with the most recent (2016) Title 24 energy efficiency standards, which would elevate the project's sustainable features beyond other comparable projects that may have been issued permits or constructed prior to 2016.

Many other components could not be incorporated into the analysis based on the level of uncertainty associated with their applications (for example, quantifiable water conservation estimates, or the specific number of energy-reducing appliances or other mechanisms that would decrease energy use). Therefore, because some of the proposed energy-saving design features are not incorporated into the calculations, all estimates are conservative. All CalEEMod assumptions, including sustainability features included in the model analysis, are included in Appendix B for reference. Air quality emissions were summarized from the winter results because they yielded a more conservative (greater) estimate of emissions that affect air quality. The estimated operational emissions are summarized in Table 13 and are compared to MBARD significance threshold levels for each criteria pollutant.

As shown in Table 13, emissions associated with the operation of the proposed project would not exceed any applicable MBARD thresholds. Therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

Impact AIR-4 THE PROPOSED PROJECT WOULD NOT DEGRADE SERVICE LEVELS AT STUDY AREA INTERSECTIONS SUCH THAT CARBON MONOXIDE HOTSPOTS WOULD BE CREATED. IMPACTS RELATED TO CARBON MONOXIDE HOTSPOTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 4]

Areas with high vehicle density and poor air circulation, such as congested intersections and parking garages, have the potential to create high concentrations of CO, known as CO "hot spots," which can expose sensitive receptors to substantial pollutant concentrations. Specifically, hot spots can be created at intersections where traffic levels are sufficiently high such that the local CO concentration exceeds the NAAQS of 35.0 ppm or the CAAQS of 20.0 ppm.

According to the MBARD (2008) CEQA Air Quality Guidelines, a local CO hotspot analysis should only be conducted if certain circumstances pose a potentially significant impact to the intersections or road segments, after mitigation measures have been fully implemented. The following would represent a potentially significant impact to intersections or road segments after mitigation:

1) Intersections or road segments that operate at LOS D or better would operate at LOS E or F with the project's traffic;
2) Intersections or road segments that operate at LOS E or F where the volume-to-capacity (V/C) ratio would increase 0.05 or more with the project's traffic;
3) Intersections that operate at LOS E or F where delay would increase by 10 seconds or more with the project's traffic;
4) Unsignalized intersections which operate at LOS E or F where the reserve capacity would decrease by 50 or more with the project's traffic; or
5) The project would generate substantial heavy duty truck traffic or generate substantial traffic along urban street canyons or near a major stationary source of CO.

The proposed project is a residential housing development project on a site that totals approximately 49.6 acres, with approximately 37.5 acres being subject to grading/ground disturbance. The proposed density would be approximately 1.8 dwellings per gross acre. Given the nature of the project and its location, operation of the proposed project would not generate substantial heavy duty truck traffic or generate substantial traffic along urban street canyons or near major stationary sources of CO. Where intersections may operate under conditions that could result in a CO hotspot, a significant impact would occur if existing or reasonably foreseeable sensitive receptors would be exposed to the CO hotspot.

As discussed in Section 4.13, Transportation and Circulation, all 11 intersections in the Transportation Impact Analysis (Hexagon 2017) currently operate at LOS D or better during both AM and PM peak hours. As a result of the project, only one intersection (SR 25 and Union Road) is projected to operate at LOS E during PM peak hours. However, this impact would be mitigated with Mitigation Measure T-1 for the widening of Union Road to four lanes between San Benito Street and SR 25 as part of the improvement projects of the San Benito County Regional Transportation Impact Mitigation Fee (TIMF). Since this intersection would be mitigated to a less than significant level, this intersection would not trigger a CO hotspot or require a local CO hotspot analysis based on the above guidelines. Furthermore, given the low background CO levels in the area and the fact that the project emissions are well under MBARD thresholds, it is not anticipated that project-related traffic would create or contribute to any exceedances of CO. Thus, CO hotspot impacts would not occur and the impact would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

Impact AIR-5 THE PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS ASSOCIATED WITH CONSTRUCTION DUST OR TOXIC AIR CONTAMINANTS. IMPACTS RELATED TO THESE LOCALIZED POLLUTANTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 4]

Construction Dust

As described under Impact AIR-2, project construction emissions would not exceed MBARD daily thresholds. The nearest existing sensitive receptors to the area proposed for construction are the single-family residences within the Ridgemark Country Club development located approximately 30 feet west and 200 feet north of the project site.

As discussed above, MBARD recommends evaluating potential impacts to sensitive receptors within 1,000 feet of a project site; however, as shown in Impact AIR-2, the highest daily PM_{10} emissions associated with project construction would not exceed the MBARD's threshold of 82 pounds per day. This estimate for PM_{10} emissions included the assumption of watering two times per day, but does not include compliance with MBARD Rule 400 (Visible Emissions), Rule 425 (Use of Cutback Asphalt), and Rule 426 (Architectural Coatings), which would further reduce emissions of dust particulates and ROGs during construction activity. Therefore, the project would have a *less than significant* impact on sensitive receptors.

Short-Term Construction Toxic Air Contaminants

Exposure to localized concentrations of TACs was qualitatively assessed based on the project's potential to result in increased exposure of sensitive receptors to new or existing TAC emission sources. Construction emission estimates shown in Impact AIR-2 are based on a reasonable "worst-

case" scenario and conservatively assume that all equipment would be running simultaneously during each phase. The health risk associated with high concentrations of DPM from construction equipment has a carcinogenic and chronic effect, but no short-term acute effect is currently recognized. The project could potentially expose sensitive receptors to temporary health hazards associated with TACs due to the operation of construction equipment. However, concentrations of mobile source DPM would only be present during temporary construction activities and, as shown in Table 12, PM_{10} emissions associated with construction activity (estimated to be approximately 11.2 pounds per day) would be well below the 82 pounds per day threshold established by the MBARD. Therefore, the health risk associated with construction emissions would be *less than significant*.

Operational Toxic Air Contaminants

DPM would be emitted from diesel-fueled vehicles generated by the proposed project during operation, which would combine with other non-project related traffic in the vicinity of the project site (see Appendix E, Traffic Study, for details). The particulate matter component of diesel exhaust has been classified as a TAC by CARB based on its potential to cause cancer and other adverse health effects. Urban roads with traffic volumes exceeding 100,000 vehicles per day or rural roads with volumes greater than 50,000 vehicles per day are potentially hazardous sources of TACs. Therefore, given the relatively low number of passenger vehicle trips that occur on Southside Road (see Section 4.13 Transportation and Circulation) and the relatively limited number of diesel and passenger vehicle trips that would be generated by the operational phase of the project, this impact would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

Impact AIR-6 THE PROJECT WOULD NOT CREATE OBJECTIONABLE ODORS THAT WOULD AFFECT NEIGHBORING PROPERTIES. IMPACTS RELATED TO ODORS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 5]

Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, animal farms, and fiberglass molding. As a typical suburban residential development, the proposed project does not include any uses that would be associated with objectionable odors. Odor emissions from the proposed project would be limited to odors associated with typical residential development such as vehicle and engine exhaust and idling or the application of architectural coatings. The project does not include any known sources of objectionable odors for the long-term operations phase.

During construction activities, only short-term, temporary odors from vehicle exhaust and construction equipment engines would occur. As the project site is in a rural area without tall buildings to block air movement and hold odors, construction-related odors would disperse and dissipate fairly quickly and would not cause substantial odors at the closest sensitive receptors (single- and multi-family residences to the north and east within the Ridgemark Country Club development). In addition, any construction-related odors would be relatively short-term in any event and would cease upon completion of construction. Therefore, impacts related to objectionable odors during construction or operation would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

c. Cumulative Impacts

The geographic scope for considering cumulative impacts to air quality is the NCCAB. Air pollutants have impacts that are usually (though not always) cumulative by nature. Any new source of pollution may combine with other cumulative projects (past, present and reasonably foreseeable future) to result in violations of criteria pollutant standards if the existing background sources cause nonattainment conditions, as they do according to the State standards for ozone and particulate matter in the MBARD. Air districts manage attainment of the criteria pollutant standards by adopting rules, regulations, and attainment plans, which comprise a multifaceted programmatic approach to such attainment.

The potential buildout of the projects shown in Table 4 in unincorporated San Benito County and the City of Hollister would result in an increase of approximately 9,675 residents, and 3,005 housing units. Buildout of the proposed project would result in up to an additional 90 single-family homes, which would contribute approximately three percent of the projected population growth in the area. NCCAB is a non-attainment area for the State standards for ozone and PM_{10}. Any growth within the NCCAB would contribute to other cumulative exceedances of ambient air quality standards when taken as a whole with existing development.

As discussed above, MBARD's approach to determining cumulative air quality impacts for criteria air pollutants is the same as for assessing individual project impacts (listed in Table 12). A project that does not exceed MBARD's construction or operational thresholds and is consistent with the 2012-2015 AQMP and 2012 AQMP Revision would not have cumulatively considerable impacts on regional air quality (MBARD 217, 2013b). Since the proposed project would be consistent with long-term regional air quality planning efforts and does not exceed applicable construction- or operation-related thresholds, the proposed project would not have a cumulatively considerable impact with regard to criteria pollutants. Therefore, the project's contribution to cumulative regional air quality impacts would be less than significant and not cumulatively considerable.

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4.4 Biological Resources

4.4.1 Setting

a. Regional Setting

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

The project site is located approximately 0.7 mile south of the City of Hollister, 0.4 mile west of SR 25, and approximately 5.0 miles southeast of SR 156. The project site is surrounded by existing single-family and some multi-family residences within the Ridgemark Country Club development to the north; agricultural land to the south; multi-family residences, tennis courts, a parking lot, and a stormwater detention basin within the Ridgemark Country Club development to the east; and Southside Road, an orchard, and one single-family residence to the west.

b. Project Site Setting

The project site is located between the Gabilan Range to the west and the Diablo Range to the east and within the San Juan Valley named after the Pleistocene Lake San Juan. The upper elevations of the project site represent the lakebed areas of Lake San Juan whereas the approximately 90-120 foot slopes to the west are representative of the fluvial incision and erosion from the meandering San Benito River which is approximately 0.4 mile west of the project site (Jenkins 1973).

Vegetation Communities

This section addresses the habitats and vegetation communities at the project site. Vegetation community mapping is based on aerial imagery, a reconnaissance survey completed by Rincon Consultants in October 2016, and desktop review of available biological information. Vegetation classification was based on A Manual of California Vegetation, Second Edition (Sawyer et al. 2009) and Preliminary Descriptions of the Terrestrial Communities of California (Holland, 1986); but has been modified as needed to accurately describe the existing habitats observed on-site. No vegetation communities considered sensitive are present on the project site (CDFW 2010). The vegetation communities shown in Table 14 are mapped on-site (Figure 22) and discussed in greater detail below.

Table 14 Acreages of Vegetation Communities Found within the Project Site

Vegetation Community	Acres (approximate)	Percent of Site (approximate)
Agricultural Field	36.4	73.5
California Sagebrush Scrub	1.0	2.1
Coast Live Oak Woodland	1.2	2.4
Developed	1.8	3.7
Non-native Annual Grassland	7.6	15.4
Peruvian Pepperwood, Eucalyptus	0.2	0.4
Ruderal	1.2	1.2
Other	0.1	0.2
Total	49.6	99.8

AGRICULTURAL FIELD

Agricultural community types are not naturally occurring, and therefore are not described in either the Holland (1986) or Sawyer et al. (2009) classification systems. The agriculture community type, represented by hay fields covers approximately 36.4[15] acres, or approximately 74 percent of the project site. The fields are regularly disced for hay production. The vegetation observed is dominated by non-native species typical to dry-farm hay production including alfalfa (*Melilotus sativa*), wild oats (*Avena fatua*), and wheat (*Triticum aestivum*). The dominant herbaceous species observed throughout the agricultural fields consist of non-native species including black mustard (*Brassica nigra*), yellow star thistle (*Centaurea solstitialis*), fireweed (*Epilobium* sp.), and rip-gut brome (*Bromus diandrus*). Other non-natives observed include wild oats, soft chess (*Bromus hordeaceus*), and Italian rye grass (*Festuca perennis*). Forb (i.e., wildflower) species found intermixed with the grasses consist of non-native annual and biennial weeds such as milk thistle (*Silybum marianum*), red-stem filaree *(Erodium cicutarium*), horehound (*Marrubium vulgare*), black mustard, and wild radish (*Raphanus raphanistrum*).

CALIFORNIA SAGEBRUSH SCRUB

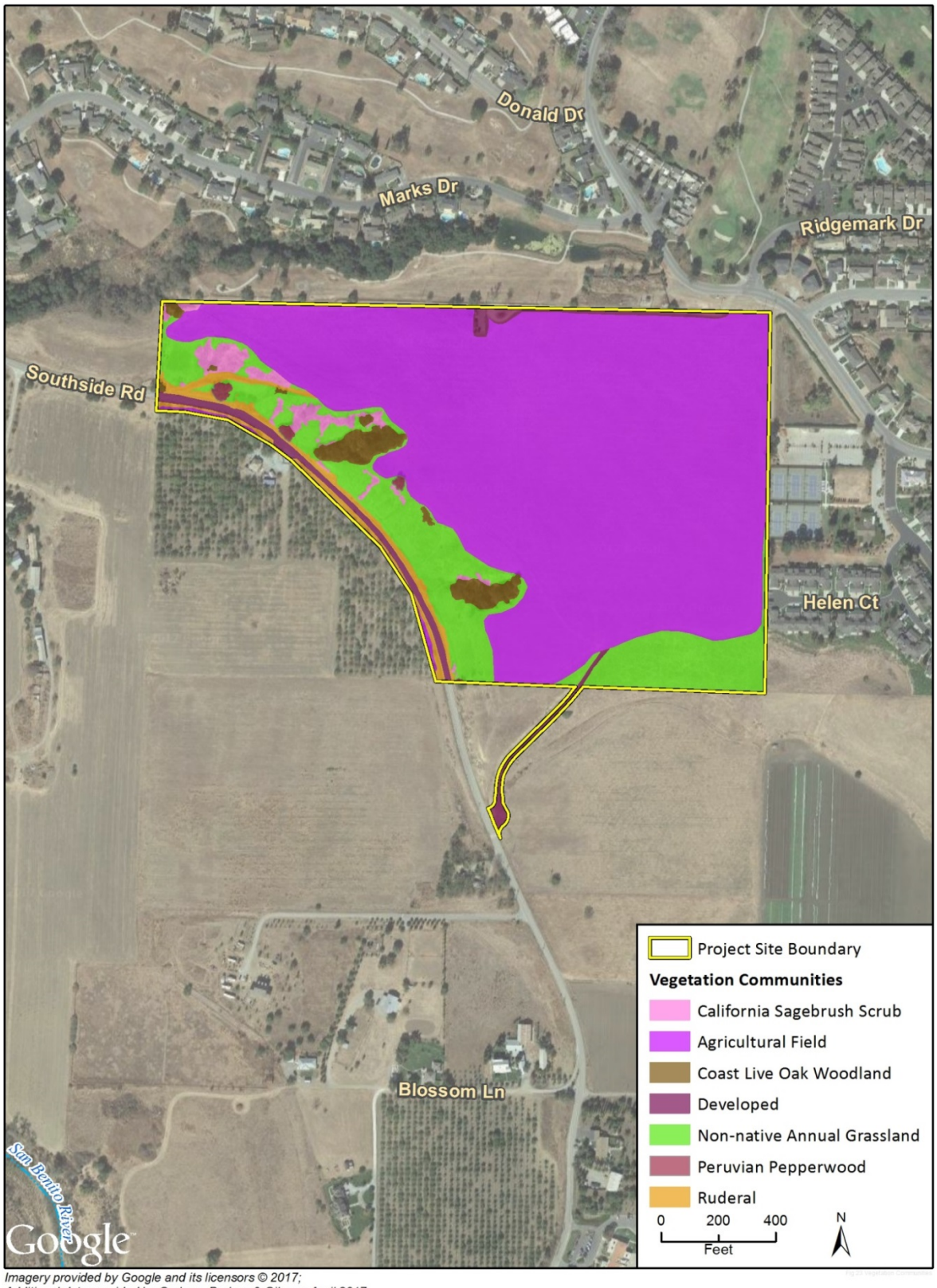
The California sagebrush scrub community is dominated by California sagebrush (*Artemisia californica*); a native shrub species that forms pure and mixed stands with other subdominant species on steep hillside slopes. Associated species within the project site include poison oak (*Toxicodendron diversilobum*), blue elderberry (*Sambucus nigra* ssp. *caerulea*), and toyon (*Heteromeles arbutifolia*). California sagebrush scrub covers approximately 1.0 acre, or 2.1 percent of the project site, along the steep western edge of the site.

COAST LIVE OAK WOODLAND

This natural community is dominated by coastal live oak (*Quercus agrifolia*) and may include sub-dominant tree species including blue oak (*Quercus douglasii*). At the project site, typical shrub species associated with coast live oak woodland include toyon, blue elderberry, California sagebrush, and poison oak. Typical herbaceous species include wild oats, bull thistle, milk thistle, and yellow star thistle. Approximately 1.2 acres or 2.4 percent of the total project site is

[15] Acreage is based on habitat mapping from Table 14 and Figure 22. These habitat types were outlined and acreages were calculated using aerial imagery provided by GoodlEarth. Habitat types and approximate locations confirmed in the field.

Figure 22 Vegetation Communities within the Project Site



Imagery provided by Google and its licensors © 2017;
Additional data provided by Carlson, Barbee & Gibson, April 2017.

represented by coast live oak woodland and individual coast live oak trees. The coast live oak woodland within the project site is found in the small slope-side drainages above Southside Road located on the western side of the project site.

DEVELOPED

Developed habitat areas are represented by man-made features such as unvegetated roadways, buildings, and ornamental landscapes. While some buildings can be utilized by wildlife, developed areas are typically void of native plants and wildlife species. Approximately 1.8 acres or 3.7 percent of the project site is represented by developed areas including dirt access roads, Southside Road, and a Sunny Slope Water District utility building.

NON-NATIVE ANNUAL GRASSLAND

This vegetation community is composed primarily of non-native annual grasses and forbs and lacks shrub or tree cover. The physiognomy and species composition of annual grasslands is highly variable and also varies considerably on a temporal scale. The habitat type resembles Non-Native Grassland as described by Holland (1986), and includes the wild oats and annual brome grasslands of Sawyer et al. (2009). Non-Native Annual Grassland covers approximately 7.6 acres, or 15.4 percent of the project site, along the western edge of the site. Characteristic non-native, annual species present include wild oats, ripgut brome, Italian rye grass, and weedy species including black mustard, yellow star thistle, bull thistle (*Cirsium vulgare*), vetch (*Vicia* sp.), and milk thistle. Native species found within the grassland community include telegraph weed (*Heterotheca grandiflora*), turkey mullein (*Croton setigerus*), long stemmed buckwheat (*Eriogonum elongatum* var. *elongatum*), hayfield tarweed (*Hemizo*nia congesta), and annual fireweed (*Epilobium brachycarpum*).

RUDERAL

This vegetation community is associated with vegetated disturbed areas such as roadsides, fallow fields, overgrown fire breaks and access roads and is composed primarily of non-native, annual grasses and forbs. Ruderal areas typically do not offer the same habitat value to native species as do natural communities and are often areas that have a significant amount of non-native, invasive species. Representative species include wild oats, black mustard, tree tobacco (*Nicotiana glauca*), yellow star thistle, bull thistle, Russian thistle (*Salsola australis*), Canada horseweed (*Erigeron canadensis*) and Peruvian pepperwood (*Schinus molle*). Approximately 1.2 acres or 1.2 percent of the total project site is represented by ruderal habitat. Ruderal areas within the project site include a dirt access road on the western slope of the project site that extends from Southside Road to the agricultural field above and vegetated margins along both sides of Southside Road.

Drainages and Wetlands

The project site is located within the San Benito River watershed. The portion of the San Benito River to the west of the proposed project is an intermittent drainage. Flows from the San Benito River ultimately drain into the Pacific Ocean. The San Benito River and its tributaries are of biological importance, and are utilized by species such as south-central California coast steelhead (*Oncorhynchus mykiss*) Distinct Population Segment (DPS) and California red-legged frog (*Rana draytonii*) when sufficient water is present. There were no hydrologic connections in the form of streams, ditches, culverts or canals leading from the project site to the San Benito River. Thus, there are no direct aquatic habitat connections from the project site to the San Benito River. The closest

portion of the project site to the San Benito River is approximately 2,000 feet to the northeast of the river and there are no hydrologic indicators that would confer direct connectivity from the project site to the San Benito River.

Eight drainages were identified on the project site, on the western slopes which terminate at the margin of Southside Rd. and become surface sheet flow during storm events. This area begins at approximately 2,000 feet from the San Benito River and becomes increasingly greater in distance. No positive indicators of wetland soils, hydrology or vegetation were observed on the project site during field surveys. The ephemeral aquatic habitats (i.e., drainages) identified within the project site appear to be isolated features and therefore are not likely to be under the jurisdiction of the U.S. Army Corps of Engineers (USACE) or Regional Water Quality Control Board (RWQCB) pursuant to the federal Clean Water Act (CWA). However, these drainage features are likely under State jurisdiction in accordance with the Porter-Cologne Water Quality Control Act and section 1602 of the California Fish and Game Code.

Special Status Species

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

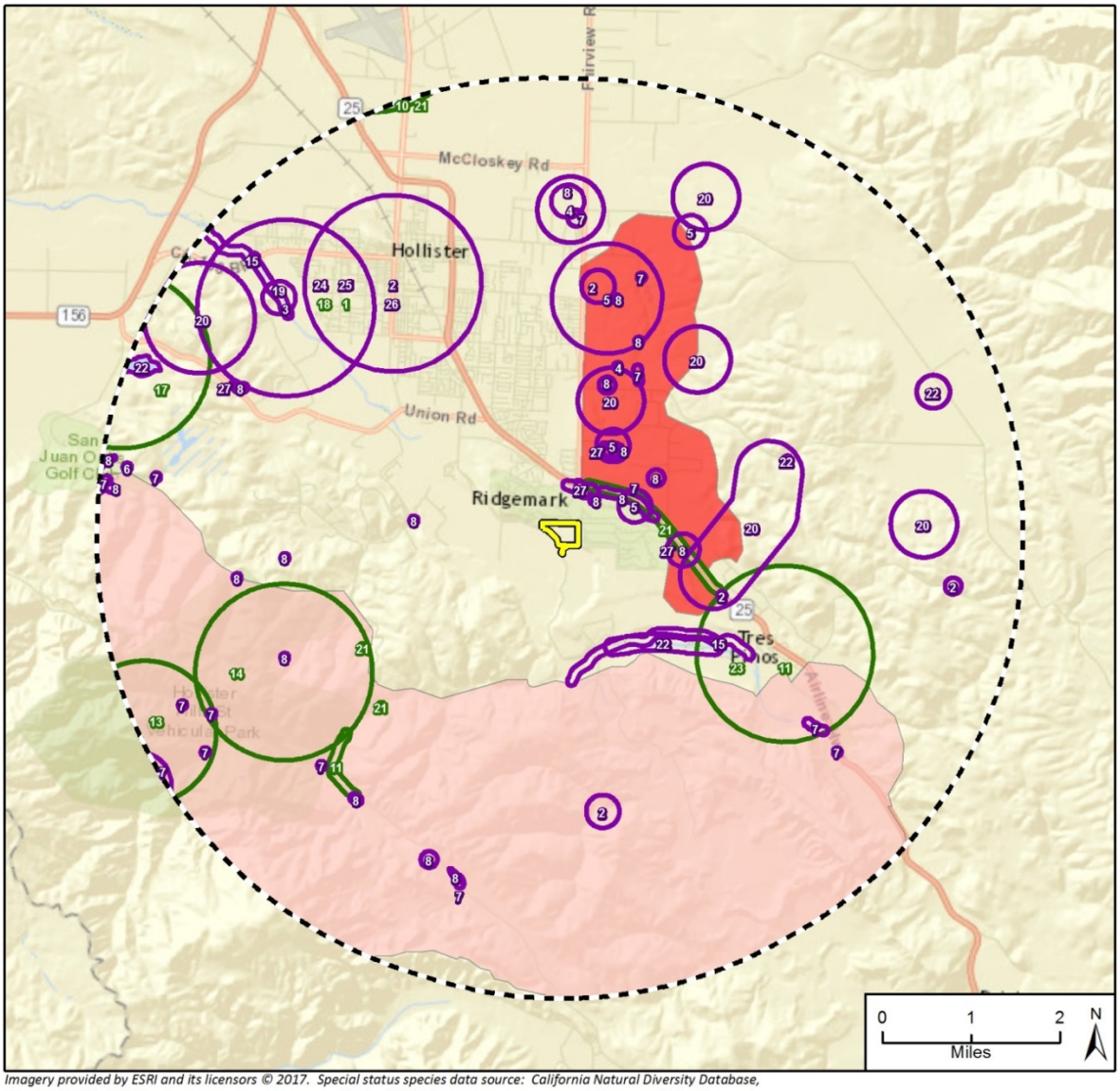
- List 1A = Plants presumed extinct in California;
- List 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat);
- List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered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

SENSITIVE COMMUNITIES AND CRITICAL HABITAT

No natural communities considered sensitive by the CDFW as part of the Natural Heritage program and tracked in the CNDDB occur within five miles[16] of the project site (Figure 23). Federally designated critical habitat for three special status animal species are mapped within five miles of the project site (USFWS 2016b). Critical habitat for steelhead occurs within the San Benito River, located approximately 2,000 feet southwest of the project site, as shown in Figure 23. Designated critical habitat for California tiger salamander (*Ambystoma californiense*) is located approximately 0.51 mile to the northeast of the project site to the north and east of SR 25 (Unit 15a) and approximately 1.0 mile east of the project site located to the west of SR 25 (Unit 15b, USFWS 2016). Designated critical habitat for the California red-legged frog (*Rana draytonii*) is located approximately 1.46 miles to the south of the project site beginning in the foothills of the Gabilan and Diablo Mountain ranges.

[16] Due to the nature of the project (residential development), a 5-mile buffer is an appropriate distance because the project would not have the potential to affect critical habitat beyond that distance.

Figure 23 California Natural Diversity Database Critical Habitat (5 mile Radius) Results



Imagery provided by ESRI and its licensors © 2017. Special status species data source: California Natural Diversity Database, October, 2016. Additional suppressed records reported by the CNDDB known to occur or potentially occur within this search radius include: prairie falcon. For more information please contact the Department of Fish and Game. Critical habitat data source: U.S. Fish and Wildlife Service, June, 2016. Final critical habitat acquired via the USFWS Critical Habitat Portal. It is only a general representation of the data and does not include all designated critical habitat. Contact USFWS for more specific data.

Project Location
5-Mile Buffer

CNDDB

Animals
Plants

Final Critical Habitat

California red-legged frog
California tiger Salamander

1 - alkali milk-vetch
2 - American badger
3 - bank swallow
4 - burrowing owl
5 - California horned lark
6 - California linderiella
7 - California red-legged frog
8 - California tiger salamander
9 - Coast Range newt
10 - hairless popcornflower
11 - Indian Valley bush-mallow
12 - merlin
13 - Pajaro manzanita
14 - Pinnacles buckwheat
15 - Pinnacles optioservus riffle beetle
16 - prairie falcon
17 - round-leaved filaree
18 - saline clover
19 - San Joaquin coachwhip
20 - San Joaquin kit fox
21 - San Joaquin spearscale
22 - tricolored blackbird
23 - western Heermann's buckwheat
24 - western mastiff bat
25 - western pond turtle
26 - western red bat
27 - western spadefoot

SPECIAL STATUS PLANTS AND ANIMALS

Queries of the USFWS IPaC (USFWS 2016a), CNDDB (CDFW 2016b), and CNPS Online Inventory of Rare, Threatened and Endangered Plants of California (CNPS 2016) were conducted to obtain comprehensive information regarding special status species considered to have potential to occur on the project site or the vicinity [which is defined to be the area otherwise within the Tres Pinos, California, United States Geological Survey (USGS) 7.5-minute topographic quadrangle and the surrounding eight quadrangles (San Felipe, Three Sisters, Mariposa Peak, Hollister, Quien Sabe Valley, Mt. Harlan, Paicines and Cherry Peak)]. Twelve special status plant species and 21 special status animal species have been observed or have the potential to occur within the nine-quad search area[17] of the project site. Twenty-six of those species have been documented within five miles of the project site; however, no special status species have been documented within the site. Table 15 provides the status, habitat requirements, and the assessment of potential for occurrence for each species within the project site.

Table 15 Special Status Species Known to Occur in the Vicinity (5-Mile) and Nine USGS Quadrangles of the Project Site

Scientific Name / Common Name	Status Fed / State ESA State Rarity CRPR G-Rank/S-Rank	Habitat Preference / Requirements	Potential for Occurrence / Basis for Determination
Plants			
Arctostaphylos pajaroensis Pajaro manzanita	--/-- 1B.1 G2/S2.1	Perennial evergreen shrub. Blooms Dec-Mar. Chaparral. Sandy soils. 30-760 m (100-2495 ft).	Not Expected To Occur. There are no recorded observations of this species east of the Gabilan Range. Specific habitats include dune and foothill in sandy soils. This species was not observed during the site reconnaissance visits.
Arenaria paludicola Marsh sandwort	FE/SE 1B.1 G1/S1	Perennial stoloniferous herb. Blooms May-Aug. Marshes and swamps. Growing up through dense mats of Typha, Juncus, Scirpus, etc. in freshwater marsh. 10-170 m (33-560 ft).	Not Expected To Occur. No suitable habitat occurs within the project site. This species was not observed during the site reconnaissance visits.
Astragalus tener var. tener Alkali milk-vetch	--/-- 1B.2 G2T2/S2	Annual herb. Blooms Mar-Jun. Alkali playa, valley and foothill grassland, vernal pools. Low ground, alkali flats, and flooded lands; in annual grassland or in playas or vernal pools. 1-170 m (3-560 ft).	Not Expected To Occur. No suitable habitat occurs within the project site. Soils within the project site and vicinity are well drained and do not support flooded areas. This species was not observed during the site reconnaissance visits.
California macrophylla Round-leaved filaree	--/-- 1B.1 G2/S2	Annual herb. Blooms Mar-May. Cismontane woodland, valley and foothill grassland. Clay soils. 15-1200 m (50-3935 ft).	Not Expected To Occur. Marginally suitable non-native annual grassland habitat occurs within the project site. However, no suitable clay soils occur. This species was not observed during the site reconnaissance visits.

[17] Per industry standard, special-status species information was collected from the quad where the project is located and the eight surrounding quads.

Scientific Name / Common Name	Status Fed / State ESA State Rarity CRPR G-Rank/S-Rank	Habitat Preference / Requirements	Potential for Occurrence / Basis for Determination
Eriogonum heermannii var. occidentale western Heermann's buckwheat	-- / -- 1B.2 G5T2 / S2	Perennial deciduous shrub. Blooms July-Oct. Usually in serpentine soils on roadside cutbanks, alluvial floodplains, less common on clay or shale slopes. Found in openings in cismontane woodlands. 430-810 m (1411-2657 ft).	Not Expected To Occur. No suitable habitat occurs within the project site. Site elevation is below species elevation range and serpentine soils are not known to exist in the project site and vicinity.
Eriogonum nortonii Pinnacles buckwheat	--/-- 1B.3 G2/S2.3	Annual herb. Blooms May-Sep. Chaparral, valley and foothill grassland. Sandy soils; often on recent burns; western Santa Lucias. 390-975 m (1280-3200 ft).	Not Expected to Occur. The project site is below the elevation range of the species. The species was not observed during the site reconnaissance visits.
Eryngium aristulatum var. hooveri Hoover's button-celery	--/-- 1B.1 G5T1/S1	Annual/perennial herb. Blooms Jul-Aug. Vernal pools. Alkaline depressions, vernal pools, roadside ditches and other wet places near the coast. 3-45 m (9-145 ft).	Not Expected To Occur. No suitable vernal pool habitat occurs within the project site. Soils are well drained throughout the project site and are not conducive to ponding. This species was not observed during the site reconnaissance visits.
Extriplex joaquinana San Joaquin spearscale	--/-- 1B.2 G2/S2	Annual herb. Blooms Apr-Oct. Chenopod scrub, alkali meadow, valley and foothill grassland. In seasonal alkali wetlands or alkali sink scrub with Distichlis spicata, Frankenia and other halophytes. 1-250 m (3-820 ft).	Not Expected To Occur. The species has low potential to occur within the marginally suitable grassland habitat within the project site. The nearest CNDDB occurrence is approximately 0.38 miles northeast of the project site. Soils at this occurrence are not well drained and include higher clay content.
Malacothamnus aboriginum Indian Valley bush-mallow	--/-- 1B.2 G2/S2	Perennial deciduous shrub. Blooms Apr-Oct. Cismontane woodland, chaparral. Granitic outcrops and sandy bare soil, often in disturbed soils. 150-1700 m (490-5580 ft).	Not Expected To Occur. No suitable habitat occurs within the project site. This species was not observed during the site reconnaissance visits.
Navarretia prostrata Prostrate vernal pool navarretia	--/-- 1B.1 G2/S2	Annual herb. Blooms Apr-Jul. Coastal scrub, valley and foothill grassland, vernal pools. Alkaline soils in grassland, or in vernal pools. Mesic, alkaline sites. 15-700 m (50-2300 ft).	Not Expected To Occur. Marginally suitable grassland habitat and moderately alkaline soils occur within the project site; however no perennial mesic habitats occur on-site or within the vicinity. This species was not observed on during the site reconnaissance visit.
Plagiobothrys glaber Hairless popcorn flower	--/-- 1A GH/SH	Annual herb. Blooms Mar-May. Meadows and seeps, marshes and swamps. Coastal salt marshes and alkaline meadows. 5-180 m (15-590 ft).	Not Expected To Occur. No suitable habitat occurs within the project site. Soil is well drained and there was no evidence of ponding onsite. This species was not observed during the site reconnaissance visits.
Trifolium hydrophilum Saline clover	--/-- 1B.2 G2/S2	Annual herb. Blooms Apr-Jun. Marshes and swamps, valley and foothill grassland, vernal pools. Mesic, alkaline sites. 0-300 m (0-985 ft).	Not Expected To Occur. Marginal grassland habitat and moderately alkaline soils occur within the project site. However, no permanent mesic habitat is present with the project site

Scientific Name / Common Name	Status Fed / State ESA State Rarity CRPR G-Rank/S-Rank	Habitat Preference / Requirements	Potential for Occurrence / Basis for Determination
			or buffer. This species was not observed during the site reconnaissance visits.
Invertebrates			
Brachinecta lynchi Vernal pool fairy shrimp	FT/ -- -- G3/S3	Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassland swale, earth slump, or basalt-flow depression pools.	Not Expected To Occur. No suitable habitat occurs within the project site. Soil is well drained and there was no evidence of ponding or vernal pool habitat onsite. This species was not observed during the site reconnaissance visits.
Optioservus canus Pinnacles optioservus riffle beetle	--/-- -- G1/S1	Aquatic species that is found on rocks and in gravel of riffles in cool, swift, clear streams.	Not Expected To Occur. No suitable habitat for this species occurs within the project site. This species was not observed during the site visit.
Amphibians			
Ambystoma californiense California tiger salamander	FT/ST SSC G2G3/S2S3	Central Valley DPS federally listed as threatened. Santa Barbara and Sonoma counties DPS federally listed as endangered. Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.	**May Occur.** Suitable aestivating habitat may occur within the grassland habitat areas within and adjacent to the project site. Suitable aquatic breeding habitat is not present on-site; likely does not use the majority of the site for upland refuge due to agricultural practices, but could occupy small mammal burrows if present in the ruderal habitat, or if cultivation is discontinuous; could potentially use the site for dispersal. Closest occurrence recorded at 0.3 mile northeast of project site in 1999. Follow up surveys did not detect CTS and therefore according to CNDDB may be extirpated from the occurrence on-site.
Rana draytonii California red-legged frog	FT/-- SSC G2G3/S2S3	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.	**May Occur.** Suitable migration and foraging habitat may occur within the grassland and riparian habitat areas within and adjacent to the project site. Closest occurrence recorded at 0.3 mile northeast of project site in 1999. Follow up surveys detected CRLF again in 2005. No known surveys have been conducted since then. Species is presumed extant by CNDDB.

Scientific Name / Common Name	Status Fed / State ESA State Rarity CRPR G-Rank/S-Rank	Habitat Preference / Requirements	Potential for Occurrence / Basis for Determination
Spea hammondii Western spadefoot	--/-- SSC G3/S3	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands in areas of sandy or gravely soils. Vernal pools and other temporary wetlands are essential for breeding and egg-laying.	**May Occur.** Upland habitat may be present in the grassland areas within and adjacent to the project site. Closest occurrence recorded at 0.3 mile northeast of project site in 2005.
Taricha torosa Coast Range newt	--/-- SSC G4/S4	Coastal drainages from Mendocino County to San Diego County. Lives in terrestrial habitats and will migrate over 1 km to breed in ponds, reservoirs and slow moving streams.	**May Occur.** Upland habitat may be present in the grassland and woodland areas within and adjacent to the project site. Closest occurrence recorded at 4.6 miles northwest of the project site.
Reptiles			
Actinemys marmorata Western pond turtle	--/-- SSC G3G4/S3	Occurs in rivers, ponds, freshwater marshes and nests in upland areas (sandy banks or grassy open fields) up to 1,640 feet from water.	Not Expected To Occur. No suitable habitat for this species occurs within the project site. This species was not observed during the site visit.
Gambelia sila Blunt-nosed leopard lizard	FE/SE FP G1/S1	Resident of sparsely vegetated alkali and desert scrub habitats, in areas of low topographic relief. Seeks cover in mammal burrows, under shrubs or structures such as fence posts; they do not excavate their own burrows.	Not Expected To Occur. Project site is outside of the known range. Closest recorded observation is located approximately 23 miles east of the project site.
Coluber flagellum ruddocki San Joaquin whipsnake	--/-- SSC G5T2T3/S2?	Occurs in open, dry habitats with little or no tree cover. Found in valley grassland & saltbush scrub in the San Joaquin Valley. Needs mammal burrows for refuge and oviposition sites.	**May Occur.** Suitable habitat occurs within the project site. There is one CNDDB occurrence approximately 2.7 miles to the northeast, upstream in the San Benito River. The project site does not contain burrows that this species can utilize for refuge and oviposition. This species was not observed during the site reconnaissance visits. The drier more open stretches of the San Benito River adjacent to the project site provides high quality habitat.
Birds			
Agelaius tricolor Tricolored blackbird	--/-- G2G3/S2 SSC	Requires open water, protected nesting substrate, and foraging area with insect prey within a few miles of the colony.	Not Expected To Occur. The project site does not contain aquatic habitat with suitable vegetation for nesting. This species was not observed during the site reconnaissance visits.
Athene cunicularia Burrowing owl	--/-- SSC G4/S2	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	**May Occur.** Suitable habitat occurs within the project site. There is one CNDDB occurrence approximately 1.8 miles to the northeast. Suitable habitat exists in the grassland and woodland areas in the project study area.

Scientific Name / Common Name	Status Fed / State ESA State Rarity CRPR G-Rank/S-Rank	Habitat Preference / Requirements	Potential for Occurrence / Basis for Determination
Gymnogyps californianus California condor	FE/SE FP G1/S1	Require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites. Forages up to 100 miles from roost/nest.	Not Expected To Occur. The project site does not contain suitable nesting or foraging habitat. This species was not observed during the site reconnaissance visits. Closest recorded observation is located 22.5 miles to the southwest.
Eremophila alpestris actia California horned lark	--/-- WL G5T3Q/S3	Coastal regions, chiefly from Sonoma Co. to San Diego Co. Also main part of San Joaquin Valley and east to foothills. Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	**May Occur.** Suitable habitat occurs within the project site. There is one CNDDB occurrence approximately 0.5 miles to the northeast. Suitable habitat exists in the grassland areas in the project study area.
Falco columbarius Merlin	--/-- WL G5/S3S4	Seacoast, tidal estuaries, open woodlands, savannahs, edges of grasslands and deserts, farms and ranches. Clumps of trees or windbreaks are required for roosting in open country.	**May Occur.** Suitable foraging habitat occurs within and adjacent to the project site. Merlin's often follow riparian corridors as seen north of the project site. No breeding populations occur in California. Therefore there is no nesting habitat within the project site and vicinity.
Falco mexicanus Prairie falcon	--/-- WL G5/S4	Inhabits dry, open terrain, either level or hilly. Breeding sites located on cliffs. Forages far afield, even to marshlands and ocean shores.	**May Occur.** Suitable foraging habitat occurs within and adjacent to the project site. Site is within known range however breeding habitat does not exist in the project site. Potential nesting habitat does occur in the oak woodland / riparian corridor habitat north of and less than 100 feet from the project site.
Riparia riparia Bank swallow	--/ST -- G5/S2S3	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting holes.	Not Expected To Occur. The project site does not contain suitable nesting habitat for bank swallows. Closest known record is located 2.97 miles northwest of the project site and vicinity over San Benito River.
Vireo bellii pusillus Least Bell's vireo	FE/SE -- G5T2/S2	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	Not Expected To Occur. The project site does not contain suitable nesting habitat for least Bell's vireo. Closest known record is located 14.45 miles west of the project site.
Mammals			
Eumops perotis californicus Western mastiff bat	--/-- SSC G5T4/S3S4	Many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in elevated crevices in granite, sandstone, and columnar basalt cliff faces, high buildings, trees and tunnels.	Not Expected To Occur. No suitable roosting habitat occurs in or adjacent to the project site. Only known recorded observation within five miles is from and 1998 is located approximately 2.35 miles northwest of project site and vicinity of Hollister.

Scientific Name / Common Name	Status Fed / State ESA State Rarity CRPR G-Rank/S-Rank	Habitat Preference / Requirements	Potential for Occurrence / Basis for Determination
			Closest potential roosting habitat located approx. 0.8 miles southwest of project site on western side of San Benito River.
Lasiurus blossevillii Western red bat	--/-- SSC G5/S3	Many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees and tunnels.	**May Occur.** Suitable habitat occurs adjacent to the project site in the riparian corridor north of the project site. Closest known recorded observation is located approximately 2.35 miles northwest of project site.
Taxidea taxus American badger	--/-- SSC G5/S3	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.	**May Occur.** Suitable habitat occurs in and adjacent to the project site. Closest known recorded observation is located approximately 2.7 miles north of project site.
Vulpes macrotis mutica San Joaquin kit fox	FE/ST -- G4T2/S2	Annual grasslands or grassy open stages with scattered shrubby vegetation. Need loose-textured sandy soils for burrowing, and suitable prey base.	**May Occur.** Potential habitat is present; however, there are no known recent (< 20 years) occurrences of SJKF within 19 miles of the project site.

Federal and State ESAs:
FE = Federally Endangered FT = Federally Threatened
SE = State Endangered ST = State Threatened SR = State Rare

State Rarity Categories:
FP = Fully Protected, SSC = Species of Special Concern WL = Watch List

CRPR (California Rare Plant Rank):

1A=Presumed Extinct in California
1B=Rare, Threatened, or Endangered in California and elsewhere
2 =Rare, Threatened, or Endangered in California, but more common elsewhere
. 1=Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
. 2=Fairly endangered in California (20-80% occurrences threatened)
. 3=Not very endangered in California (<20% of occurrences threatened)

G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDB RareFind 5:

G1 or S1 - Critically Imperiled Globally or Subnationally (State)
G2 or S2 - Imperiled Globally or Subnationally (State)
G3 or S3 - Vulnerable to extirpation or extinction Globally or Subnationally (State)
G4 or S4 - Apparently secure Globally or Subnationally (State)
G5 or S5 - Secure Globally or Subnationally (State)
? - Inexact Numeric Rank
T - Intraspecific Taxon (subspecies, varieties, and other designations below the level of species)

CDFW = California Dept. of Fish and Wildlife - "Special Plant" https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline

WILDLIFE MOVEMENT CORRIDORS

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

Habitats within a habitat linkage do not necessarily need to be identical to those habitats being linked. Rather, the linkage needs only to contain sufficient cover and forage to allow temporary utilization by species moving between core habitat areas. Habitat linkages are typically contiguous strips of natural areas, though dense plantings of landscape vegetation can be used by certain disturbance-tolerant species. Some species may require specific physical resources (such as rock outcroppings, vernal pools, or oak trees) within the habitat link for the linkage to serve as an effective movement corridor, while other more mobile or aerial species may only require discontinuous patches of suitable habitat to permit effective dispersal and/or migration. Wildlife movement corridors may occur at either large or small scales. The mountainous regions of the County may support wildlife movement on a regional scale, while riparian corridors and waterways may provide local small-scale dispersal corridors for wildlife movement among habitat patches throughout the County.

Biologists reviewed the CDFW BIOS (2016) and the California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California (Spencer et al. 2010) for information on wildlife corridors in the region. Missing Linkages: Restoring Connectivity to the California Landscape and Critical Linkages: Bay Area & Beyond (Penrod et al. 2001, 2013) identifies movement corridors throughout California, including specific details on corridors in San Benito County, and these reports were also reviewed for information on regional wildlife movement and known wildlife corridors. No Essential Habitat Connectivity Areas or Linkages are mapped within the project site or project vicinity. The nearest mapped landscape linkages begin approximately six miles to the east of the project site, past the City of Hollister, in the Diablo Range.

c. Regulatory Setting

Federal, State, and local authorities under a variety of statutes, regulations, and guidelines share regulatory authority over biological resources. The primary authority for general biological resources lies within the land use control and planning authority of a local jurisdiction, which in this instance is San Benito County. The CDFW is a trustee agency for biological resources throughout the State as defined in the California Environmental Quality Act (CEQA) and also has direct jurisdiction under the California Fish and Game Code (CFGC), which includes, but is not limited to, resources protected by the State of California under the CESA, as discussed more fully below.

Federal and State

UNITED STATES FISH AND WILDLIFE SERVICE

The USFWS implements the Migratory Bird Treaty Act (16 United States Code [USC] section 703-711) and the Bald and Golden Eagle Protection Act (16 USC section 668). The USFWS and NMFS share responsibility for implementing the FESA (16 USC section 153 *et seq*.). The USFWS generally

implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species. Projects that would result in "take" of any federally listed threatened or endangered species are required to obtain permits from the USFWS or NMFS through either section 7 (interagency consultation with a federal nexus) or section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. "Take" under the federal definition means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. "Harm" is further defined by the USFWS to include the killing or harming special-status species due to significant obstruction of essential behavior patterns (i.e., breeding, feeding, or sheltering) through significant habitat modifications or degradation. Proposed or candidate species do not have the full protection of FESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

NATIONAL MARINE FISHERIES SERVICE

The NMFS is a component of the National Oceanic and Atmospheric Administration (NOAA) and has jurisdiction over projects in which federally listed marine or river spawning marine fish species (anadromous) may be affected, including Coho salmon and steelhead.

UNITED STATES ARMY CORPS OF ENGINEERS

Under section 404 of the CWA, the USACE has authority to regulate activities that result in discharge of dredged or fill material into wetlands or other "waters of the United States." Perennial and intermittent creeks are considered waters of the United States if they are hydrologically connected to other jurisdictional waters. Although definitions vary to some degree, wetlands are generally considered to be areas that are periodically or permanently inundated by surface or groundwater, and support vegetation adapted to life in saturated soil. Wetlands are recognized as important features on a regional and national level due to their high inherent value to fish and wildlife, use as storage areas for storm and flood waters, and water recharge, filtration and purification functions. Technical standards for delineating wetlands have been developed by USACE and the USFWS, which generally define wetlands through consideration of three criteria: hydrology, soils, and vegetation. The term "waters of the United States" includes wetlands and non-wetland bodies of water that meet specified criteria as defined under applicable regulations. All three of the identified technical criteria discussed above must be met for an area to be identified as a wetland under USACE jurisdiction, unless the area has been modified by human activity. In general, a permit must be obtained before fill can be placed in wetlands or other waters of the United States. The USACE also implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetlands. In achieving the goals of the CWA, the USACE seeks to avoid adverse impacts and offset unavoidable adverse impacts on existing aquatic resources. Any discharge into wetlands or other "waters of the United States" that are hydrologically connected and/or demonstrate a significant nexus to jurisdictional waters would require a permit from the USACE prior to the start of work. Typically, when a project involves impacts to waters of the United States, the goal of no net loss of wetlands is met through compensatory mitigation involving creation or enhancement of similar habitats.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

The CDFW derives its authority from the CFGC. The CESA (CFGC section 2050 *et seq*.) prohibits take of State listed species. Take under CESA is restricted to direct mortality of a listed species and does not expressly prohibit indirect harm by way of habitat modification. The CDFW prohibits take for species designated as Fully Protected under the CFGC.

The CFGC sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the CFGC protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs. Species of Special Concern (SSC) is a category used by the CDFW for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that which may be afforded by the CFGC as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species into special consideration when decisions are made concerning the development of natural lands. The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (CFGC section 1900 *et seq*.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of the plant(s).

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 *et seq*. of the CFGC (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

REGIONAL WATER QUALITY CONTROL BOARD

In addition, the State Water Resources Control Board (SWRCB) and each of nine local RWQCBs are responsible for upholding State water quality standards. Pursuant to section 401 of the CWA, projects that apply for a USACE permit for discharge of dredge or fill material, and projects that qualify for a Nationwide Permit must obtain water quality certification under section 401 from the RWQCB.

The SWRCB and each of the RWQCBs also have jurisdiction over “waters of the State” pursuant to the Porter-Cologne Water Quality Control Act which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. The SWRCB has issued general Waste Discharge Requirements (WDRs) regarding discharges to “isolated” waters of the State (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the USACE to be Outside of Federal Jurisdiction). The local RWQCB enforces actions under this general order for isolated waters not subject to federal jurisdiction, and is also responsible for the issuance of water quality certifications pursuant to section 401 of the CWA for waters subject to federal jurisdiction.

The CWA and associated federal regulations (Title 40 of the Code of Federal Regulations [CFR] 123.25(a)(9), 122.26(a), 122.26(b)(14)(x) and 122.26(b)(15)) require nearly all construction site operators engaged in clearing, grading, and excavating activities that disturb one acre or more, including smaller sites in a larger common plan of development or sale, to obtain coverage under a

National Pollutant Discharge Elimination System (NPDES) permit for their stormwater discharges, and develop a Storm Water Pollution Prevention Plan (SWPPP). The NPDES Program is a federal program which has been delegated to the State of California for implementation through the SWRCB and RWQCBs.

Local

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

2035 GENERAL PLAN

The 2035 General Plan Land Use Element and Natural and Cultural Resources Element provide the following goals, policies, and objectives pertaining to biological resources that are relevant to this analysis. Further evaluation of the project's consistency with specific 2035 General Plan policies is set forth in Section 4.10, Land Use and Planning.

Land Use Element

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

LU-1.10 **Development Site Suitability.** The County shall encourage development sites to avoid natural and manmade hazards, including but not limited to, active seismic faults, landslides, slopes greater than 30 percent, and floodplains. Development sites shall also be on soil suitable for building and maintaining well and septic systems (i.e., avoid impervious surfaces, high percolation or high ground water areas, and provide setbacks from creeks). The County shall require adequate mitigation for any development located on environmentally sensitive lands (e.g., wetlands, erodible soil, archaeological resources, important plant and animal communities).

Natural and Cultural Resources Element

Goal NCR-1 To preserve and enhance valuable open-space lands that provide wildlife habitat and conserve natural, historical, archaeological, paleontological, tribal, and visual resources of San Benito County.

NCR-1.1 **Maintenance of Open Space.** The County shall support and encourage maintenance of open space lands that support natural resources, agricultural resources, recreation, tribal resources, wildlife habitat, water management, scenic quality, and other beneficial uses.

Goal NCR-2 To protect and enhance wildlife communities through a comprehensive approach that conserves, maintains, and restores important habitat areas.

NCR-2.1 **Coordination for Habitat Preservation.** The County shall work with property owners and federal and State agencies to identify feasible and economically-viable methods of protecting and enhancing natural habitats and biological resources in the county.

NCR-2.2 **Habitat Protection**. The County shall require major subdivisions within potential habitat of federal- or State-listed rare, threatened, or endangered plant or animal species to mitigate the effects of development. Mitigation for impacts to species may be accomplished on land preserved for open space, agricultural, or natural resources protection purposes.

NCR-2.4 **Maintain Corridors for Habitat.** The County shall protect and enhance wildlife migration and movement corridors to ensure the health and long-term survival of local animal and plant populations, in particular contiguous habitat areas, in order to increase habitat value and lower land management costs. As part of this effort, the County shall require road and development sites in rural areas to:

a. Be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas; and

b. Incorporate measures to maintain the long-term health of the plant and animal communities in the area, such as buffers, consolidation of/or rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors.

NCR-2.5 **Mitigation for Wetland Disturbance or Removal.** The County shall encourage the protection of the habitat value and biological functions of oak woodlands, native grasslands, riparian and aquatic resources, and vernal pools and wetlands. The County shall require that development avoid encroachment and require buffers around these habitats to the extent practicable. The County shall further require mitigation for any development proposals that have the potential to reduce these habitats. Recreational trails and other features established within natural wetlands and aquatic and riparian buffer areas shall be, as long as such areas are not required to meet the Americans with Disabilities Act, located along the outside of the sensitive habitat whenever possible to minimize intrusions and maintain the integrity of the habitat. Exceptions to this action include irrigation pumps, roads and bridges, levees, docks, public boat ramps, and similar uses. In all cases where intrusions into these buffers are made, only the minimum amount of vegetation necessary to construct the feature shall be removed.

NCR-2.6 **Regeneration of Oak Woodland Communities.** The County shall promote the restoration, restocking, and protection of oak woodland habitat on public and private lands in the county through a combination of habitat conservation planning, inter-agency coordination, and updated development review or tree preservation procedures.

NCR-2.7 **Mitigation of Oak Woodlands.** The County shall encourage development near oak woodlands to be clustered to avoid, where technically or economically practical, the loss of heritage oak trees. The County shall require transitional buffers to help maintain viable ecosystems where appropriate. Where removal of trees cannot be

avoided, the County shall require project applicants to prepare a mitigation plan that identifies on- or off-site tree replacement.

NCR-2.8 **Pre-Development Biological Resource Assessment.** The County shall require the preparation of biological resource assessments for new development proposals as appropriate. The assessment shall include the following: a biological resource inventory based on a reconnaissance-level site survey, and an analysis of anticipated project impacts to: potentially occurring special-status species (which may require focused special-status plant and/or animal surveys); an analysis of sensitive natural communities; wildlife movement corridors and nursery sites on or adjacent to the project site; potentially jurisdictional wetlands/waterways; and locally protected biological resources such as trees. The assessment shall contain suggested avoidance, minimization, and/or mitigation measures for significant impacts to biological resources.

NCR-2.9 **Mitigation Funding and Site Protection.** The County shall require that project applicants demonstrate that adequate funding can be provided to implement all required biological mitigation and monitoring activities. Habitat preserved as part of any mitigation and monitoring plan shall be preserved through a conservation easement, deed restriction, or other method to ensure that the habitat remains protected.

NCR-2.10 **Invasive Species.** The County shall require that new developments avoid[] the introduction or spread of invasive plant species during construction by minimizing surface disturbance, seeding and mulching disturbed areas with certified weed-free native mixes, and using native or noninvasive species in erosion control plantings.

NCR-4.1 **Mitigation for Wetland Disturbance or Removal.** The County shall consider implementing Regional Water Quality Control Board Basin Plan policies to improve areas of low water quality, maintain water quality on all drainage, and protect and enhance habitat for fish and other wildlife on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and the Silver Creek watershed.

NCR-4.4 **Open Space Conservation.** The County shall encourage conservation and, where feasible, creation or restoration of open space areas that serve to protect water quality such as riparian corridors, buffer zones, wetlands, undeveloped open space areas, and drainage canals.

NCR-4.5 **Groundwater Recharge.** The County shall encourage new development to preserve, where feasible, areas that provide important groundwater recharge and stormwater management benefits such as undeveloped open spaces, natural habitat, riparian corridors, wetlands, and natural drainage areas.

NCR-4.7 **Best Management Practices.** The County shall encourage new development to avoid significant water quality impacts and protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, and best management practices (BMPs).

NCR-4.11 **Reclaimed Water.** The County shall require, where feasible, the use of reclaimed water irrigation systems in new development wherever possible.

SAN BENITO COUNTY CODE OF ORDINANCES

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

Chapter 19.17: Grading, Drainage and Erosion Control

Section 19.17.005 (Riparian Protection) states that grading activity shall not take place within 50 feet (measured horizontally) from the top of the bank of a stream, creek, river or within 50 feet of a wetland or other body of water.

Chapter 19.19: Habitat Conservation Plan Study Area

The purpose of this chapter is to:

(A) Provide a method for financing development and implementation of a habitat conservation plan and a § 10(a) permit under the Endangered Species Act of 1973 (16 U.S.C. §§ 1531 et seq.) for the San Benito County habitat conservation plan study area. It is the further purpose of this chapter to provide a method for mitigation of adverse impacts to federally protected endangered species caused by development of habitat during the preparation of a habitat conservation plan, and provide for habitat mitigation as identified in the habitat conservation plan.

(B) Provide for the establishment of fees which, upon payment, will satisfy U.S. Fish and Wildlife Service, as well as county, mitigation requirements for endangered species and their habitats which may occur within the area of the county designated herein pending completion and adoption of a habitat conservation plan and issuance of a § 10(a) permit.

Chapter 19.33: Management and Conservation of Woodlands

The purpose of this chapter is to:

(A) Establish regulations for the conservation and protection of woodlands in the unincorporated areas of San Benito County by limiting tree removal in a manner which allows for reasonable use and enjoyment of the property. The Interim Woodlands Management Ordinance codified in this chapter will stay in effect until such time as it is replaced by a successor woodland management ordinance.

(B) This chapter is intended to:

(1) Control the removal of protected woodlands and maintain and enhance tree cover on improved and unimproved property to ensure that values and benefits provided by native trees are realized;

(2) Prevent the unpermitted wholesale removal of a majority of native trees on a parcel prior to application for a development permit;

(3) Protect woodland environments on agricultural land through an educational outreach program; and

(4) Educate residents of the county about the functions, benefits and values of woodlands to further the protection, conservation and regeneration of trees.

(C) The Board of Supervisors of the County of San Benito finds it in the public interest to adopt a woodland conservation and protection ordinance for the purpose of promoting the health, safety and general welfare of the residents of San Benito County.

Chapter 25.29, Article VII: Tree Protection

This article regulates the removal and trimming of mature trees in Single-Family Residential (R1) and Residential Mixed (RM) zones. The project site is currently designated Single-Family Residential (R1) under the County zoning code. Therefore, this ordinance would apply to the site.

Section 25.29.216(J) exempts the following: When trees are removed as part of a development project that has been considered under CEQA, and (a) the project considered the removal of designated trees, or (b) the removal of the trees is contained in a landscape plan submitted in compliance with a condition of approval for the approved project.

4.4.2 Impact Analysis

a. Methodology and Significance Thresholds

Data on biological resources were collected from numerous sources, including, among others, relevant literature, maps of natural resources, and data on special status species and sensitive habitat information obtained from the CNDDB (CDFW 2016b), BIOS (CDFW 2016a), CWHR (CDFW 2014), Online Inventory of Rare and Endangered Plants of California (CNPS 2016), and IPaC (USFWS 2016a). The USFWS Critical Habitat Mapper (2016b) and National Wetlands Inventory Mapper (2016c) were also queried. In conjunction with the data reviews and queries, Rincon conducted a site visit on October 7, 2016 to characterize the existing conditions within the project site.

The following thresholds are based on Appendix G of the State CEQA Guidelines. Impacts would be significant if the project would result in any of the following:

1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
2) 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 Game or U.S. Fish and Wildlife Service;
3) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
4) 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;
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

The proposed project is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved conservation agreement within the County (Threshold 6). No Essential Habitat Connectivity Areas or Linkages are mapped within the project site or project vicinity. The nearest mapped landscape linkages begin approximately six miles to the east of the project site, past the City of Hollister, in the Diablo Range (Threshold 4). Additionally, no special status plant species are present or have the potential to occur on-site (refer to Table 15); therefore, no impacts to special status plant species would occur (Threshold 1). Therefore, these issues are not discussed further in this section. Further discussion regarding these issues can be found in Section 4.16, Effects Found to Be Less Than Significant.

b. Project Impacts and Mitigation Measures

Impact BIO-1 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD IMPACT SPECIAL STATUS ANIMAL SPECIES. POTENTIAL IMPACTS TO SPECIAL STATUS ANIMAL SPECIES WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBER 1]

Twenty-one special status animal species were evaluated for their potential to occur within the project site (Table 15). Of those, a total of 12 were determined to have some potential to occur within or adjacent to the proposed project (within 500 feet). Many of these species would not be expected to inhabit the agricultural portions of the project site (given the substantial amount of disturbance as a result of annual discing and other agricultural-related activities), and are unlikely to occur within the orchard between the blufftop site and the adjacent area because of a lack of natural habitat within these portions of the project site. The agricultural areas do however offer potential foraging habitat and migration habitat for several species. The non-native annual grassland, coast live oak woodland and California sagebrush communities offer the greatest potential for harboring sensitive species. Potential impacts to sensitive species that could potentially occur are summarized in Table 15, and species with a potential to be impacted are discussed in more detail below.

The special status animal species discussed below are those which may occur on the project site, as presented in Table 15.

California tiger salamander *(Ambystoma californiense)*

The California tiger salamander (CTS) Central California DPS is federally and State Threatened. CTS require vernal and seasonal pools for breeding (i.e., aquatic habitat) and upland habitat, such as grasslands, with small mammal burrows for aestivation during the non-breeding season. Breeding takes place after the first rains in late fall and early winter, when the wet season allows the salamanders to migrate to the nearest pond. CTS have also been known to breed in artificial ponds as well. CTS have been documented within ponds in the Flint Hills Area. The nearest documented occurrence of CTS is approximately 0.3 mile from the project site located to the northeast in a series of ponds west of SR 25 and within the Ridgemark Country Club golf course. No suitable aquatic breeding habitat occurs within the project site; however, the project site contains small mammal burrows that may provide suitable aestivation habitat. The majority of the site consists of regularly deep-disced/plowed agricultural fields which are unsuitable as aestivation habitat for the CTS. Impacts would likely only occur if CTS are found within the construction footprint when dispersing between aquatic and upland habitats, which would only occur during the wet season. If present, individuals could be significantly impacted during construction activities including but not limited to grading. However, based on the project site conditions and the facts described above, the potential for impacts is low. These impacts would be *potentially significant unless mitigation is incorporated.*

California red-legged frog *(Rana draytonii)*

The California red-legged frog (CRLF) is federally Threatened and a State Species of Special Concern. Critical habitat for the CRLF is mapped in the Gabilan Range, beginning approximate 3.5 miles to the south of the project site. The nearest documented occurrence of CRLF is approximately 0.3 mile of the project site located to the northeast in a series of ponds west of SR 25 and within the Ridgemark Country Club golf course. It should be noted that CRLF is not precluded from traversing agricultural areas (Bulger et al. 2003).

Direct impacts to adult and juvenile frogs dispersing in upland areas could include stress, injury, or mortality resulting from construction activities. Impacts of this nature are unlikely if construction occurs during the time of year when adults or juveniles are not prone to overland dispersal through upland areas. Development of the proposed project would result in the loss of approximately 49.6 acres of CRLF potential dispersal habitat. It could contribute to a barrier to movement between populations located in areas surrounding the site. Potential long-term impacts include vehicle-induced mortality of dispersing frogs due to increases in the volume of traffic on currently used roads and on driveways or access roads that would be created within the project site.

No suitable aquatic breeding habitat occurs within the project site. Based on the distance from potentially suitable aquatic habitat approximately 150 feet north of the project site boundary, this species has a moderate potential to be present in on-site terrestrial habitats (e.g., ruderal, or adjacent agricultural areas). Additionally, this species would only have the potential to occur on-site during periods of heavy rainfall, which may facilitate temporary ponds and aquatic habitat in suitable areas within existing distributed riparian habitat directly north of the project site. During a heavy rainy season, foraging may occur in upland habitat adjacent to ponds and other suitable aquatic habitats. If present, individuals could be significantly impacted during construction and grading within or in the vicinity of suitable aquatic habitats or adjacent terrestrial upland refuge. However, based on the project site conditions and the facts described above, the potential for impacts is low. Nevertheless, these impacts would be *potentially significant unless mitigation is incorporated.*

Western spadefoot toad *(Spea hammondii)*

The western spadefoot toad is a State Species of Special Concern. Western spadefoots require vernal and seasonal pools for breeding, and upland habitats that contain loose sandy soils for aestivation/refuge during the non-breeding season. Western spadefoots have also been known to breed in artificial ponds. This species only breeds in still, fresh water (obligate lentic breeder). Breeding takes place after rainfall events and the formation of temporary shallow pools occur, typically from January to May and peaking in February and March. However, the western spadefoot is an opportunistic breeder that is physiologically capable of breeding at any time if conditions are favorable (California Herps n.d.). The nearest documented occurrence of western spadefoot toad is approximately 0.3 mile from the project site located to the northeast in a series of ponds west of SR 25 and within the Ridgemark Country Club golf course. No suitable aquatic breeding habitat occurs within the project site. The majority of the site consists of regularly deep-disced/plowed agricultural fields which are unsuitable as aestivation habitat for the western spadefoot toad. The agricultural field in the upper portion of the project site contains appropriate sandy, friable soils for aestivation; however, the extensive use of the site for agricultural production renders the area unsuitable for long-term occupation by the species. If present, individuals could be significantly impacted during construction activities. However, based on the project site conditions and the facts described above,

the potential for impacts is low. Nevertheless, these impacts would be *potentially significant unless mitigation is incorporated*.

Coast Range newt *(Taricha torosa)*

The Coast Range newt has a bi-phasic adult behavior with a terrestrial phase during the dry season and an aquatic breeding phase during the wet season. Terrestrial adults seek shaded moist areas in woodlands under woody debris, small animal burrows and rock crevices. Mass migrations during wet periods may occur from terrestrial sites to aquatic breeding habitat. Breeding habitats include ponds, reservoirs, and slow moving pools in streams. Larvae develop from spring to fall months when they then metamorphose into adult forms and leave their natal aquatic sites. Terrestrial juveniles may migrate up to approximately two miles. Aquatic breeding habitat for this species does not occur within the project site. However, the perennial ponds located approximately 190 feet north of the project site may be suitable breeding habitat. Due to the known terrestrial migration distances for this species, the upland habitat and small woodland areas within the project site boundaries may offer suitable upland migration and foraging habitat. If present, individuals could be significantly impacted during construction activities. Project related impacts to this species would be *potentially significant unless mitigation is incorporated*.

San Joaquin whipsnake (Masticophis flagellum ruddocki) (coachwhip)

The San Joaquin whipsnake (coachwhip) is a State Species of Special Concern. This species is typically found in open habitats such as grasslands and shrublands that contain little or no trees. The fallow agricultural field, grasslands and scrub habitat on-site contains few trees, but because of past disturbance contains limited value and function. These habitat types that also contain small mammal burrows are important for refuge as well as oviposition for this species. The less disturbed margins of the project site contain burrows that may offer suitable habitat for refuge and oviposition. If present, individuals could be significantly impacted if construction of the proposed project unearths individuals or injures/kills individuals traversing the site. These impacts would be *potentially significant unless mitigation is incorporated*.

Burrowing owl (Athene cunicularia)

The burrowing owl is a State Species of Special Concern that typically occurs in open habitats with low growing vegetation such as grasslands and shrublands. This species nests in and is highly dependent on the burrows of small mammals, most notably California ground squirrel (*Otospermophilus beecheyi*). This species could potentially nest in any of the grassland and scrub habitats that are found within the project site containing suitable nesting burrows. If present, individuals could be impacted from construction of the proposed project in or adjacent to nesting or overwintering habitat; however, the potential for impacts would be limited to the nesting season and these impacts would be *potentially significant unless mitigation is incorporated*.

California condor

The California condor is federally and State Endangered. Historically, the California condor ranged from Baja California to British Columbia, and likely foraged over the project site. However, the California condor was extirpated from its entire range, and in 1987 the last remaining wild birds were captured and kept in zoos as part of a comprehensive captive breeding program (Snyder and Schmitt 2002). California condors seek out caves in steep, isolated cliffs or cavities in mature redwood trees for nesting, and forage over grasslands, open woodlands, and along coastal beaches (Snyder and

Schmitt 2002). Consistent air movements that support the extended soaring flight utilized by the condor are a critical component of suitable habitat (Snyder and Schmitt 2002).). Medium- to large-bodied carcasses appear to be the preferred food source for condors, but smaller carcasses are consumed as well (Snyder and Schmitt 2002).

The project site is absent of mature redwood trees, cliffs, and caves for roosting and nesting. The nearest potential roosting and nesting habitat is located at the Pinnacles National Park, approximately 20 miles to the south. The Pinnacles National Park was added to the California Condor Recovery Program in 2003 and the park currently has 36 free-flying condors (National Park Service 2017). The nearest California condor critical habitat to the project site is the Hi - Mountain-Beartrap East and West Units located approximately 120 miles to the south and the Tulare County Rangelands Unit approximately 130 miles to the southeast. Due to the distance from California condor critical habitat, the project would not impact primary constituent elements of condor critical habitat. The project site and immediately surrounding area are of low value and are mostly unsuitable for California condor foraging because the flat topography lacks the updrafts needed for efficient flying and carcasses are absent. Therefore, California condors would not be expected to be found on the project site or its immediate vicinity. Consequently, no impacts to the species will occur and mitigation is not required.

California horned lark (Eremophila alpestris actia)

The California horned lark is a State Species of Special Concern, and typically inhabits dry, open grasslands and alkali flats. California horned larks prefer open terrain where they construct nests on the ground, often in sparsely vegetated areas. The highest nesting densities are generally found in annual grassland and oak savannah habitats in the foothill regions. Impacts could result if construction of the proposed project component occurs in or adjacent to nesting habitat; however, the potential for impacts would be limited to the nesting season, and these impacts would be *potentially significant unless mitigation is incorporated*.

Merlin (Falco columbarius)

The merlin is a State Watch List species and small raptor species that overwinters in California and migrates north as far as Alaska to breed during spring and summer months. Merlins feed primarily on smaller bird species and are often seen flying above or from tree to tree in riparian areas hunting for prey species and are also known to hunt prey in agricultural and urban areas where small prey species are abundant. Impacts in the form of removal of foraging habitat could result from the conversion of agricultural fields to residential land use. However, due to the large amount of surrounding agricultural land use that would be readily available to this species, impacts to merlin would be less than significant. Because the merlin does not nest in California there would be *no impacts* to this species during the breeding season and therefore this species would not require further review or mitigation.

Prairie falcon (Falco mexicanus)

The prairie falcon is a State Watch List species and likely year-round residents in the coastal valley mountainous regions of California. Prairie falcons utilize open habitat areas such as agricultural lands, and grasslands and dense habitats such as oak woodlands and chaparral in California. This large falcon species is known to prey primarily on ground squirrels, horned larks, meadow larks and lizards and will migrate to areas with more abundant prey if prey species become sparse. During the October 07, 2016 reconnaissance surveys, ground squirrels were found to be abundant along the

two access roads leading from Southside Road to the upper agricultural field. Impacts to foraging habitat could result from the conversion of agricultural land to residential land use, but these potential impacts would be less than significant due to the large amount of surrounding agricultural land that would be readily available to this species. Prairie falcons prefer to utilize nest sites that have already been established by other bird species especially in rocky cliff areas but are also known to nest to a lesser extent in trees, buildings and power line structures. No raptor nests were observed during the reconnaissance survey in the trees within or bordering the project site. The project site and the surrounding area do not offer the Prairie falcon's preferred rocky cliff nesting habitat; however, indirect impacts to adjacent oak woodland nesting habitat could be *potentially significant unless mitigation is incorporated*.

American Badger (Taxidea taxus)

The American badger is a burrowing carnivore in the Mustelid (weasel) family, and a State Species of Special Concern. It is an uncommon, permanent resident found throughout most of the State, except in the northern North Coast area, and is most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. They prey on burrowing (fossorial) rodents including rats, mice, chipmunks, and especially ground squirrels and pocket gophers, as well as some reptiles, insects, earthworms, eggs, birds, and carrion. Badger home ranges vary with geographic area, season, and food distribution, but general home range size is between approximately 395 acres and 2,100 acres. Diet shifts seasonally and yearly in response to availability of prey. Badgers dig burrows in friable soil for cover and frequently reuse old burrows, although some may dig a new den each night, especially in summer. If present, impacts to American Badger would be *potentially significant unless mitigation is incorporated*.

San Joaquin Kit Fox (Vulpes macrotis mutica)

The San Joaquin kit fox is federally Endangered and State Threatened. Kit fox is the smallest canid species in Norther America and the San Joaquin kit fox is the largest kit fox subspecies. The species' range currently includes much of the San Joaquin Valley and adjacent foothills, and interior valleys in San Luis Obispo, Monterey, and San Benito Counties, as well as the hills east of the Livermore Valley. Although the majority of the kit fox population occurs in the southern San Joaquin Valley, satellite populations and individuals occur on the western edge of the San Joaquin Valley extending north nearly to Antioch in Contra Costa County (Bell 1994). The "northern range" of the San Joaquin kit fox is considered to be that portion of the range north of the Santa Nella area (SR 152) along the western foothills of the coast range. The San Joaquin kit fox is primarily nocturnal and typically occurs in annual grassland or mixed shrub/grassland habitats throughout low, rolling hills and in valleys. The species requires underground dens for temperature regulation, shelter, reproduction, and predator avoidance (Golightly and Ohmart 1984). The San Joaquin kit fox commonly modify and use dens constructed by other animals and human-made structures (USFWS 1998). Northern range kit foxes commonly enlarge existing California ground squirrel burrows. Kit foxes change dens frequently, often using numerous dens each year. California ground squirrels are the most common prey item in the north, whereas in the southern part of the range, kangaroo rats (genus *Dipodomys*) and lagomorphs are the most common prey.

Western red bat (Lasiurus blossevillii)

The western red bat is a State Species of Special Concern. Given the extensive loss of riparian forest in the Central Valley, it is possible that the orchards in general may serve as alternative habitat, and

to some extent compensate for the loss of the once extensive riparian forests (Pierson et al. 2004). It is unlikely construction of the proposed project would impact foraging bats since construction hours would most likely occur outside of this species nocturnal feeding period. The removal of a small amount of marginal foraging habitat (e.g., agricultural fields) would not significantly impact any bats, including the western red bat. The species has the potential to roost in on-site and off-site oak, walnut and olive trees, and within any large cottonwood or eucalyptus trees adjacent to the project site. Western red bats are non-colonial, with the only roosting group being adult females and their young. Whereas most bats in the vesper (vespertilionid) bat family have a single young per year, red bats have litters of up to five young, born from late spring to early summer. The most critical time, known as the non-volant period, occurs during the breeding season when juveniles are present, but are not yet ready to fly. Impacts would occur if removal of maternity roosts occurred during the breeding season, because unlike adult bats, juvenile bats are unable to escape impacts. Impacts to maternity roosts during the breeding season would be *potentially significant unless mitigation is incorporated*.

Mitigation Measures

To reduce impacts to special status animal species, the following mitigation measures are required:

MM BIO-1 (A) CALIFORNIA TIGER SALAMANDER PRE-CONSTRUCTION SURVEY AND IMPACT AVOIDANCE

The following measures are required to reduce impacts to individual CTS and their habitat (additional measures may be required by the CDFW and/or USFWS):

- Not less than six months prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site. The surveys shall include mapping of all areas containing small mammal burrows.
- Not less than one month prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct another round of pre-construction surveys within suitable habitat on-site. The surveys shall confirm previously mapped areas containing small mammal burrows.
- Not less than 15 days prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall also oversee installation of exclusion fencing where suitable aquatic habitat is adjacent to the site (i.e., along the northern boundary) to prevent CTS from entering active work areas.
- If any life stage of the CTS is identified within the work area, construction and grading in these areas shall be halted and the County, CDFW, and USFWS shall be contacted immediately. Additional avoidance strategies shall be approved by the County in consultation with CDFW and USFWS to achieve compliance with the State and federal Endangered Species Acts. If avoidance is not possible, incidental "take" authorization would be required under the State and federal Endangered Species Acts. A CESA incidental take permit may be acquired through preparation and submittal of a section 2081 application to the CDFW. A FESA incidental take permit may be acquired through FESA section 7 consultation if there is a federal nexus related to the project and if the lead federal agency is willing to initiate FESA consultation with the USFWS. If a federal nexus does not exist for the project, an incidental take permit must be obtained through section 10(a)(2)(B) of the FESA by developing a habitat conservation plan (HCP) that would define the measures designed to minimize and mitigate the effects of the project's actions and to ensure

the species would be conserved. At a minimum, mitigation measures shall include purchase of credits at an approved conservation bank or purchase and management of offsite suitable upland habitat for CTS to offset loss of suitable upland habitat for this species (i.e., area[s] containing small mammal burrows) at a ratio of 2:1 (two acres preserved for every one acre of impact), or as otherwise required by USFWS and CDFW in accordance with applicable laws and regulations.

- A pre-construction survey report shall be submitted to the County Resource Management Agency within 15 days of completion of the survey. The report shall include the dates, times, weather conditions, aquatic and terrestrial habitat conditions (including a map of small mammal burrow or burrow complex locations), agency consultation(s) if individuals are discovered, and personnel involved in the surveys.

MM BIO-1 (B) CALIFORNIA RED-LEGGED FROG PRE-CONSTRUCTION SURVEYS AND IMPACT AVOIDANCE

The following measures are required to reduce impacts to individual CRLF and their habitat (additional measures may be required by the USFWS):

- Not less than one month prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct pre-construction surveys within suitable habitat on-site.
- Prior to ground disturbance within 200 feet of identified CRLF breeding and aquatic non-breeding habitats, temporary barriers shall be constructed between the identified habitat and the projects ground disturbance area to prevent CRLF from entering the project site during construction. A solid temporary exclusion fence (such as silt fence) shall be buried into the ground to a depth of at least 6 inches below the soil surface and extend at least 3 feet above the ground to exclude CRLF from the work area. The ends of the barriers shall extend 50 feet beyond the 200-foot range of the identified habitats and hook away from the limits of ground disturbance. During any construction conducted between July 2 and April 30, the fence shall be inspected daily to ensure that it's functioning properly to exclude CRLF from the work area. The fence shall remain in place throughout construction.
- To minimize the potential for direct impacts to dispersing individuals, initial ground disturbing activities shall be completed during the period May 1 through July 1, to the extent feasible. The initiation of any subsequent ground disturbing activity or construction during July 2 through April 30, the period when California red-legged frogs are potentially dispersing or utilizing upland areas, shall be preceded by two night surveys of the work area. The purpose of these surveys is to determine whether any CRLF have bypassed the exclusion fencing into the work area. Surveys shall be conducted on two separate nights within 48 hours prior to the start of work activities.
- If any life stage of the CRLF is identified within the work area, construction and grading in these areas shall be halted and the County and USFWS shall be contacted immediately. Additional avoidance strategies shall be approved by the County in consultation with USFWS to achieve compliance with the FESA. If avoidance is not possible, incidental "take" authorization would be required under the FESA. A FESA incidental take permit may be acquired through FESA section 7 consultation if there is a federal nexus related to the project and if the lead federal agency is willing to initiate FESA consultation with the USFWS. If a federal nexus does not exist for the project, an incidental take permit must be obtained through section 10(a)(2)(B) of the FESA by developing a HCP that would define the measures designed to minimize and mitigate the effects

of the project's actions and to ensure the species would be conserved. At a minimum, mitigation measures shall also include those listed below, or as otherwise required by USFWS and CDFW in accordance with applicable laws and regulations.

- If CRLF are present they shall be moved out of the work area by an approved biologist following the methods described below, but only if "take" authorization is procured from the USFWS. The approved biologist would maintain detailed records of all translocated individuals (e.g., size, coloration, any distinguishing features, and photographs) to assist in determining whether translocated individuals return to the work site.
- Before any construction activities begin on the project, an approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the CRLF and its habitat, the importance of the CRLF and its habitat, the specific measures that are being implemented to conserve the CRLF as they relate to the project, and the boundaries within which the project may be accomplished.
- During all initial ground disturbing activities, an approved biologist shall be on-site to recover any CRLF that may be found at that time, but only if "take" authorization is procured from the USFWS. If the animals are in good health, they shall be immediately relocated to the designated release area. If they are injured, the USFWS shall be consulted immediately. Any dead CRLF must be reported immediately to the USFWS and deposited in an approved museum.
- An approved biologist shall be present at the work site until such time as all removal of CRLF, instruction of workers, and initial ground disturbance have been completed. After this time, the County shall designate a person to monitor compliance of all mitigation measures. The approved biologist shall ensure that this individual receives training outlined above and is qualified to identify CRLF. The monitor and the approved biologist shall have the authority to halt any action that would otherwise involve a violation of applicable laws and regulations. If work is stopped for this reason, the County shall be notified immediately to determine the appropriate course of action in accordance with applicable laws and regulations.
- An approved biologist or trained monitor shall conduct daily surveys of any pits or trenches that are left open over night during the period from October 15 through March 15.
- During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from the work areas.
- The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated, and these areas shall be outside drainage areas.
- All refueling, maintenance, and staging of equipment and vehicles would occur at least 100 feet from riparian habitats (north of the project site) or drainage areas (along the western slopes), and not in a location where a spill would drain directly toward an aquatic habitat. The approved biologist or designated monitor shall check the staging area periodically to ensure that contamination of aquatic habitats does not occur. Prior to the onset of work, a spill response plan must be designated, and all workers must be briefed on the provisions of this plan.
- Temporarily impacted areas shall be re-contoured to their original configurations and revegetated with native plant species suitable for the area. Locally collected plant material shall be used to the extent practicable. Invasive exotic plant species shall not be used in site landscaping.

- Best Management Practices would be implemented during and after project implementation to control sedimentation.
- Water shall not be impounded in a manner that may attract CRLF.
- California Natural Diversity Database forms shall be completed and sent to the CDFW for all CRLF observed during the project.

MM BIO-1 (C) WESTERN SPADEFOOT TOAD AND SAN JOAQUIN WHIPSNAKE (COACHWHIP): PRE-CONSTRUCTION SURVEY, CAPTURE, AND RELOCATION

Not less than 14 days prior to the start of any construction activities (including, without limitation, staging and mobilization), a qualified biologist shall conduct surveys for western pond turtle, western spadefoot toad, and San Joaquin whipsnake (coachwhip) within suitable habitat on the project site as feasible. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If any of these species are identified within the work area they shall be captured and relocated to County-approved suitable habitat within the same or nearest suitable habitat. CNDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed. The relocation site shall include suitable micro habitat and ecological features for each species as follows:

- Western spadefoot toad habitat shall include open sandy or gravely areas within the San Benito River.
- San Joaquin Whipsnake (coachwhip) habitat shall include suitable small mammal burrows to provide immediate escape and cover.

If either of these species are observed by construction personnel within or adjacent to the project site, all work within the vicinity of the observation shall be halted and the qualified biologist shall be notified immediately to evaluate the occurrence and relocate the animal as necessary. Only a qualified biologist shall capture and relocate wildlife. Construction personnel are not permitted to handle said animals.

A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include for each captured special status animal, the Universal Transverse Mercator (UTM) coordinates and habitat descriptions of the capture and release sites (in UTM coordinates), the length of time between capture and release, and the general health of the individual(s).

MM BIO-1 (D) BURROWING OWL PRE-CONSTRUCTION SURVEYS, AVOIDANCE, AND / OR EXCLUSION

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

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

appropriate avoidance buffer distances specific for the project's activities and level of expected disturbance.

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

A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include, if applicable, each observed burrowing owl and/or its burrow, the UTM coordinates and habitat descriptions. If relocation is required, separate reporting as required within the Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall also be submitted to the County Resource Management Agency, Planning and Land Use Division, as well as to the CDFW.

MM BIO-1 (E) AMERICAN BADGER PRE-CONSTRUCTION SURVEYS AND IMPACT AVOIDANCE

A qualified biologist shall conduct pre-construction clearance surveys for American badger within the project site. Clearance surveys should be conducted for American badger within 14 days of the start of any ground-disturbing activity. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days of that portion of the site being disturbed. If no potential American badger individuals or dens are present, no further mitigation is necessary.

If this species are detected or potential American badger dens are present, the following measures shall be implemented:

- If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction.
- If the qualified biologist determines that potential dens may be active, an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one way doors at burrow entrances, remote camera monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.
- Construction activities shall not occur within 30 feet of active badger dens.

A report of all pre-construction survey efforts shall be submitted to the County Resource Management Agency, Planning and Land Use Division within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include, if applicable, each observed badger and/or its den, the UTM coordinates and habitat descriptions, a description of any passive relocation if applicable.

MM BIO-1 (F) SAN JOAQUIN KIT FOX PRE-CONSTRUCTION SURVEYS AND IMPACT AVOIDANCE

A qualified biologist shall conduct a pre-construction clearance survey for San Joaquin kit fox within the project site no more than 30 days and no less than 14 days before the start of any ground-disturbing activity. All known and potential San Joaquin kit fox dens (i.e., suitably sized dens in suitable habitat) shall be mapped and an exclusion zone shall be established around each den in accordance with the *USFWS San Joaquin Kit Fox Survey Protocol for the Northern Range* (USFWS 1999). Occupied dens shall be protected by the buffer distance described below to prevent entrance from all construction equipment and personnel who are not approved biologists. In the exclusion zones, only essential vehicle and foot traffic may be permitted. No activity may occur when the exclusion zone that may harm a San Joaquin kit fox. All exclusion zone fencing and flagging shall be kept in good working order for the duration of nearby construction activities or until the den is determined by the approved biologist to be unoccupied. The USFWS and CDFW shall be notified if a reduction of exclusion zone buffer distance or additional activities within the exclusion zone are requested. The following radii are standard San Joaquin kit fox buffer distances for occupied dens:

- Occupied natal/pupping den – 500 feet
- Known occupied den – 100 feet
- Occupied atypical den – 50 feet

The project shall also adherence of the recommendations and best management practices described in the *USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011). To minimize temporary construction related disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas would be included in preconstruction surveys and, to the extent possible, would be established in locations disturbed by previous activities to prevent further impacts. The project shall specifically adhere to the following kit fox protective measures described in the USFWS Standard Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance:

1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.
2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted as noted under bullet 13 referenced below.
3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has

been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
5. No firearms shall be allowed on the project site.
6. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.
7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.
8. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
9. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
10. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the USFWS, CDFW, and revegetation experts.
11. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS should be contacted for guidance.
12. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to

their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or appropriate wildlife biologist with their department. The USFWS should be contacted at the numbers below.

13. The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact is located at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
14. New sightings of kit fox shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the USFWS at the address below. Any project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the USFWS at:

    Endangered Species Division
    2800 Cottage Way, Suite W2605
    Sacramento, California 95825-1846
    (916) 414-6620 or (916) 414-6600

MM BIO-1 (G) WESTERN RED BAT PRE-CONSTRUCTION SURVEYS AND IMPACT AVOIDANCE

A qualified biologist shall conduct a western red bat roost-habitat assessment and conduct presence/absence surveys for special status western red bats where suitable maternity roosting habitat is present (e.g., orchards, mature trees) during the breeding season (approximately August 1 to October 1). Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where western red bats may roost. Surveys shall be conducted not more than 30 days prior to initiation of construction activities during the western red bat breeding season.

Areas where bats' maternity roosts are located shall be avoided where feasible. If a maternity colony has become established, all construction activities shall be postponed within a 300-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed under the supervision of the qualified biologist after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement.

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

MM BIO-1 (H) MONITORING

The County shall review and approve, as determined appropriate by the County, the proposed primary biologist, project plans (including impact areas and mitigation measures), and conduct site inspections during construction to ensure compliance.

MM BIO-1 (I) CONSTRUCTION BEST MANAGEMENT PRACTICES

To avoid impacts to aquatic and terrestrial habitats, the following construction Best Management Practices shall be incorporated into all grading and construction plans:

- Designation of a 15 mile per hour speed limit in all construction areas.
- All vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas, and clearing of vegetation for vehicle access shall be avoided to the greatest extent feasible.
- The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the goal of the project.
- Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from riparian habitat or drainages as identified by a qualified biologist. Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site.
- Daily construction work schedules shall be limited to daylight hours only, consistent with applicable County code provisions noted in Section 4.11, Noise.
- Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition.
- Drip pans shall be placed under all stationary vehicles and mechanical equipment.
- All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week.
- No pets are permitted on project site during construction.

Significance After Mitigation

Mitigation Measure BIO-1(a) through BIO-1(i) would reduce potential direct and indirect impacts to sensitive animal species to a less than significant level. Therefore, after incorporation of mitigation, impacts would be *less than significant*.

Impact BIO-2 CONSTRUCTION OF THE PROPOSED PROJECT COULD DIRECTLY IMPACT NESTING RAPTORS AND OTHER AVIAN SPECIES PROTECTED UNDER EXISTING REGULATIONS BY CAUSING INJURY, DEATH, OR NEST FAILURE. POTENTIAL IMPACTS TO NESTING BIRDS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBER 1]

The federal Migratory Bird Treaty Act (MBTA) and CFGC (§§ 3503, 3503.5, 3511, 3513, and 3800) protect most native birds. In addition, the federal and State endangered species acts protect some bird species listed as threatened or endangered. CFGC § 3513 relies on the MBTA by prohibiting any take or possession of birds that are designated by the MBTA as migratory nongame birds, except as allowed by federal rules and regulations promulgated pursuant to the MBTA. In addition, CFGC (§§ 3503, 3503.5, 3511, and 3800) further protect nesting birds, including song birds (passerine), raptors, and State "fully protected" birds. Project-related impacts to birds protected by these regulations would occur during the breeding season, because unlike adult birds, eggs and chicks are unable to escape impacts.

Nesting birds may potentially occur within vegetation on and adjacent to the project site in trees and shrubs. For the purposes of this analysis, it is assumed that only minor impacts to vegetation

outside of the agricultural blufftop site portion of the project site would occur to allow for the construction of the related improvements in the adjacent area of the project site. This may include the removal of coastal live oak trees and California sagebrush scrub on the sloped area in the northwestern corner of the blufftop site.. Lastly, the riparian community located north and adjacent to the project site may provide nesting habitat for a variety of birds including owls, raptors, and songbirds that may be located within the disturbance buffers (typically 500 feet for raptors, 300 feet for other species) recommended by CDFW. If land clearing, construction, and grading of the project site occurs within the nesting bird season (February 1 through August 31), the proposed project could potentially impact nesting birds protected under MBTA and CFGC. Nesting birds present within the grading footprint during grading activities would be directly and indirectly impacted by the proposed project. The California horned lark, burrowing owl, and prairie falcon (all of which are special status birds) have the potential to nest on-site or within 500 feet of the grading footprint (buffer). These species, as well as many non-special-status species that may nest on or near the project site, may potentially be disturbed by noise, human presence, lighting, or grading activities associated with the proposed project, which could cause nesting failure and the loss of eggs or nestlings. Impacts to nesting birds due to the disruption of nesting and loss of active bird nests from construction and site preparation would be a *potentially significant unless mitigation is incorporated*.

Mitigation Measures

To reduce impacts to nesting birds and raptors, the following mitigation measure is required:

MM BIO-2 Pre-construction Surveys for Nesting Birds and Raptors

For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds and raptors covered by the CFGC and the MBTA (including, but not limited to special status species including the California horned lark, burrowing owl, and prairie falcon) shall be conducted by a qualified biologist no more than 14 days prior to initiation of any construction activities, including, without limitation, construction staging and vegetation removal. The surveys shall include the entire disturbance areas plus a 200-foot buffer around any disturbance area(s), as is feasible. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest (said buffer to be determined by the qualified biologist). The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have discretion for establishing a suitable buffer consistent with his/her judgement as an expert and industry standards. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.

Significance After Mitigation

Mitigation Measure BIO-2 would reduce potential impacts to nesting bird species to a less than significant level. Therefore, after incorporation of mitigation, impacts would be *less than significant*.

Impact BIO-3 IMPLEMENTATION OF THE PROPOSED PROJECT COULD RESULT IN IMPACTS TO RIPARIAN AND OTHER HABITATS CONSIDERED SENSITIVE BY LOCAL, STATE, AND/OR FEDERAL AGENCIES. POTENTIAL IMPACTS TO SENSITIVE HABITATS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBER 2 AND 3]

The project site may include sensitive aquatic habitats under State and or federal jurisdiction. A riparian community is located north and adjacent to the project site that may provide nesting habitat for a variety of birds including owls, raptors, and songbirds. Additionally, eight drainages were identified along the western margin of the project site from the blufftop site extending down to Southside Road. No hydrological connections in the form of culverts or canals were identified beyond Southside Road that would lead to the San Benito River to the west. However, a formal jurisdictional delineation has not been conducted at the project site and the jurisdictional status of these drainage features has not been confirmed. Therefore, for purposes of a conservative analysis, impacts are assumed to be *potentially significant unless mitigation is incorporated.*

Mitigation Measures

To reduce impacts to State or federal aquatic resources, the following mitigation measures are required:

MM BIO-3 (A) JURISDICTIONAL DELINEATION

Prior to the start of construction, a qualified biologist would conduct a formal aquatic resources delineation throughout the project site. The aquatic resources delineation shall confirm whether any identified features are under the jurisdiction of the USACE, RWQCB, and/or CDFW. The result shall be a preliminary jurisdictional delineation report that shall be submitted to San Benito County, USACE, RWQCB and CDFW, as appropriate, for review and approval. Permits shall be obtained from each agency where applicable.

MM BIO-3 (B) WETLAND AND RIPARIAN HABITAT RESTORATION

In the event the formal aquatic resources delineation confirms there are on-site jurisdictional wetlands and/or riparian habitat, project impacts to jurisdictional wetland and riparian habitat shall be mitigated at a minimum ratio of 2:1 for each segment, and shall occur as close to the impacted habitat as feasible but at least within the same watershed, or as otherwise required by the relevant resource agenc(ies). The permanent protection and management of the mitigation wetlands shall be ensured through an appropriate mechanism, such as a conservation easement granted to a public or private entity authorized by Section 815.3 of the California Civil Code to acquire and hold conservation easements, deed restriction, or fee title purchase. This mitigation can occur either on or off the project site.

A project-specific Aquatic Resource Mitigation and Monitoring Plan shall be prepared by a qualified restoration ecologist and shall include, at a minimum, the following information:

1. Wetlands and waters impacts summary and habitat mitigation actions;
2. Goals of the restoration to achieve no net loss;
3. A map depicting the location of the mitigation site(s) and a detailed description of existing site conditions;
4. A detailed description of the mitigation design, including:

l. Location of the new wetlands;

m. Proposed site construction schedule;

n. Description of existing and proposed soils, hydrology, geomorphology, and geotechnical stability, as well as results of applicable soils testing conducted at the mitigation site;

o. A detailed description of the steps required for site preparation and a conceptual grading plan—a formal package for plan sets, specifications, and estimates for the grading, and mitigation construction work shall be prepared based on the concepts set forth in the Aquatic Resource Mitigation and Monitoring Plan no fewer than fifteen days prior to starting work at the mitigation site;

p. A description of recommended soil amendments and other site preparation;

q. Development of a planting plan, including details on plant procurement, if necessary, propagation, allowable species for seeding and relative pounds/acre, and application;

r. Maintenance plan for the created wetlands and riparian plantings;

s. A description of specific monitoring metrics, and objective performance and success criteria, such as delineation of created area as jurisdictional wetland per USACE methods within five years of construction, minimum riparian tree and canopy cover measures in the enhanced stream reaches within 10 years of restoration, and others;

t. Monitoring methods for vegetation and soils, and measures stipulating quantitative monitoring to occur once per year for at least five years following construction of the wetlands or until success criteria are met;

u. A list of reporting requirements and reporting schedule; and

v. A contingency plan for mitigation elements that do not meet performance or final success criteria within five years for created wetlands and 10 years for riparian enhancement. This plan shall include specific triggers for remediation if performance criteria are not being met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur.

Alternatively, prior to initiating construction that affects aquatic resources, the project applicant shall purchase credits at an approved mitigation bank sufficient to offset temporary impacts to wetlands at a 1:1 ratio and permanent impacts to wetlands at a 2:1 ratio.

MM BIO-3 (C) INVASIVE WEED PREVENTION AND MANAGEMENT PROGRAM

Prior to start of construction, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist approved by San Benito County to prevent, to the extent feasible, invasion in areas of by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication.

All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist and in accordance with the restoration plan.

Significance After Mitigation

Mitigation Measure BIO-3(a) through BIO-3(c) would reduce potential impacts to sensitive habitats to a less than significant level. Therefore, after incorporation of mitigation, impacts would be *less than significant*.

Impact BIO-4 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD BE REQUIRED TO COMPLY WITH THE COUNTY INTERIM WOODLANDS MANAGEMENT ORDINANCE AS IT RELATES TO ANY WORK AFFECTING WOODLANDS. COMPLIANCE WITH THIS ORDINANCE WOULD ENSURE THAT THIS IMPACT WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 5]

The San Benito County Code contains an Interim Woodlands Management Ordinance which is intended to control the removal of protected woodlands and maintain and enhance tree cover within unincorporated areas of the county. The current project site plan potentially encroaches upon coast live oak trees on the western slopes of the blufftop site. Under the Ordinance, if the project cannot be designed to avoid woodlands on-site, the total acreage and type of habitat, number of trees (including the species and each trees diameter at breast height) and canopy coverage that would be impacted shall be confirmed once the final design of the project component at issue is completed and prior to initiation of ground disturbance activities. This information shall be submitted to San Benito County to determine whether a tree pruning/ removal permit would be necessary. If a permit is necessary for impacts to woodlands, the County and/or implementing entity shall apply for and pay all associated fees for the acquisition of a permit. The fees would be applied to restoration activities that assure no net loss of woodlands habitat value. To avoid significant impacts to coast live oak woodland, compliance with the Ordinance's applicable requirements would be necessary, which would occur as part of project implementation, thus ensuring that impacts in this regard remain *less than significant*.

Mitigation Measures

No mitigation measures are required.

c. Cumulative Impacts

The geographic extent for the analysis of cumulative impacts associated with biological resources is the San Benito River watershed and open areas surrounding the project site. This extent is appropriate for cumulative impacts because, the San Benito River and its tributaries are utilized by species such as south-central California coast steelhead and California red-legged frog when sufficient water is present, and the surrounding open areas serve as dispersal and foraging habitat for the CRLF, CTS and numerous bird species.

The proposed project, in combination with other cumulative development in the vicinity of the project site, would incrementally alter biological habitats in the area. Development of the blufftop site and adjacent areas portion of the project site would potentially impact sensitive species if present in or closely adjacent to the project site and natural communities. These impacts combined with the full build-out of the projects listed in Table 4 would result in significant cumulative impacts without the application of appropriate mitigation and avoidance measures. However, compliance with applicable federal, State, and local laws and regulations relating to preservation of sensitive species in these areas, and adherence to the proposed mitigation measures outlined above for each of the project-specific potential impacts to biological resources would help ensure that each individual cumulative development would reduce impacts to biological resources to the extent feasible. In addition, compliance with federal and State laws and regulations and their respective

permitting processes (to the extent required) would help to ensure protection of sensitive habitat. For these reasons, the project is not anticipated to result in a cumulatively considerable contribution to cumulative impacts to biological resources.

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4.5 Cultural Resources

The analysis in this section has been prepared in accordance with section 15064.5 of the State CEQA Guidelines, which considers potential impacts to archaeological, historic, and paleontological resources. This section includes a brief summary of cultural resources background information; review of known archaeological, built environment, and paleontological resources; and feasible mitigation measures to reduce potentially significant impacts. Discussion of the project's potential impacts to tribal cultural resources are discussed in Section 4.14, Tribal Cultural Resources.

4.5.1 Setting

a. Regulatory Setting

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

Federal Regulations

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

NATIONAL HISTORIC PRESERVATION ACT OF 1966 (16 U.S.C. §§ 470 *ET SEQ.*)

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

National Register of Historic Places

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

of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:

Criterion A: It is associated with events that have made a significant contribution to the broad patterns of our history;

Criterion B: It is associated with the lives of persons who are significant in our past;

Criterion C: It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or

Criterion D: It has yielded, or may be likely to yield, information important in prehistory or history.

AMERICAN INDIAN RELIGIOUS FREEDOM ACT OF 1978 (42 U.S.C. §§ 1996 AND 1996A)

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

SECRETARY OF THE INTERIOR'S STANDARDS

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

State Regulations

CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

California Register of Historical Resources

The California Register of Historical Resources (California Register) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The California Register helps government agencies identify, evaluate, and protect California's historical resources, and indicates which properties are to be protected from substantial adverse change (Public Resources Code, section 5024.1(a)). The California Register is administered through the State Office of Historic Preservation (SHPO) that is part of the California State Parks system.

A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant at the local, State, or national level in accordance with one or more of the following criteria set forth in the State CEQA Guidelines, section 15064.5(a)(3):

1) It is associated with events that have made a significant contribution to the broad pattern of California's history and cultural heritage;
2) It is associated with the lives of persons important in our past;
3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4) It has yielded, or may be likely to yield, information important in prehistory or history.

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

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

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

1 Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; or
2 Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3 Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Two other programs are administered by the State: California Historical Landmarks and California "Points of Historical Interest." California Historical Landmarks are buildings, sites, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value. California Points of Historical Interest are buildings, sites, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value.

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (State CEQA Guidelines, section 15064.5 [b][1], 2000). Material impairment is defined as "demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register…." (State CEQA Guidelines, section 15064.5[b][2][A]).

Regulations Pertaining to Human Remains

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

PUBLIC RESOURCES CODE SECTION 5097.5

Public Resources Code section 5097.5 prohibits excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the State or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Local Regulations: San Benito County

2035 GENERAL PLAN

The 2035 General Plan Natural and Cultural Resources Element provides the following goals, policies and objectives pertaining to archaeological, paleontological, Native American, tribal, cultural, and historic resources and unique geological formations that are relevant to this analysis. As noted above, a full discussion of the project's potential impacts to tribal resources is set forth in Section 4.14, Tribal Cultural Resources.

Natural and Cultural Resources Element

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

NCR-7.9 **Tribal Consultation.** The County shall consult with Native American tribes regarding proposed development projects and land use policy changes consistent with the State's Local and Tribal Intergovernmental Consultation requirements.

NCR-7.11 **Prohibit Unauthorized Grading.** The County shall prohibit unauthorized grading, collection, or degradation of Native American, tribal, archaeological, or paleontological resources or unique geological formations.

NCR-7.12 **Archaeological Artifacts.** The County shall require an archaeological report prior to the issuance of any project permit or approval in areas determined to contain significant historic or prehistoric archaeological artifacts and when the development of the project may result in the disturbance of the site. The report shall be written by a qualified cultural resource specialist and shall include information as set forth in the county's archaeological report guidelines available at the County Planning Department.

SAN BENITO COUNTY CODE OF ORDINANCES

The following sections of the San Benito County Code pertain to cultural resources.

Chapter 19.05: Archaeological Site Review

The purpose 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. There exist in the county areas known and yet to be discovered which contain significant cultural and archaeological sites which contain unique, irreplaceable, or religious resources significant to the history of the county and for the cultural heritage of the citizens of the county and State. This archaeological resource is fast disappearing as a result of public and private land development. It is the policy of San Benito County to preserve the county's historic identity and integrity. This chapter establishes regulations for the protection, enhancement, and perpetuation of archaeological sites in order to promote the public welfare, and to implement General Plan policy and State law.

b. Environmental Setting

The project site is located approximately 0.7 mile south of the City of Hollister in the Hollister Valley with surface elevations ranging from approximately 340 feet above mean sea level, where the adjacent area meets Southside Road, to approximately 515 feet above mean sea level, on the blufftop site. Most of the approximately 49.6-acre project site is currently used primarily for agricultural purposes, predominately hay production. The project site is surrounded by existing single-family and some multi-family residences within the Ridgemark Country Club development to the north; agricultural land to the south; multi-family residences, tennis courts, a parking lot, and a stormwater detention basin within the Ridgemark Country Club development to the east; and agricultural land, an orchard, and a single-family residence to the west.

c. Geological Setting

The project site is located within the Coast Range geomorphic province. The site is bounded by the Gabilan Range to the west, the Hollister Hills to the south and west, the Santa Clara Valley to the north, and the Quien Sabe Range to the east. The predominant structural feature of the California Coast Ranges is the San Andreas Rift Zone; the physical boundary between the Pacific Plate to the west and the North American Plate to the east. The Hollister Valley is east of the San Andreas Rift Zone and within the Calaveras Fault Zone where tectonic processes, especially aseismic creep along the Calaveras Fault Zone, is stretching the valley on a northwest-southeast axis (Bakun et al. 1986).

Two sedimentary geologic units have been mapped within the project site (Dibblee and Minch 2006) (Figure 24): Holocene aged alluvial sediments (Qa) and Pleistocene aged older alluvial terrace sediments (Qoa2). Holocene alluvium is mapped only in the westernmost section of the project site, along Southside Road. Pleistocene terrace sediments (Qoa2) are mapped throughout all other areas of the project site.

d. Cultural Setting

Prehistory

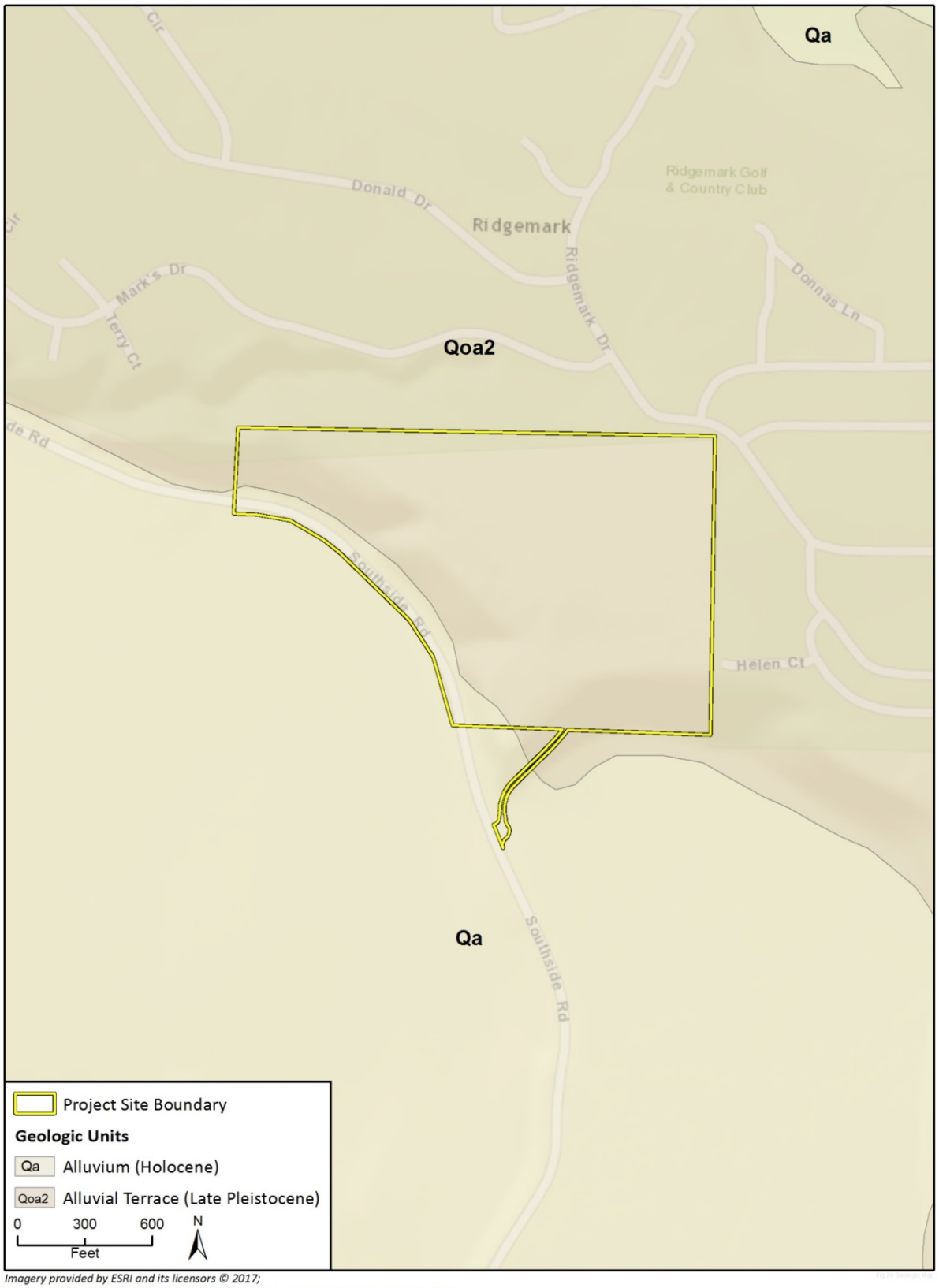
The project site is located in the Central Coast region of California (Jones and Klar 2007: Figure 1.1). The Central Coast has been defined as extending from south of San Francisco Bay to Santa Barbara. The region extends inland to include the Central Coast Ranges west of the Central Valley (Jones et al. 2007:125). Following Jones and colleagues (2007:137), the prehistoric cultural chronology for the Central Coast can be generally divided into six periods: Paleo-Indian (ca. 10,000–8,000 B.C.), Millingstone/Early Archaic (8,000-3,500 B.C.), Early (3,500-600 B.C.), Middle (600 B.C.-A.D. 1000), Middle-Late Transition (A.D. 1000-A.D. 1250), and Late (A.D. 1250-contact [ca. A.D. 1769]).

The Paleo-Indian Period economy is characterized by a diverse mixture of hunting and gathering, with a major emphasis on aquatic resources in many coastal areas (e.g., Jones et al. 2002) and on Pleistocene lake shores in eastern California (Moratto 1984:90–92). Although few Clovis-like or Folsom-like fluted points have been found along the Central Coast (e.g., Erlandson et al. 1987), it is generally considered that the emphasis on hunting may have been greater during the Paleo-Indian Period than in later periods.

The Millingstone Period is characterized by an ecological adaptation to collecting suggested by the appearance and abundance of well-made milling implements. Millingstones occur in large numbers for the first time in the region's archaeological record, and are even more numerous near the end of this period. Aside from millingstones, typical artifacts during this period include crude core and cobble-core tools, flake tools, large side-notched projectile points, and pitted stones (Jones et al. 2007).

Early Period sites within the Central Coast region provide evidence for continued exploitation of inland plant and coastal marine resources. Artifacts include milling slabs and handstones, as well as mortars and pestles, which were used for processing a variety of plant resources. Bipointed bone gorge hooks were used for fishing. Assemblages also include a suite of *Olivella* sp. beads, bone tools, and pendants made from talc schist. Square abalone shell (*Haliotis* sp.) beads have been found in Monterey Bay, but not yet in the Big Sur or San Luis Obispo areas (Jones and Waugh 1997:122). Shell beads and obsidian are hallmarks of the trade and exchange networks of the central and southern California coasts. The archaeological record indicates that there was a substantial increase in the abundance of obsidian at Early Period sites in the Monterey Bay and San Luis Obispo areas (Jones

Figure 24 Geologic Units



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Additional data provided by Carlson, Barbee & Gibson, April 2017; Dibblee & Minch, 2006.

and Waugh 1997:124–126). Obsidian trade continued to increase during the following the Middle Period.

The Middle Period saw a pronounced trend toward greater adaptation to regional or local resources occurred during the Middle period. For example, the remains of fish, land mammals, and sea mammals are increasingly abundant and diverse in archaeological deposits along the coast. Related chipped stone tools suitable for hunting were more abundant and diversified, and shell fishhooks became part of the toolkit during this period. Larger knives, a variety of flake scrapers, and drill-like implements are common during this period. Projectile points include large side-notched, stemmed, and lanceolate or leaf-shaped forms. Bone tools, including awls, are more numerous than in the preceding period, and the use of asphaltum adhesive became common. Sites from this period show a retention of stemmed points and the disappearance of the larger side-notched points (Jones and Klar 2005; Jones et al. 2007:138-140).

The Middle-Late Transition Period is marked by relative instability and change, with major changes in diet, settlement patterns, and interregional exchange. The relatively ubiquitous Middle Period shell midden sites found along the Central Coast were abandoned by the end of the Middle-Late Transition Period (Jones and Ferneau 2002:213, 219).

Late Period sites are marked by small, finely worked projectile points, such as Desert side-notched and Cottonwood points, as well as temporally diagnostic shell beads. The small projectile points are associated with bow and arrow technology and indicate influence from the Takic migration from the deserts into southern California. Common artifacts identified at Late Period sites include bifacial bead drills, bedrock mortars, hopper mortars, lipped and cupped *Olivella* shell beads, and steatite disk beads. The presence of beads and bead drills suggest that low-level bead production was widespread throughout the Central Coast region (Jones et al. 2007:140).

Ethnography

The project site lies within an area traditionally occupied by the Ohlone (or Costanoan) people. Ohlone territory extends from the point where the San Joaquin and Sacramento Rivers issue into the San Francisco Bay to Point Sur, with the inland boundary most likely constituted by the interior Coast Ranges (Kroeber 1925:462). The Ohlone language belongs to the Penutian family, with several distinct dialects throughout the region (Kroeber 1925: 462).

The pre-contact Ohlone were semi-sedentary, with a settlement system characterized by base camps of tule reed houses and seasonal specialized camps (Skowronek 1998). Villages were divided into small polities, each of which was governed by a chief responsible for settling disputes, acting as a war leader (general) during times of war, and supervising economic and ceremonial activities (Skowronek 1998, Kroeber 1925:468). Social organization appeared flexible to ethnographers and any sort of social hierarchy was not apparent to mission priests (Skowronek 1998).

Ohlone subsistence was based on hunting, gathering, and fishing (Kroeber 1925: 467; Skowronek 1998). Mussels were a particularly important food resource (Kroeber 1925:467). Sea mammals were also important; sea lions and seals were hunted and beached whales were exploited (Kroeber 1925:467). Like the rest of California, the acorn was an important staple and was prepared by leaching acorn meal both in openwork baskets and in holes dug into the sand (Kroeber 1925:467). The Ohlone also practiced controlled burning to facilitate plant growth (Kroeber 1925:467; Skowronek 1998).

Seven Franciscan missions were built within Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually brought in to the mission system (Kroeber 1925:462; Skowronek

1998). After the establishment of the missions, Ohlone population dwindled from roughly 10,000 people in 1770 to 1,300 in 1814 (Skowronek 1998). In 1973, the population of people with Ohlone descent was estimated at fewer than 300 (Levy 1978:487). The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize aspects of their culture (Skowronek 1998).

History

Juan Rodriguez Cabrillo in 1542 led the first European expedition to observe what was known by the Spanish as Alta (upper) California. For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968:13-24; Rolle 2003:20-29). In 1769, Gaspar de Portolá and Franciscan Father Junipero Serra established the first Spanish settlement in Alta California at Mission San Diego de Alcalá. This was the first of 21 missions erected by the Spanish between 1769 and 1823. It was during this time that initial Spanish settlement of the project vicinity began.

In November of 1795, Friar Danti and Lieutenant Hemenegildo Sal led a party out of Monterey into the San Benito Valley to identify locations for a new mission. The party found two suitable locations, one on the San Benito River and the other near the present town of Gilroy. After much deliberation, the site on the San Benito River was chosen and on June 24 1797, Mission San Juan Bautista was founded (Barrows and Ingersoll 1893). The site is located approximately eight miles west of the present City of Hollister, near the Mitsun Costanoan village of Popeloutchom (Pentacle Press 2013). Historic records indicate there were 958 (530 male and 428 female) Indian neophytes at the mission in 1802. The records also indicate that within three and half years of its founding the mission baptized nearly 650 Indians and had 23 rancherias (Indian villages) under its sphere of influence. During intervening years since its founding, the mission flourished and by 1820 boasted a population of about 1,000, mostly Christianized, native inhabitants, over 40,000 head of cattle, nearly 1,400 tame horses, and 70,000 head of sheep (Barrow and Ingersoll 1893). However, mission influence in the region began to wane when calls for the secularization of mission lands in California were enacted by the newly formed Mexican Republic.

The Mexican Period commenced when news of the success of the Mexican Revolution (1810-1821) against the Spanish crown reached California in 1822. This period saw the privatization of mission lands in California with the passage of the Secularization Act of 1833. This Act enabled Mexican governors in California to distribute mission lands to individuals in the form land grants. Successive Mexican governors made more than 700 land grants between 1822 and 1846, putting most of the State's lands into private ownership for the first time (Shumway 2007:5-7).

San Benito County saw no more than 14 land grants (ranchos) during this period (Shumway 2007:78-81). One of them, San Justo, includes the westernmost corner of the project site. The San Justo land grant was conferred to Jose Castro in 1839 by Governor Juan B. Alvarado and consisted of 34,620 acres. Castro held the land until 1850 when he sold it to Francisco Perez Pacheco for the sum of $1,400 (San Benito County Historical Society 2013). The presence of so many ranchos in the county meant that much of the land remained rural, serving as grazing land for livestock, and would remain so until the American Period of California history.

The American Period officially began with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the United States agreed to pay Mexico $15 million for the conquered territory, including California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming. Settlement within California increased dramatically during the American Period with the discovery of gold in the

Sierra Nevada range in 1848 which led to the California Gold Rush (Bean 1968:108-117). This period saw many ranchos in California sold or otherwise acquired by Americans and the land subdivided into agricultural parcels or towns.

The San Justo rancho was no exception, in 1855 Flint-Bixby and Company, consisting of Dr. Thomas Flint, his brother Benjamin Flint, and their cousin Llewellyn Bixby, bought the rancho from Francisco Perez Pacheco for the sum of $25,000 with the understanding that Colonel William Welles Hollister would buy one half of the interest in the rancho in 1857. The rancho was held jointly for three years until it was divided in 1861. The partnership soon dissolved however, with Flint taking all land east of the San Benito River and Hollister taking all land to the west. Later, Hollister protested the split of assets which was resolved by swapping lands and Hollister paying Flint $10,000. In 1868, Hollister sold his part of the rancho, approximately 20,773 acres, to the San Justo Homestead Association for the sum of $370,000. The association promptly divided the property into 50 homestead lots of approximately 172 acres each and reserved about 100 acres for the newly formed town of Hollister. In 1870, the Southern Pacific Railroad laid track from Carnardero (three miles south of Gilroy) to Hollister and then extended to Tres Pinos in 1873 (San Benito County Historical Society 2013.

4.5.2 Existing Conditions

Cultural Resources

CULTURAL RESOURCES RECORDS SEARCH

A cultural resources records search of California Historical Resources Information System (CHRIS) records conducted at the Northwest Information Center (NWIC) identified 16 previous studies within a 0.5-mile radius[18] of the project site (Table 16). Of these, two include a portion of the project site.

Table 16 Previously Conducted Cultural Resource Studies within a 0.5-Mile Radius of the Project Site

NWIC Report No.	Author	Year	Study	Proximity to Project Site
S-003289	Hampson, P. and G. S. Breschini	1980	Preliminary Archaeological Reconnaissance of the Scenic Southside Subdivision, Southeast of Hollister, San Benito County, California	Within
S-005222	King, T. F. and P. P. Hickman	1973	Archaeological Impact Evaluation: San Felipe Division, Central Valley Project, Part I; The Southern Santa Clara Valley, California: A General Plan for Archaeology	Outside
S-005222a	King, T.F.	1973	Archaeological Impact Evaluation: San Felipe Division, Central Valley Project, Part 1:	Outside
S-006517	Anonymous	1984	Cultural Resource Evaluation of the Ridgemark Project on Airline Highway in the County of San Benito, CA	Outside
S-006517	Anonymous	1984	Cultural Resource Evaluation of the Ridgemark Project on Airline Highway in the County of San Benito, CA	Outside
S-007783	Hampson, R. P. and G. S. Breschini	1985	Preliminary Cultural Resources Reconnaissance for Cielo Vista Estates, Near Hollister, San Benito County, California	Outside

[18] A 0.5 mile radius is the standard for all CEQA cultural resource technical studies. This radius is a large enough buffer to provide adequate context for understanding the cultural history of the general vicinity of a project.

NWIC Report No.	Author	Year	Study	Proximity to Project Site
S-014108	Clark, M. R.	1992	Archaeological Reconnaissance of Three Alternative Alignments for the Highway 25 Bypass Project in the City of Hollister, San Benito County, California	Outside
S-016410	Edwards, J. L.	1994	Cultural Resources Survey for a Pacific Bell Fiber Optic Line Along State Highway 25, Between Hollister and Tres Pinos, San Benito County, California	Outside
S-018800	Runnings, A.	1996	Historic Property Clearance Report for Proposed Acceleration and Deceleration Lanes on Highway 25 at Fairview Road, Best Road, and Ridgemark Drive, Hollister, San Benito County, California	Outside
S-020132	Cartier, R.	1997	Cultural Resource Evaluation of a 62.7-Acre Property on Southside Road in the City of Hollister, County of San Benito	**Within**
S-021952	Doane, M. and T. Haversat	1999	Preliminary Archaeological Reconnaissance for a Portion of Assessor's Parcel Number 025-420-026, near Hollister, San Benito County, California	Outside
S-023015	Doane, M and T. Haversat	2000	Negative Archaeological Survey Report for Proposed Turn Lanes and Highway Widening on State Highway 25 at the New Sunnyslope County Water District Facility in Hollister, San Benito County, California; 05-SBN-25 PM 47.9-48.1	Outside
S-023042	Doane, M. and T. Haversat	2000	Preliminary Archaeological Reconnaissance for APN 20-33-05 in Hollister, San Benito County, California	Outside
S-034554	Cartier, R.	2008	Cultural Resource Evaluation of the Gavilan Campus Project at Airline Highway and Fairview Road in the County of San Benito	Outside
S-038300	Mikkelsen, P., L. Leach-Palm, J. Hatch, E. Kallenbach, and J. King	2001	Cultural Resources Inventory of Caltrans District 5 Rural Highways, San Benito County, California, Highways 25, 101, 129, 146, and 156, Volume I: Report	Outside
S-039041	Anonymous	2008	Historic Properties Survey Report/Finding of Effect (No Historic Properties Affected), Ridgemark Wastewater Treatment and Recycled Water Improvements Project, Sunnyslope County Water District, Hollister, San Benito County, California	Outside

The CHRIS records search identified one previously recorded cultural resource within a 0.5-mile radius of the project site; based on the above previous studied no resources are located within the project site (Table 17).

Table 17 Previously Recorded Cultural Resources within a 0.5-Mile Radius of the Project Site

Trinomial	Primary Number	Description	Site Type	NRHP/CRHR Eligibility Status	Recorded/Updated By and Year	Proximity to Project Site
CA-SBN-221H	P-35-000316	Highway 25	Historic infrastructure	Not evaluated	J. Berg, L. Leach-Palm, S. Mikesell 1999	Outside

CULTURAL RESOURCES FIELD SURVEY

Rincon cultural resources personnel conducted an intensive pedestrian survey of the project site, including 49.2-acre blufftop site and 0.3-acre adjacent area, on September 26, 2016(Haas et al. 2016). The survey consisted of walking parallel transects oriented east-west and spaced no greater than 15 meters apart. Rincon personnel examined all areas of exposed ground surface for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock [FAR]), soil discoloration that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations) or historic debris (e.g., metal, glass, ceramics). No cultural resources were identified in the project site during the survey.

Paleontological Resources

Paleontological resources (fossils) are the remains and/or traces of prehistoric life. Fossils are typically preserved in layered sedimentary rocks and the distribution of fossils is a result of the sedimentary history of the geologic units within which they occur. Fossils occur in a non-continuous and often unpredictable distribution within some sedimentary units, and the potential for fossils to occur within sedimentary units depends on a number of factors. Although it is not possible to determine whether a fossil would occur within any specific location, it is possible to evaluate the potential for geologic units to contain scientifically significant paleontological resources, and therefore evaluate the potential for impacts to those resources, and provide mitigation for paleontological resources if they do occur during construction.

The project site is located just south of the City of Hollister, in the Hollister Valley, within the Coast Range geomorphic province. Two sedimentary geologic units have been mapped within the project site (Dibblee and Minch 2006) ranging in age from Holocene to Pleistocene. Pleistocene-aged alluvial terrace sediments (Qoa2) are mapped throughout the blufftop site. Holocene alluvial sediments (Qa) are mapped along the western edge of the blufftop site, adjacent to Southside Road, and through most of the 0.3-acre adjacent area that would be developed with an emergency vehicle access road. In total, the project site contains approximately 44.9 acres of Qoa2 and 4.7 acres of Qa.

QUATERNARY GEOLOGIC UNITS

Quaternary units mapped within the project site include Holocene aged alluvium valley and Pleistocene aged alluvial terrace sediments (Figure 24). The Holocene sediments are generally considered too young to contain scientifically significant fossils if they are less than 5,000 years old (middle and late Holocene) (SVP 2010). The Holocene aged deposits mapped at the surface within the project site are likely younger than 5,000 years old; however, these sediments are relatively thin and conformably overlie older, paleontologically sensitive early Holocene to late Pleistocene aged deposits in this area below approximately five feet (Dibblee and Minch 2006; Hildebrandt 1997;

Jensen 1973). The Pleistocene aged older alluvial terrace deposits within the project site (Qoa2) have the potential to contain scientifically significant paleontological resources because of their age and depositional context (i.e., lake and stream margin; Jensen 1973). Construction-related disturbance of Holocene alluvium would have a low potential at the surface, but high potential below five feet, to impact significant paleontological resources. Pleistocene aged deposits have a high potential, below the approximately top two feet of surficial soils, to impact significant paleontological resources. Table 18 summarizes geologic units mapped within the project site and their paleontological sensitivity.

Table 18 Geologic Units within the Project Site

Geologic Unit*	Age	Notes	Paleontological Sensitivity (SVP)	Acres on the Project Site)
Alluvial valley sediments (Qa)	Holocene	Generally considered too young to contain fossils	Low (surface), High (below 5 feet)	4.7
Older alluvial terrace deposits (Qoa2)	Pleistocene	Potential to contain significant paleontological resources	High	44.9

4.5.3 Impact Analysis

a. Methodology and Significance Thresholds

Cultural Resources

Under CEQA, archaeological resources may meet the definition of a historical resource or unique archaeological resource. Any project that may cause a substantial adverse change in the significance of a historical resource would also have a significant effect on the environment. According to Appendix G of the State CEQA Guidelines, impacts related to cultural resources from the proposed project would be significant if the project would:

1) Cause a substantial adverse change in the significance of an historical resource as defined in section 15064.5
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or cultural value
4) Disturb any human remains, including those interred outside of dedicated cemeteries

The significance of a cultural resource and subsequently the significance of any impact is determined by among other things, consideration of whether or not that resource can increase our knowledge of the past. The determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the State CEQA Guidelines.

The State CEQA Guidelines section 15064.5 (Determining the Significance of Impacts to Archaeological Resources) states:

(3) […] Generally, a resource shall be considered by the lead agency to be ”historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code, section 5024.1, Title 14 CCR, section 4852).

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

(b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

Historical resources are "significantly" affected if there is demolition, destruction, relocation, or alteration of the resource or its surroundings. Generally, impacts to historical resources can be mitigated to below a level of significance by following the Secretary of the Interior's Guidelines for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings [Guidelines § 15064.6(b)]. In some circumstances, documentation of an historical resource by way of historic narrative photographs or architectural drawings would not mitigate the impact of demolition below the level of significance [Guidelines § 15126.4(b)(3)]. Preservation in place is the preferred form of mitigation for archaeological resources as it retains the relationship between artifact and context, and may avoid conflicts with groups associated with the site [Guidelines § 15126.4 (b)(3)(A)]. If an archaeological resource does not meet either the historic resource or the more specific "unique archaeological resource" definition, impacts to any such resources would not be considered significant and therefore would not need to be mitigated [Guidelines § 15064.5(e)]. Where the significance of a site is unknown, it is presumed to be significant for the purpose of the EIR investigation.

Paleontological Resources

Paleontological sensitivity refers to the potential for a geologic unit to produce scientifically significant fossils. Direct impacts to paleontological resources occur when earthwork activities, such as grading or trenching, cut into the geologic deposits (formations) within which fossils are buried and physically destroy the fossils. Since fossils are the remains of prehistoric animal and plant life, they are considered to be nonrenewable. Such impacts have the potential to be significant and, under the California Environmental Quality Act (CEQA) guidelines, may require mitigation. Sensitivity is determined by rock type, past history of the geologic unit in producing significant fossils, and fossil localities recorded from that unit. Paleontological sensitivity is derived from the known fossil data collected from the entire geologic unit, not just from a specific survey.

The discovery of a vertebrate fossil locality is of greater significance than that of an invertebrate fossil locality, especially if it contains a microvertebrate assemblage. The recognition of new vertebrate fossil locations could provide important information on the geographical range of the taxa, their radiometric age, evolutionary characteristics, depositional environment, and other important scientific research questions. Vertebrate fossils are almost always significant because they occur more rarely than invertebrates or plants. Thus, geological rock units having the potential to contain vertebrate fossils are considered the most sensitive.

The Society of Vertebrate Paleontology (SVP) outlines in their Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (SVP 2010) guidelines for categorizing paleontological sensitivity of geologic units within a project area. The SVP (2010)

describes sedimentary rock units as having a high, low, undetermined, or no potential for containing significant nonrenewable paleontological resources. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present. Significant paleontological resources are fossils or assemblages of fossils, which are unique, unusual, rare, uncommon, diagnostically or stratigraphically important, and those which add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally. While these standards were specifically written to protect vertebrate paleontological resources, all fields of paleontology have adopted these guidelines. Rincon has evaluated the paleontological sensitivity of the project site according to the following SVP (2010) categories; the results are summarized in Table 18 and Figure 25.

HIGH POTENTIAL (SENSITIVITY)

Rock units from which significant vertebrate or significant invertebrate fossils or significant suites of plant fossils have been recovered are considered to have a high potential for containing significant non-renewable fossiliferous resources. These units include but are not limited to, sedimentary formations and some volcanic formations which contain significant nonrenewable paleontological resources anywhere within their geographical extent, and sedimentary rock units temporally or lithologically suitable for the preservation of fossils. Sensitivity comprises both (a) the potential for yielding abundant or significant vertebrate fossils or for yielding a few significant fossils, large or small, vertebrate, invertebrate, or botanical and (b) the importance of recovered evidence for new and significant taxonomic, phylogenetic, ecologic, or stratigraphic data. Areas which contain potentially datable organic remains older than Recent, including deposits associated with nests or middens, and areas which may contain new vertebrate deposits, traces, or trackways are also classified as significant.

LOW POTENTIAL (SENSITIVITY)

Sedimentary rock units that are potentially fossiliferous, but have not yielded fossils in the past or contain common and/or widespread invertebrate fossils of well documented and understood taphonomic, phylogenetic species and habitat ecology. Reports in the paleontological literature or field surveys by a qualified vertebrate paleontologist may allow determination that some areas or units have low potentials for yielding significant fossils prior to the start of construction. Generally, these units would be poorly represented by specimens in institutional collections and would not require protection or salvage operations. However, as excavation for construction gets underway it is possible that significant and unanticipated paleontological resources might be encountered and would require a change of classification from Low to High Potential and, thus, require monitoring and mitigation if the resources are found to be significant.

UNDETERMINED POTENTIAL (SENSITIVITY)

Specific areas underlain by sedimentary rock units for which little information is available are considered to have undetermined fossiliferous potentials. Field surveys by a qualified vertebrate paleontologist to specifically determine the potentials of the rock units are required before programs of impact mitigation for such areas may be developed.

NO POTENTIAL

Rock units of metamorphic or igneous origin are commonly classified as having no potential for containing significant paleontological resources.

Figure 25 Paleontological Sensitivity

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Additional data provided by Carlson, Barbee & Gibson, April 2017; Dibblee & Minch, 2006.

In general terms, for geologic units with high sensitivity, full-time monitoring typically is recommended during any project-related ground disturbance. For geologic units with low sensitivity, protection or salvage efforts typically are not required. For geologic units with undetermined sensitivity, field surveys by a qualified paleontologist are usually recommended to specifically determine the paleontological potential of the rock units present within the study area. For geologic units with no sensitivity, a paleontological monitor is not required.

b. Project Impacts and Mitigation Measures

Impact CUL-1 Construction of the proposed project would involve surface excavation, which has the potential to unearth or adversely impact previously unidentified Archaeological Resources. Impacts would be less than significant with mitigation incorporated. [Threshold numbers 1 and 2]

Rincon personnel examined all areas of exposed ground surface on the project site for artifacts, soil discoloration that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings or historic debris. No cultural resources were identified in the project site during the survey. However, project construction activities , including ground clearing, grading and excavation, could have significant impacts on previously unidentified archaeological resources. Pre-construction reconnaissance can only confidently assess the potential for encountering surficial archaeological materials. Therefore, the possibility remains for encountering subsurface archaeological resources during construction activities. If the resource(s) were found to be significant, impacts would be *potentially significant unless mitigation is incorporated*. Potentially significant impacts would occur if the implementation of the proposed project would result in construction activities that would damage previously unidentified significant archaeological resources.

Mitigation Measures

MM CUL-1 Unanticipated Cultural Deposits

If unanticipated cultural deposits are encountered during any phase of project construction or land disturbance activities, work shall stop in the area of the find and San Benito County shall be notified. A qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, shall be retained to assess the nature, extent, and potential significance of any cultural remains. If the resources are determined to be Native American in origin, the archaeologist would consult with the project proponent and the County to begin Native American consultation procedures, as appropriate (see Chapter 4.14: Tribal Cultural Resources). If the discovery is determined to be not significant, work would be permitted to continue in the area. Potentially significant resources may require a Phase II subsurface testing program to determine the resource boundaries within the project site, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts. If, in consultation with the County, a discovery is determined to be significant, a mitigation plan shall be prepared and carried out in accordance with State guidelines. If the resource cannot be feasibly avoided, a data recovery plan shall be developed to ensure collection of sufficient information to address archaeological and historical research questions, with results presented in a technical report describing field methods, materials collected, and conclusions. Any cultural material collected as part of an assessment or data recovery effort shall be curated, as determined appropriate, at a qualified facility.

Significance After Mitigation

Mitigation Measure CUL-1 would reduce potential impacts to archaeological resources to a less than significant level. Therefore, after incorporation of mitigation, impacts would be *less than significant*.

Impact CUL-2 Construction of the proposed project would involve excavation, which has the potential to unearth or adversely impact previously unidentified Human Remains. Impacts would be less than significant with mitigation incorporated. [Threshold number 4]

No previously recorded cultural resources are located within the project site and no cultural resources were identified in the project site during field surveys. Though unanticipated, project construction activities within the project site, including ground clearing, grading and excavation, have the potential to impact previously unidentified human remains. If human remains are identified in the project site, impacts would be *potentially significant unless mitigation is incorporated*.

Mitigation Measures

MM CUL-2 Discovery of Human Remains

If human remains are discovered, State Health and Safety Code section 7050.5 requires that no further disturbance shall occur in the area of the find until the County has made the necessary findings as to origin and disposition pursuant to Public Resources Code section 5097.98. If the remains are determined to be of Native American descent, the coroner would notify the NAHC. The NAHC would determine and notify a MLD. The MLD would complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Significance After Mitigation

Mitigation Measure CUL-2 would reduce potential impacts to human remains to a less than significant level. Therefore, after incorporation of mitigation, impacts would be *less than significant*.

Impact CUL-3 Construction of the proposed project would involve surface excavation. Although unlikely, these activities have the potential to unearth and/or impact Paleontological Resources. Impacts would be less than significant with mitigation incorporated. [Threshold number 3]

No previously recorded paleontological resources are located within the project site and no paleontological resources were identified in the project site during field surveys. Regardless, construction of the proposed project would involve surface excavation and, although unlikely, these activities have the potential to unearth and/or impact potentially significant paleontological resources. Paleontological sensitivity refers to the potential for a geologic unit to produce scientifically significant fossils. Direct impacts to paleontological resources occur when earthwork activities, such as grading or trenching, cut into the geologic deposits (formations) within which fossils are buried and physically destroy the fossils. Since fossils are the remains of prehistoric animal and plant life, they are considered to be nonrenewable. Sensitivity is determined by rock type, past history of the geologic unit in producing significant fossils, and fossil localities recorded from that unit.

The University of California Museum of Paleontology (UCMP) collections database includes eight Pleistocene records within San Benito County. All localities are listed as originating from the San Benito Gravels, with one locality named as "Hollister Gravel Pit". Numerous gravel pits are recorded in the City of Hollister, and most appear to be associated with Plio-Pleistocene alluvial and lacustrine terraces, or situated within the present day river channel. There is at least one gravel pit just south of the site in this formation, however, no fossils are known from this location. Pleistocene alluvial and lacustrine terraces have yielded numerous scientifically significant fossils from throughout California and these types of deposits are generally considered to have high paleontological sensitivity wherever they occur (Agenbroad 2003; Macias et al. 2014; Springer et al. 2009).

As discussed previously, the site contains approximately 44.9 acres of Qoa2 and 4.7 acres of Qa. Ground disturbance within Qoa2 has a high potential to impact significant paleontological resources below two feet of the surface. Excavation and grading in areas underlied by Qoa2 – including most of the blufftop site –would be an average approximate depth of one to three feet; the on-site retention basin would be excavated and graded up to approximately 15 feet. Qa is mapped along the western edge of the blufftop site, adjacent to Southside Road, and in southern half of the adjacent area. Construction-related disturbance of Qa would have a low potential at the surface, but high potential below five feet, to impact significant paleontological resources. Excavation and grading within these areas would be approximately one to two feet for the emergency vehicle access road; grading would not occur adjacent to Southside Road. If paleontological resources are identified during construction, impacts would be *potentially significant unless mitigation is incorporated.*

Mitigation Measures

MM CUL-3 (A) PROFESSIONAL PALEONTOLOGIST

Prior to initial ground disturbance, the applicant shall retain a project paleontologist, defined as a paleontologist who meets the SVP standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources.

MM CUL-3 (B) PALEONTOLOGICAL MONITORING

Excavations exceeding two feet in depth anywhere on the project site shall be monitored on a full-time basis by a qualified paleontological monitor during initial ground disturbance. Ground disturbing activity that does not exceed two feet in depth shall not require paleontological monitoring. The duration and timing of the monitoring shall be reasonably determined by the project paleontologist. If the project paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend that monitoring be reduced to periodic spot-checking or cease entirely, which recommendation shall then be adhered to by the project applicant.

If fossils are discovered, the paleontological monitor or project paleontologist shall recover them using standard field methods. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.

Significance After Mitigation

Mitigation Measures CUL-3(a) and CUL-3(b) would reduce potential impacts to paleontological resources to a less than significant level. Therefore, after incorporation of mitigation, impacts would be *less than significant*.

c. Cumulative Impacts

The geographic scope for considering cumulative impacts to cultural resources is based on the historic, ethnographic, and prehistoric period use patterns of the project site and surrounding region. The geographic extent of cumulative impacts for the historic period is the San Benito Valley. For the ethnographic period, the geographic extent includes the entire traditional Ohlone territory. The geographic context for the prehistoric period includes the Central Coast region, which includes western San Benito County and nearby portions of adjacent counties.

Cumulative development based on the project list provided in Table 4 would continue to disturb areas with the potential to contain cultural resources, including archaeological resources and paleontological resources. It is anticipated that for other cumulative developments that would have significant impacts on cultural and paleontological resources, similar mitigation measures described herein would be imposed on those other developments, along with requirements to comply with all applicable laws and regulations governing said resources. With the proposed mitigation measures identified herein, coupled with similar measures being imposed on other cumulative developments, any such cumulative impacts to cultural and paleontological resources would be less than significant. I.e., each individual discretionary development proposal within the county is reviewed by City or County representatives and undergoes a comprehensive environmental review when it is determined that a potential for significant cultural resource impacts exist. In the event that other cumulative development would result in impacts to known or unknown cultural and paleontological resources, impacts to such resources would be addressed on a case-by-case basis in accordance with the requirements of the County's General Plan, CEQA and other applicable laws and regulations, and would not be cumulatively significant. Furthermore, the implementation of Mitigation Measures CUL-1 through CUL-3 would ensure that the project's contribution to any such cumulative impacts on cultural (e.g., prehistoric sites, human remains) and paleontological (i.e., fossils) resources are not cumulatively considerable.

4.6 Geology and Soils

4.6.1 Setting

a. Regional Setting

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

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

b. Project Site Setting

Site Geology

The site is underlain by Pleistocene intermediate alluvial terrace deposits that consist of gravels and sands (Stevens, Ferrone & Bailey 2015) and Pleistocene older alluvium (DOC 2002).

Topographic Relief

The surface of the blufftop site slopes very gently from the southeast at an elevation of about 515 feet downward toward the northwest at an elevation of about 460 feet. Approximately 90 to 120 foot high slopes with 1.5:1 to 3:1 slope inclinations are located along the western, southwestern, and southern site boundaries and slope down toward the adjacent Southside Road and undeveloped land. Several active landslides and severely eroded gullies exist on these slopes (Stevens, Ferrone & Bailey 2015). The adjacent area has a relatively steep slope from east to west.

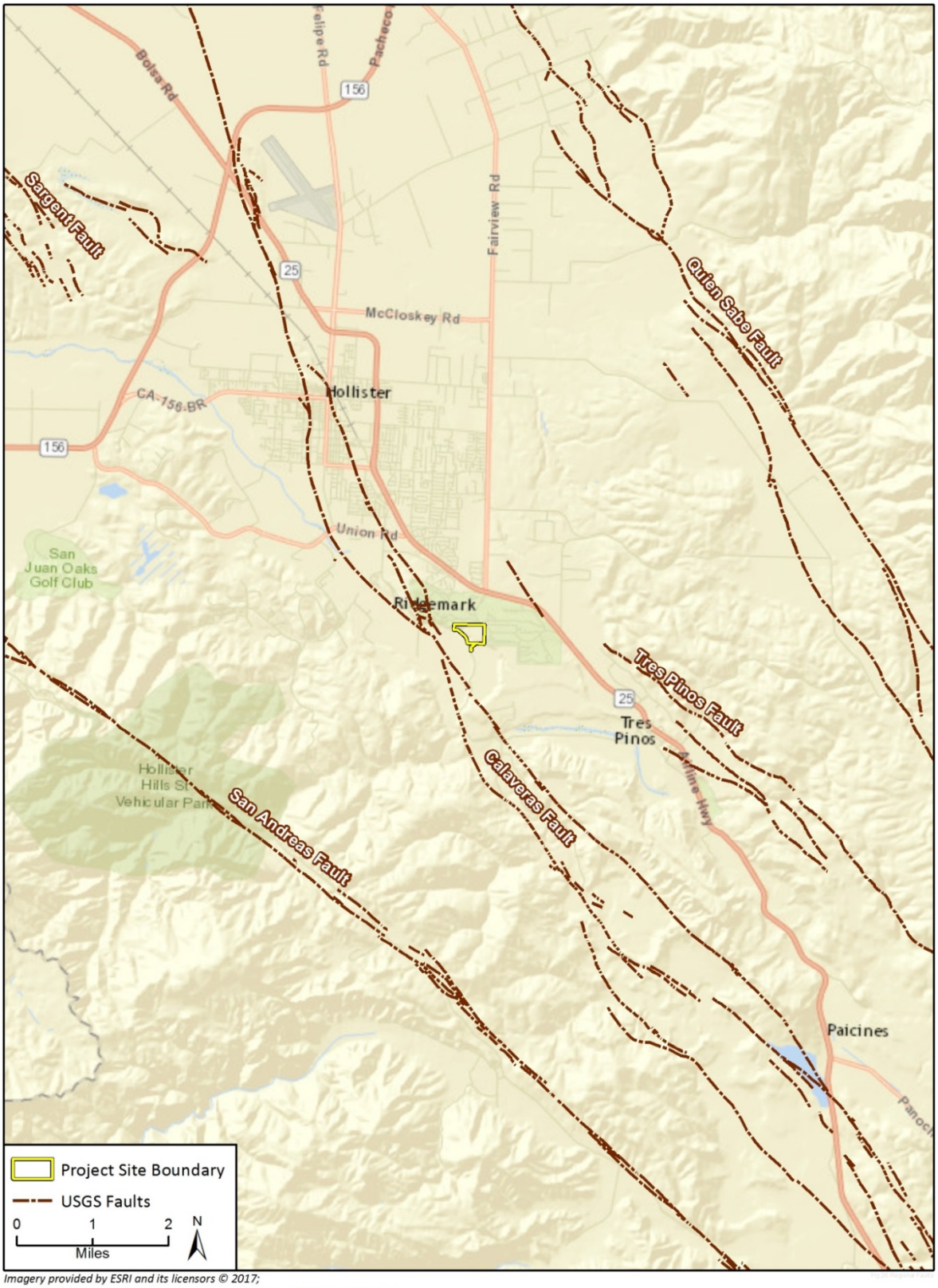
Seismic Hazards

The project site is located within a seismically active region. Significant earthquakes have occurred in this area and are believed to be associated with crustal movements along a system of sub-parallel fault zones that generally trend in a northwesterly direction. According to the Alquist-Priolo Earthquake Fault Zone Map of the Tres Pinos quadrangle, the project site is not located in an earthquake fault zone as designated by the State of California (DOC 1986). However, as shown in Figure 26, the City of Hollister and its surroundings are located in the vicinity of the Calaveras Fault Zone. The project site is less than 0.25 mile (1,320 feet) west of the Calaveras Fault Zone (Figure 27). The Calaveras fault trace has been mapped as an approximately 1,000- to 1,500-foot wide area on the Tres Pinos quadrangle because its location is concealed and is uncertain near the project site (DOC 1986).

The San Andreas Fault Zone, an active fault identified by the Alquist-Priolo Earthquake Fault Zoning Act, is located approximately 4 miles southwest of the project site. The San Andreas Fault is a right lateral strike slip fault and runs the length of the county (Bryant 1985). Other notable faults in San Benito County include the Sargent, Paicines, Bear Valley, Zayante-Vergeles, and Quien-Sabe.

Earthquake intensities would vary throughout the San Benito Valley, depending upon numerous factors including the magnitude of earthquake, the distance of the site from the causative fault, and

Figure 26 Regional Earthquake Faults



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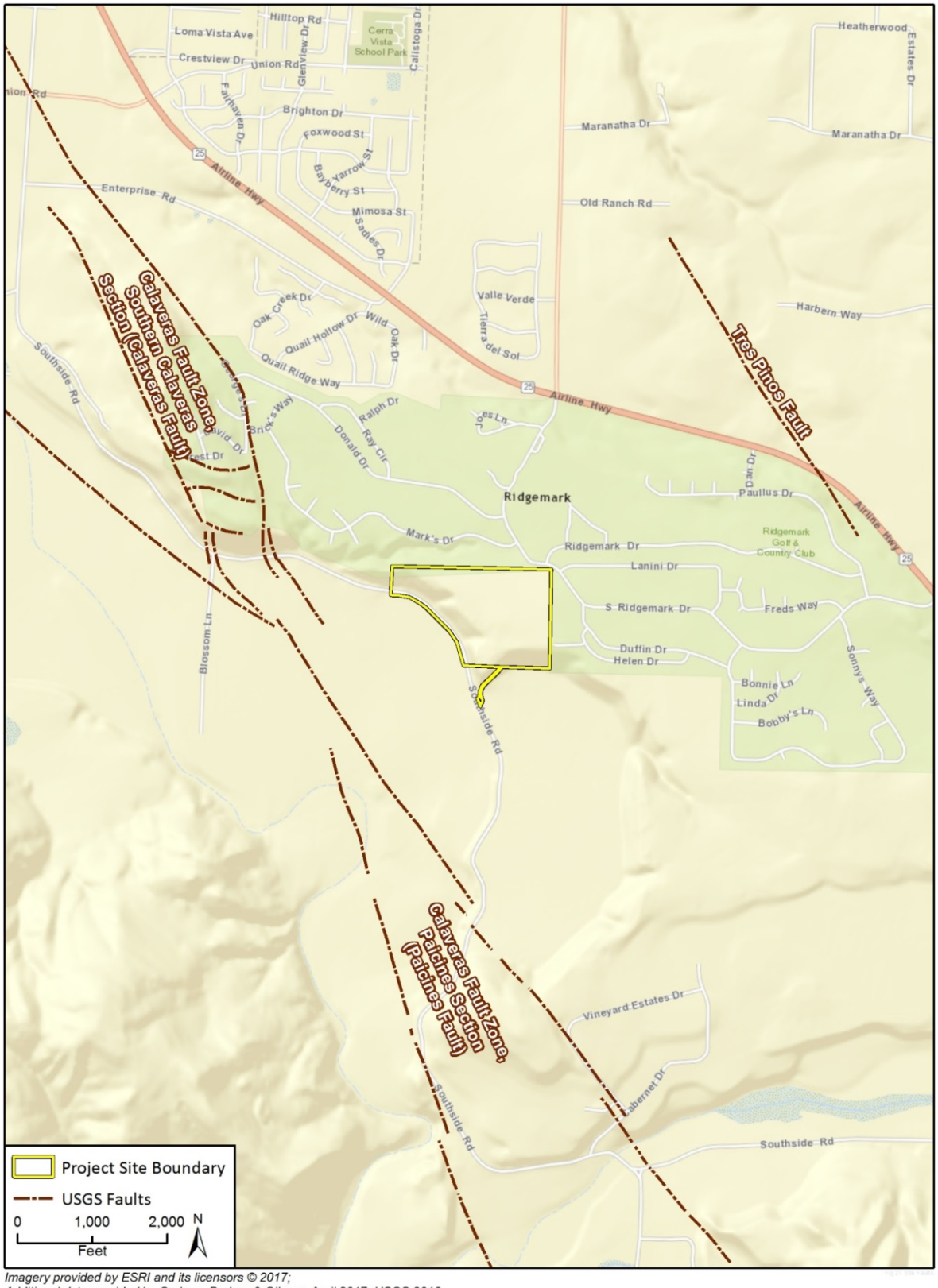
Additional data provided by Carlson, Barbee & Gibson, April 2017; USGS, 2016.

Figure 27 Site Specific Faults



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the type of materials underlying the site. Potential seismic hazards resulting from a nearby moderate to major earthquake can generally be classified as primary and secondary. The primary effect is fault ground rupture, also called surface rupture. Common secondary seismic hazards include ground shaking, liquefaction, and subsidence. Each of these potential hazards is discussed below.

SURFACE RUPTURE

Surface rupture is an actual cracking or breaking of the ground along a fault during an earthquake. Structures built over an active fault can be torn apart if the ground ruptures. Surface rupture is generally limited to a linear zone a few yards wide. The U.S. Geological Survey (USGS) defines active faults as those that have had surface displacement within Holocene time (approximately within the last 11,000 years). Evidence of surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and saddles, the alignment of depressions, sag ponds, and the existence of steep mountain fronts. The Alquist-Priolo Act was created to prohibit the location of structures designed for human occupancy across the traces of active faults. Active faults as defined by the State Geologist have been designated as Alquist-Priolo Fault Zones and require special regulation and study for projects proposed in these zones. Further discussion of the Alquist-Priolo Earthquake Fault Zoning Act is provided below in the Regulatory Setting. Potentially active faults are those that have had surface displacement during Quaternary time (the last 1.6 million years). Inactive faults have not had surface displacement within the last 1.6 million years.

Surface rupture poses a risk in much of the region because several well-known geologic features traverse San Benito County.

GROUND-SHAKING

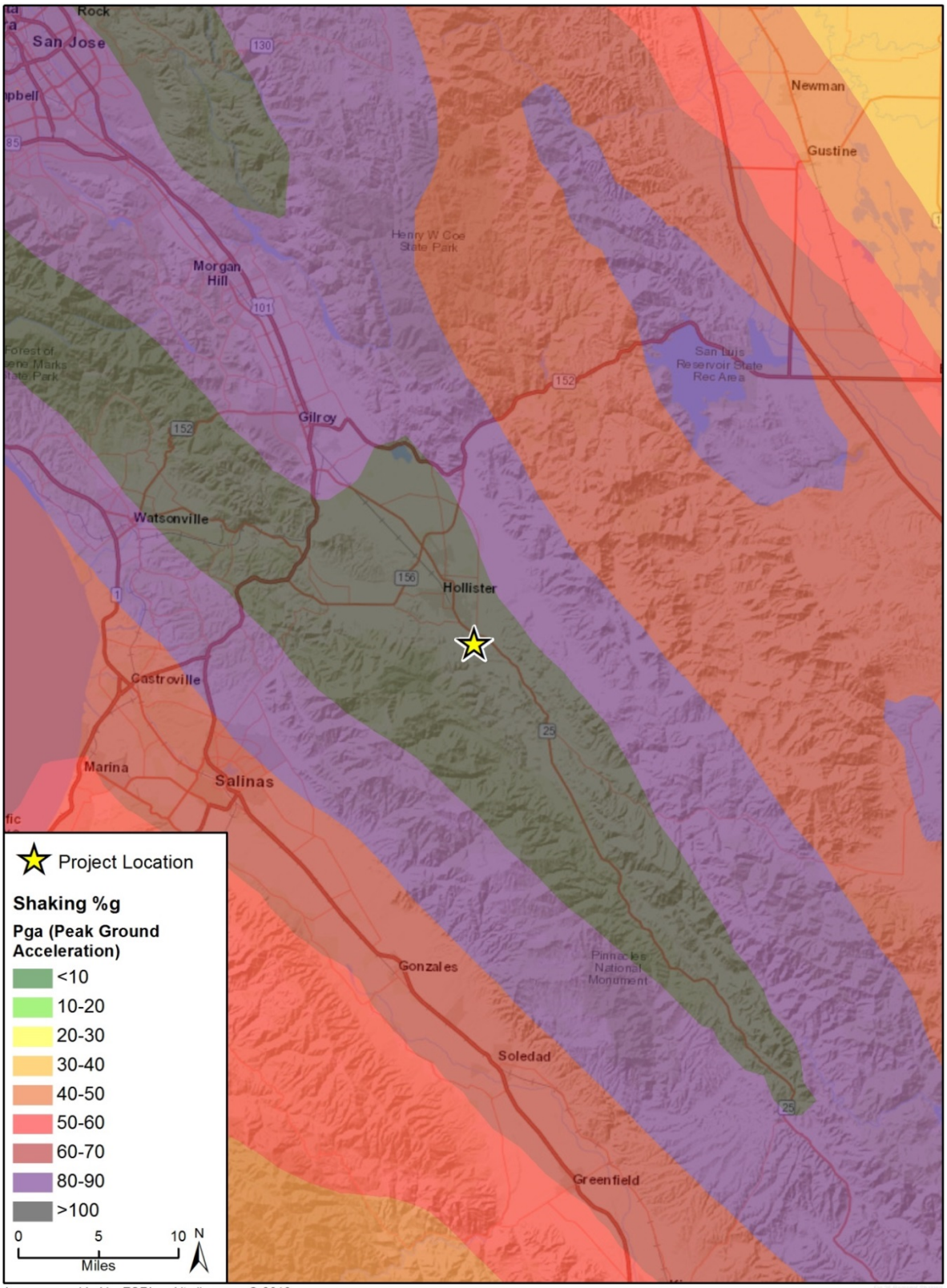
Fault displacement can generate seismic ground-shaking, which is the greatest cause of widespread damage in an earthquake. Whereas surface rupture affects a narrow area above an active fault, ground-shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Figure 28 shows the predicted shaking as a result of ground motion in northern San Benito County. Shaking is expressed as the Peak Ground Acceleration (PGA) measured as a percentage (or fraction) of acceleration due to gravity (%g) from ground motion that has a 10 percent probability of being exceeded in 50 years.

As shown in Figure 28, the project site could experience ground-shaking between 60 to 70 percent of g (where g is acceleration due to gravity, 32.2 ft/s^2). The USGS's Probabilistic Seismic Hazard Analysis Model also finds that the project site has a 10 percent probability of exceeding a PGA of 0.74 g in 50 years (Stevens, Ferrone & Bailey 2015). The actual ground surface acceleration might vary depending upon the local seismic characteristics of the underlying bedrock and the overlying unconsolidated soils.

LIQUEFACTION

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

Figure 28 Regional Ground-Shaking



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Additional data provided by USGS, 2014.

A 1998 report on the *Liquefaction Susceptibility of the Hollister Area* characterized the site as having a very low susceptibility to liquefaction (Rosenberg 1998). However, the liquefaction potential of the site has not been evaluated by the State of California for the Seismic Hazards Mapping Act. According to the 2013 San Benito County Water District Annual Groundwater Report, groundwater in the vicinity of the site was reported to be at depths of about 60 to 100 feet (Todd 2013). The site-specific geotechnical investigation determined that groundwater is not shallow enough to create a liquefaction hazard; therefore, the potential for liquefaction resulting in damage at the ground surface on the project site is low (Stevens, Ferrone & Bailey 2015).

Landslides

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

The western and southern approximately 12.1 acres of the blufftop site has approximately 90- to 120-foot high slopes with 1.5:1 to 3:1 slope inclinations. Several active landslides and severely eroded gullies were observed on these slopes. Approximate locations of the landslides, colluvium, and eroded gullies that impact the site are shown on Figure 29. The remainder of the project site (i.e., the approximate 37.1-acre flatter portion of the blufftop site) is not susceptible to landslides. The 0.3-acre adjacent area, which would be developed with an emergency vehicle access road, contains steep slopes and is assumed to have a similar landslide potential as the steep slopes in the western and southern portions of the blufftop site.

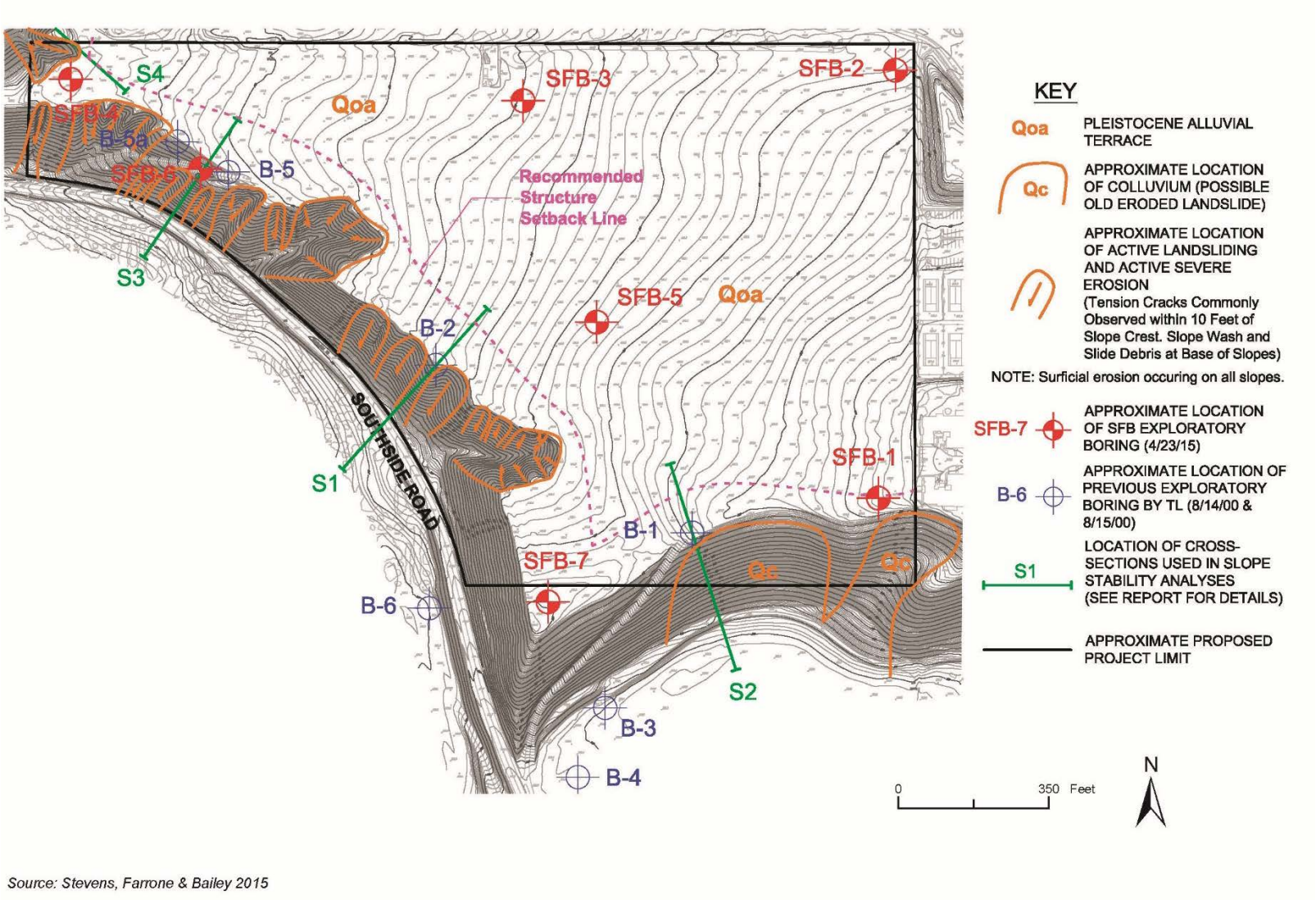
Soil Characteristics

The surface soil of the blufftop site has been mapped as Rincon Loam (2 to 9 percent slopes) and was assigned to Hydrologic Soil Group C by the USDA NRCS (See Figure 19 in Section 4.2, Agricultural Resources). This soil type has been categorized as having moderately low to moderately high runoff rates. Group C soil is defined as having a slow infiltration rate when thoroughly wet and may consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission (NRCS 2016).

The subsurface materials encountered by Stevens, Ferrone & Bailey (2015) and others' borings generally consisted of interbedded stiff to hard clays and silts and medium dense to very dense sands and gravels that extended to the maximum depth explored of about 110 feet. The upper approximately two feet of the surface soils are generally dry, loose, weak, and compressible due to farming practices at the site. The results of laboratory testing indicated that the more clayey surficial soils have a high plasticity and high expansion potential whereas the surficial sandy and gravelly soils have a low plasticity and low expansion potential.

As shown in Figure 19, approximately 39 acres of the project site, located in the flatter portion of the blufftop site, is comprised of Rincon loam. Approximately 10.4 acres, primarily on the steeper slopes on the west and south of the blufftop site, are comprised of Terrace escarpments. Approximately 0.1 acre of the site, located where the adjacent area meets Southside Road, is comprised of Sorrento silt loam.

Figure 29 Landslide, Colluvium and Gully Locations



Source: Stevens, Farrone & Bailey 2015

The Rincon loam soil type is within the NRCS Hydrologic Soil Group C, which have moderately low to moderately high transmission rates and slow water transmission rates. The Terrace escarpment soil type does not have a designated hydrologic soil group and is categorized as having very high runoff rates. The Sorrento silt loam soil type is within NRCS Hydrologic Soil Group B and a low runoff rate. Group B soil is defined as having a moderate infiltration rate when thoroughly wet and consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission (NRCS 2016).

SOIL EROSION

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

c. Regulatory Setting

Federal

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

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

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

State

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING ACT

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

SEISMIC HAZARDS MAPPING ACT

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

CALIFORNIA BUILDING CODE

The 2013 California Building Code (CBC) incorporates by reference and amends requirements in the 2012 International Building Code pertaining to geologic hazards, including seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities, and requires the implementation of erosion control measures. The County is responsible for enforcing the 2013 CBC.

Local

2035 GENERAL PLAN

The 2035 General Plan Land Use Element, Circulation Element, Natural and Cultural Resources Element, and Health and Safety Element provide the following goals, policies and objectives pertaining to geology and soils that are relevant to this analysis. Consistency with specific 2035 General Plan policies that apply to the project is further evaluated in Section 4.10, Land Use and Planning.

Land Use Element

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

LU-1.6 **Hillside Development Restrictions. The** County shall prohibit residential and urban development on hillsides with 30 percent or greater slopes.

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-4.3 **Residential Density Reductions.** The County shall consider reducing the base density of a proposed residential development project if a combination of environmental hazards (e.g., fire, seismic, flooding, greater than 30 percent slope) and/or natural resources (e.g., sensitive habitat, wetlands) existing on the site, after consideration of the mitigations to be implemented to address those hazards, make higher densities less appropriate.

Circulation Element

Goal C-1 To provide an adequate road system that is safe, efficient, reliable, and within the County's ability to finance and maintain.

C-1.16 **Roads on Hillsides.** The County shall require that new public and private roads on hillsides minimize visual impact by blending with natural landforms and by following the natural contours of the land as much as possible and that driveway access in hillside areas be consolidated where possible and limited to areas where adequate sight distance is available for all approaches.

C-1.17 **Grades on Hillsides.** The County shall require that new roads on hillsides do not exceed a 15 percent grade. The County may allow grades on hillsides of up to 20 percent for distances of up to 400 feet. Grades over 15 percent must have all weather surfaces, such as asphalt or concrete.

C-1.19 **Avoid Hazardous Areas.** The County shall ensure that road development is minimized in hazardous areas (e.g. faults, flood plains, landslide areas, fire hazard areas) and that, if a hazard is present within a planned road alignment, the planned alignment is modified to the extent feasible to avoid the hazard.

Natural and Cultural Resources Element

NCR-8.3 **Grading within Scenic Corridors.** The County shall review all projects involving grading within Scenic Corridors to protect valuable soil resources, preserve the natural environment, and avoid significant adverse impacts within scenic areas.

Healthy and Safety Element

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

HS-1.7 **Multi-Hazard Mitigation Plan**. The County shall develop, maintain, and implement a Multi-Hazard Mitigation Plan to address disasters such as earthquakes, flooding,

dam or levee failure, hazardous material spills, epidemics, fires, extreme weather, major transportation accidents, and terrorism.

Goal HS-3 To protect lives and property from seismic and geologic hazards.

HS-3.2 **Subsidence or Liquefaction.** The County shall require that all proposed structures, utilities, or public facilities within recognized near-surface subsidence or liquefaction areas be located and constructed in a manner that minimizes or eliminates potential damage.

HS-3.6 **Unstable Soils.** The County shall require and enforce all standards contained in the current California Building Code related to construction on unstable soils, and shall make a determination as to site suitability of all development projects during the building permit review process. The County shall not approve proposed development sited within areas of known or suspected instability until detailed area studies are completed that evaluate the extent and degree of instability and its impact on the overall development of the area.

HS-3.7 **Setback from Fault Traces.** The County shall require setback distances from fault traces to be determined by individual site specific surface rupture investigations.

HS-3.8 **Liquefaction Studies.** The County shall require proposals for development in areas with high liquefaction potential to include detailed site specific liquefaction studies.

HS-3.9 **Seismic Safety Evaluations.** The County shall require buildings three stories or higher, and locations zoned for multifamily housing, to include in development proposals measures to determine ground shaking characteristics, evaluate potential for ground failure, identify any other geologic hazards that might exist on the site, and mitigate for these hazards.

SAN BENITO COUNTY CODE OF ORDINANCES

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

Chapter 19.17: Grading, Drainage and Erosion Control

This chapter regulates excavation, grading, drainage and erosion control measures and activities. The purpose of these regulations is to minimize erosion, protect fish and wildlife, and to otherwise protect public health, property, and the environment. A grading permit is required for all activities that would exceed 50 cubic yards of grading. Grading activity is prohibited within 50 feet from the top of the bank of a stream, creek, or river, or within 50 feet of a wetland or body of water in order to protect riparian areas. Additionally, development is limited in areas of high landslide potential and slopes greater than 30 percent, unless approved under special conditions. All proposed developments are required to submit an erosion control plan and drainage plan prior to issuance of a grading permit.

Chapter 21.01: Building Regulations Ordinance

This chapter adopts, with modifications pertaining to local conditions, the provisions of the CBC. As stated above, the CBC requires, among other things, seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading

requirements that apply to excavation and fill activities, and requires the implementation of erosion control measures. The County is responsible for enforcing the 2013 CBC in the case of the project.

Chapter 23.25: Design Requirements

This chapter regulates road standards designed to minimize on-site hazardous geological or soil conditions and to provide erosion control measures regarding excavation, grading, and drainage.

Chapter 23.31, Article III. Storm Drainage Design Standards

This article implements General Plan policies pertaining to the prevention of erosion caused by flooding.

Chapter 25.14, Article V. Seismic Safety Division

Section 25.14.081 forbids the placement of a building used for human occupancy across an active fault trace. Further, the area within 50 feet of an active fault trace is "assumed to be underlain by active branches of that fault trace unless and until proven otherwise by an appropriate geological investigation and submission of a report by a geologist registered in the State of California."

Section 25.14.082 adds that for buildings greater than two stories in height, buildings of an emergency nature such as hospitals, fire stations and police stations, and high-occupancy buildings such as auditoriums, schools, theaters, and stadiums, the minimum required distance from a known active fault trace is 300 feet.

4.6.2 Impact Analysis

a. Methodology and Thresholds of Significance

This evaluation is based in part on a Geotechnical Feasibility Investigation prepared for the proposed project (Stevens, Ferrone & Bailey 2015). This document is included as Appendix C of this EIR. The analysis also included a review of existing information and other available regional sources, including data from the California DOC and the NRCS.

Based on the environmental checklist included in Appendix G of the State CEQA Guidelines, impacts would be considered potentially significant if the proposed project would:

1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
    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;
    ii. Strong seismic ground shaking;
    iii. Seismic-related ground failure, including liquefaction; and
    iv. Landslides.
2) Result in substantial soil erosion or the loss of topsoil;
3) 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;

4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; and/or

5) 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.

The proposed project would not involve installation and use of septic tanks or alternative wastewater disposal systems. Wastewater from the project site would be conveyed from the site via a sanitary sewer force main to the City of Hollister's water reclamation facility, located just north of San Juan Road. Therefore, impacts related to septic tanks or alternative waste water disposal systems (Threshold 5) are not discussed further in this section, but details are provided in Section 4.16, Effects Found to Be Less Than Significant.

b. Project Impacts and Mitigation Measures

Impact GEO-1 The project site is not located in an Alquist-Priolo Fault Zone. Potential impacts from surface rupture of the Calaveras fault would be less than significant. [Threshold number 1(i)]

An Alquist-Priolo Fault Zone for the Calaveras Fault and trace fault lies approximately 0.25 mile southwest of the project site(DOC 1986). Figure 27 shows the location of this fault zone in relation to the project site. The Alquist-Priolo Act was created to prohibit the location of structures designed for human occupancy across the traces of active faults. Construction in Alquist-Priolo Fault Zones is regulated by the State Geologist and requires special study for structures planned over active faults. Since the proposed residential development is outside of this zone, the project would not conflict with the Alquist-Priolo Act and would not expose future on-site residents to a significant risk of loss, injury, or death involving rupture of the Calaveras Fault/Trace. Therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact GEO-2 Seismically induced ground-shaking could destroy or damage structures and infrastructure, resulting in loss of property or risk to human safety. However, the project's mandatory compliance with applicable California Building Code requirements render impacts less than significant. [Threshold number 1(ii)]

The project site is located in a seismically active region of California. As discussed in Impact GEO-1, the Calaveras Fault Zone is located approximately 0.25-mile southwest of the project site. In addition, the San Andreas Fault Zone is approximately four miles to the southwest. The project would potentially experience strong ground-shaking produced by earthquakes along these faults or other faults in the region, as would other properties in the unincorporated San Benito County and the Hollister area. Strong earthquakes on these faults could produce peak ground accelerations exceeding 70 percent of g.

Although nothing can ensure that structures do not fail under seismic stress, proper engineering can minimize the risk to life and property. As such, building standards have been developed for construction in areas subject to seismic ground-shaking. The most recent CBC requirements (2013) ensure that new habitable structures are engineered to withstand the expected ground acceleration

at a given location. Although the risk of sustaining an earthquake with higher ground accelerations can never be completely eliminated, compliance with all applicable provisions of the CBC and San Benito County Codes listed in Section 4.6.1(c), Regulatory Setting, would ensure that potential impacts from ground-shaking would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact GEO-3 Due to the depth of groundwater on the project site, the potential for seismic-related ground failure from liquefaction of underlying soils or lateral spreading is low. Due to the depth of groundwater and types of soils present, the site has a low potential for impacts related to soil instability. Impacts would be less than significant. [Threshold numbers 1(iii) and 3]

The project site is characterized as having a very low susceptibility to liquefaction (Rosenberg 1998) and the County's Annual Groundwater Report described groundwater at the project site to be at depths of about 60 to 100 feet (Todd 2013). The site-specific geotechnical investigation determined that groundwater is not shallow enough to create a liquefaction hazard; therefore, the potential for liquefaction resulting in damage at the ground surface on the project site is low (Stevens, Ferrone & Bailey 2015). By extension, the associated risk of lateral spreading from liquefied soils is low, as lateral spreading occurs when soils liquefy. Therefore, impacts from seismic-related ground failure, including liquefaction and lateral spreading, would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact GEO-4 Seismic activity could result in ground failure at the surface of the project site due to expansive soils. However, with implementation of recommendations from the Geotechnical Investigation impacts would be significant but mitigable. [Threshold numbers 1(iii) and 4]

Seismic activity can cause ground failures or differential settlement of the ground surface due to dynamic densification of underlying soils. Differential settlement refers to the unequal settling of a building's piers or foundation that can result in damage to the structure. The damage occurs when unstable soil causes the foundation to sink in different areas at different times.

Exploratory borings on the project site have indicated that the upper 2 feet of the surface soils are generally dry, loose, weak and compressible due to historical farming practices at the site. The surficial clayey soils have a high expansion potential whereas the surficial sandy and gravelly soils have relatively low expansion potential.

In order to provide a more uniform subgrade and reduce the potential for damaging differential movement of building foundations (that can result from the heave of expansive clays and little to no heave from the sandy and gravelly soils), the *Geotechnical Investigation* prepared for the project recommends that proposed grading be performed so that each building foundation and surrounding flatwork is supported on fills with similar expansion potential. Meaning a building should not be underlain by subgrade consisting of both expansive clayey soils or fills and relative non-expansive sandy and gravelly soils or fills. A layer at least 3 feet thick of well-mixed, moisture conditioned, and well blended engineered fill is recommended below all building foundations and surrounding

flatwork. The engineered fill layer should extend at least 5 feet beyond building footprints and at least three feet beyond surrounding exterior flatwork and patios.

The more clayey, expansive, onsite soil materials would be subjected to volume changes during seasonal fluctuations in moisture content. To reduce the potential for post-construction distress to the proposed structures resulting from swelling and shrinkage of these materials, residences would be supported on a foundation system that is designed to reduce the impact of the expansive soils. Special design considerations would also be required for exterior slabs (Stevens, Ferrone & Bailey 2015).

Mitigation is required to ensure that the project complies with the recommendations contained in the geotechnical report. Pursuant to compliance with these recommendations, impacts would be reduced to a *less than significant* level.

Mitigation Measures

The following mitigation is required.

MM GEO-4 Adherence to Geotechnical Report

Prior to the issuance of the first building permit, the developer(s) of individual lots on the project site shall submit building and improvement plans for review and approval by San Benito County that confirm compliance with the recommendations included in the *Geotechnical Investigation* prepared by Stevens, Ferrone & Baily in 2015 (see Appendix C of this EIR). These recommendations include, but are not limited to, the following:

- Dry, loose, weak, and compressible soils shall be removed and recompacted. Where soils will not be removed as part of grading operations, over-excavate 12 inches, scarify and re-compact the bottom 12 inches in place, and place well blended engineered fill within the excavations.
- Grading shall be performed so that each building foundation and surrounding flatwork can be supported on fills with similar expansion potential. Provide a layer at least 3 feet thick of well-mixed, moisture conditioned, and well blended engineered fill below all building foundations and surrounding flatwork.
- Structure setbacks shall be established by projecting a 3:1 (horizontal to vertical) line from the toe of the existing slopes upward toward the development. Where the projected line intersects the finished ground surface, structures shall be setback from the intersection.

Consideration should be given to controlling erosion on the slopes to reduce the potential for continued migration of the slope crest toward the development. Erosion control measures can include the use of geotextiles, rip-rap, retaining systems, and rebuilding slopes with geogrid reinforced earth in combination with installing deeply rooting vegetation. These measures can be installed near the top of the slope without having to install over the full length of the slopes.

Significance After Mitigation

Implementation of Mitigation Measure GEO-4 would reduce impacts to a less than significant level.

Impact GEO-5 CONSTRUCTION OF THE PROPOSED PROJECT COULD RESULT IN EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL LANDSLIDES. HOWEVER, WITH COMPLIANCE WITH EXISTING REGULATIONS AND IMPLEMENTATION OF RECOMMENDATIONS FROM THE GEOTECHNICAL INVESTIGATION, IMPACTS WOULD BE SIGNIFICANT BUT MITIGABLE. [THRESHOLD NUMBER 1(IV)]

Several active landslides were observed on the existing slopes of the project site. A detailed slope stability analyses was performed by Stevens, Ferrone & Bailey (2015) in order to establish appropriate structure setbacks from the existing slopes. The Geotechnical Investigation recommends structure setbacks be established by projecting a 3:1 (horizontal to vertical) line from the toe of the existing slopes upward toward the development. The setback line distinguishes conditions in which little ground displacement is likely from conditions in which moderate or higher ground displacement are likely. During a major earthquake, it is anticipated that some ground movement toward the toes of the slopes would occur. Property located between the structure setback line and the crest of slopes could experience significant movement during or after moderate to severe earthquakes.

To provide for long-term monitoring and maintenance of the hillside from the top edge down to Southside Road and abatement of any geologic hazards that occur during the life of the project, the applicant is proposing formation of (or annexation into) a Geologic Hazard Abatement District (GHAD). A GHAD is created to finance and implement the prevention, mitigation, abatement, and control of geologic hazards. A geologic hazard is defined as an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement, or any other natural or unnatural movement of land or earth. A GHAD may also be used to finance and implement the mitigation or abatement of structural hazards that are partly or wholly caused by geologic hazards, and may own land. It is anticipated that the GHAD would be structured in a manner so that, once formed, it will be in the position to properly manage the lands within the GHAD boundaries in accordance with the applicable Plan of Control and related laws. The Plan of Control is discussed further in Section 2.0, Project Description.

Mitigation is required to ensure that the project complies with the recommendations contained in the geotechnical report, including slope setback recommendations. Pursuant to compliance with these recommendations and formation of a GHAD, as is proposed, impacts would be reduced to a *less than significant* level.

Mitigation Measures

Mitigation Measure GEO-4 would be required to reduce impacts related to landslides.

Significance After Mitigation

Implementation of Mitigation Measure GEO-4 would reduce impacts to a less than significant level.

Impact GEO-6 CONSTRUCTION OF THE PROPOSED PROJECT COULD RESULT IN SOIL EROSION OR LOSS OF TOPSOIL. WITH COMPLIANCE WITH EXISTING REGULATIONS AND IMPLEMENTATION OF RECOMMENDATIONS FROM THE GEOTECHNICAL INVESTIGATION, IMPACTS WOULD BE SIGNIFICANT BUT MITIGABLE. [THRESHOLD NUMBER 2]

As shown in Figure 19, approximately 39 acres of the project site, located in the flatter portion of the blufftop site, is comprised of Rincon loam, which has a moderately low erosion potential. Approximately 10.4 acres, primarily on the steeper slopes on the west and south of the blufftop site, are comprised of Terrace escarpments, which has a very high erosion potential. Approximately 0.1 acre of the site, located where the adjacent area meets Southside Road, is comprised of Sorrento silt loam, which has a low erosion potential.

Grading associated with construction would temporarily expose bare soils, which could be removed from the site and transported through wind shearing or stormwater runoff. Relatively shallow slope movements have occurred and continue to occur within the soils located on the existing slopes along the western and southern portions of the blufftop site and the adjacent area, as a result of surface water from the site flowing over the crest of the slopes and ponding of water at or near the top of slopes. The project grading activities would be required to include erosion control measures on the slopes to reduce the potential for continued migration of the slope crest toward the development in accordance with applicable laws and regulations. Erosion control measures can include the use of geotextiles, rip-rap, retaining systems, and rebuilding slopes with geogrid reinforced earth in combination with installing deeply rooting vegetation. These measures would be installed near the top of the slope without having to install over the full length of the slopes.

Mitigation is required to ensure that the project complies with the recommendations contained in the geotechnical report. Additionally, implementation of a NPDES-compliant SWPPP, discussed in Section 4.9, Hydrology and Water Quality, and requirements detailed in Chapter 19.17 of the San Benito County Code of Ordinances would be incorporated into the design of the project, would further reduce project impacts..

Mitigation Measures

Mitigation Measure GEO-4 would be required to reduce impacts related to erosion and loss of topsoil.

Significance After Mitigation

Implementation of Mitigation Measure GEO-4 would reduce impacts to a less than significant level.

c. Cumulative Impacts

The geographic scope for considering cumulative impacts to geology and soils is the project site along with the immediately adjacent areas. The geographic scope would also include off-site lands where earth movements at the project site could affect the local watershed. This scope is appropriate because geologic materials and soils occur at specific locales and are generally unaffected by activities not acting on them directly or immediately adjacent to them. In addition, any geologic impacts of the project would be site-specific.

The potential buildout of the projects listed in Table 4 in unincorporated San Benito County and the City of Hollister would result in an increase of approximately 9,675 residents, 3,005 housing units, and 398,700 square feet of commercial development. Such development would expose new

residents and property to seismic and other geologic hazards. However, these seismic and soil issues are specific to each project and therefore, for purposes of this cumulative analysis, the geographic context is more narrow as well. It is expected that because of the site-specific nature of these issues, each cumulative development would be required to address said issues on a case-by-case basis through preparation of required soils and geotechnical engineering studies and adherence to the recommendations therein, in addition to adherence to existing local and State laws and regulations including, among others, the then-applicable CBC standards and requirements. Thus, the combination of the project with other cumulative developments would not have a significant cumulative impact. Furthermore, with the implementation of the identified mitigation for the project as well as its adherence to the applicable laws and regulations, the project's contribution to any cumulative geology and soils impacts would be not be considerable.

4.7 Greenhouse Gas Emissions/Climate Change

4.7.1 Setting

a. Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC 2013), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (95 percent or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-20th century (IPCC 2013).

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

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

Man-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and sulfur hexafluoride (SF_6) (CalEPA 2006). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO_2e), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane CH_4 has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC 2007).

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

Carbon Dioxide

The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO_2 are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (USEPA 2014). CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the second half of the 20th century. Concentrations of CO_2 in the atmosphere have risen approximately 40 percent since the industrial revolution. The global atmospheric concentration of CO_2 has increased from a pre-industrial value of about 280 parts per million (ppm) to 391 ppm in 2011 (IPCC 2007; NOAA 2016). The average annual CO_2 concentration growth rate was larger between 1995 and 2005 (average: 1.9 ppm per year) than it has been since the beginning of continuous direct atmospheric measurements (1960–2005 average: 1.4 ppm per year), although there is year-to-year variability in growth rates (NOAA 2016). Currently, CO_2 represents an estimated 74 percent of total GHG emissions (IPCC 2007). The largest source of CO_2 emissions, and of overall GHG emissions, is fossil fuel combustion.

Methane

Methane (CH_4) is an effective absorber of radiation, though its atmospheric concentration is less than that of CO_2 and its lifetime in the atmosphere is limited to 10 to 12 years. It has a GWP approximately 25 times that of CO_2. Over the last 250 years, the concentration of CH_4 in the atmosphere has increased by 148 percent (IPCC 2007), although emissions have declined from 1990 levels. Anthropogenic sources of CH_4 include enteric fermentation associated with domestic livestock, landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (USEPA 2014).

Nitrous Oxide

Concentrations of nitrous oxide (N_2O) began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate (NOAA 2016). N_2O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes. Use of these fertilizers has increased over the last century. Agricultural soil management and mobile source fossil fuel combustion are the major sources of N_2O emissions. The GWP of nitrous oxide is approximately 298 times that of CO_2 (IPCC 2007).

Fluorinated Gases (HFCS, PFCS and SF_6)

Fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfurhexafluoride (SF_6), are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances such as

chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most SF_6 emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than CO_2, CH_4, and N_2O, but these compounds have much higher GWPs. SF_6 is the most potent GHG the IPCC has evaluated.

b. Greenhouse Gas Emissions Inventory

Worldwide anthropogenic emissions of GHGs were approximately 46,000 million metric tons (MMT, or gigatonne) CO_2e in 2010 (IPCC 2014). CO_2 emissions from fossil fuel combustion and industrial processes contributed about 65 percent of total emissions in 2010. Of anthropogenic GHGs, carbon dioxide was the most abundant accounting for 76 percent of total 2010 emissions. Methane emissions accounted for 16 percent of the 2010 total, while nitrous oxide and fluorinated gases account for 6 and 2 percent respectively (IPCC 2014).

Total U.S. GHG emissions were 6,525.6 MMT CO_2e in 2012 (USEPA 2014). Total U.S. emissions have increased by 4.7 percent since 1990; emissions decreased by 3.4 percent from 2011 to 2012 (USEPA 2014). The decrease from 2011 to 2012 was due to a decrease in the carbon intensity of fuels consumed to generate electricity due to a decrease in coal consumption, with increased natural gas consumption. Additionally, relatively mild winter conditions, especially in regions of the United States where electricity is important for heating, resulted in an overall decrease in electricity demand in most sectors. Since 1990, U.S. emissions have increased at an average annual rate of 0.2 percent. In 2012, the transportation and industrial end-use sectors accounted for 28.2 percent and 27.9 percent of CO_2 emissions (with electricity-related emissions distributed), respectively. Meanwhile, the residential and commercial end-use sectors accounted for 16.3 percent and 16.4 percent of CO_2 emissions, respectively (USEPA 2014).

Based upon the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2014, California produced 441.5 MMT CO_2e in 2014 (CARB 2016c). The major source of GHG in California is transportation, contributing 37 percent of the State's total GHG emissions. Industrial sources are the second largest source of the State's GHG emissions at 24 percent (CARB 2016c). California emissions are due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. The CARB has projected statewide unregulated GHG emissions for the year 2020 will be 509.4 MMT CO_2e (CARB 2014). These projections represent the emissions that would be expected to occur in the absence of any GHG reduction actions.

c. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. Long-term trends have found that each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The global combined land and ocean temperature data show an increase of about 0.89°C (0.69°C–1.08°C) over the period 1901–2012 and about 0.72°C (0.49°C–0.89°C) over the period 1951–2012 when described by a linear trend. Several independently analyzed data records of global and

regional Land-Surface Air Temperature (LSAT) obtained from station observations are in agreement that LSAT as well as sea surface temperatures have increased. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2013).

According to the CalEPA's 2010 Climate Action Team Biennial Report, potential impacts of climate change in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CalEPA 2010). Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

Air Quality

Higher temperatures, which are conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thereby ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the State (California Climate Change Center [CCCC] 2009a).

Water Supply and Hydrology

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future water supplies in California. However, the average early spring snowpack in the Sierra Nevada decreased by about 10 percent during the last century, a loss of 1.5 million acre-feet of snowpack storage. During the same period, sea level rose eight inches along California's coast. California's temperature has risen 1°F, mostly at night and during the winter, with higher elevations experiencing the highest increase.

The Sierra snowpack provides the majority of California's water supply by accumulating snow during the State's wet winters and releasing it slowly during the State's dry springs and summers. Based upon historical data and modeling, the California Department of Water Resources (DWR) projects that the Sierra snowpack will experience a 25 to 40 percent reduction from its historic average, by the year 2050. Climate change is also anticipated to bring warmer storms that result in less snowfall at lower elevations, reducing the total snowpack (DWR 2008).

As discussed above, climate change could potentially affect: the amount of snowfall, rainfall, and snow pack; the intensity and frequency of storms; flood hydrographs (drought, flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. According to *The Impacts of Sea-Level Rise on the California Coast*, prepared by the CCCC (2009b), climate change has the potential to induce substantial sea level rise in the coming century. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply due to salt water intrusion. In addition, increased CO_2 emissions can cause oceans to acidify due to the carbonic acid it forms. Increased storm intensity and frequency could affect the ability of flood-control facilities, including

levees, to handle storm events. Many Southern California cities have experienced their lowest recorded annual precipitation twice within the past decade. In a span of only two years, Los Angeles experienced both its driest and wettest years on record (DWR 2008; CCCC 2009b). This uncertainty complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood.

Agriculture

California has a $30 billion annual agricultural industry that produces half of the country's fruits and vegetables. Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase; crop-yield could be threatened by a less reliable water supply; and greater air pollution could render plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (CCCC 2006).

Ecosystems and Wildlife

Climate change and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the average global surface temperature could rise by 1.0-4.5°F (0.6-2.5°C) in the next 50 years, and 2.2-10°F (1.4-5.8°C) in the next century, with substantial regional variation. Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: (1) timing of ecological events; (2) geographic range; (3) species' composition within communities; and (4) ecosystem processes, such as carbon cycling and storage (Parmesan 2006).

d. Regulatory Setting

The following regulations address both climate change and GHG emissions.

International Regulations

The United States is, and has been, a participant in the United Nations Framework Convention on Climate Change (UNFCCC) since it was produced in 1992. The UNFCCC is an international environmental treaty with the objective of, "stabilization of GHG concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system." This is generally understood to be achieved by stabilizing global GHG concentrations between 350 and 400 ppm, in order to limit the global average temperature increases between 2 and 2.4°C above pre-industrial levels (IPCC 2007). The UNFCCC itself does not set limits on GHG emissions for individual countries or enforcement mechanisms. Instead, the treaty provides for updates, called "protocols," that would identify mandatory emissions limits.

Five years later, the UNFCCC brought nations together again to draft the Kyoto Protocol (1997). The Kyoto Protocol established commitments for industrialized nations to reduce their collective emissions of six GHGs (CO_2, CH_4, N_2O, SF_6, HFCs, and PFCs) to 5.2 percent below 1990 levels by 2012. The United States is a signatory of the Kyoto Protocol, but Congress has not ratified it and the United States has not bound itself to the Protocol's commitments (UNFCCC 2007). The first commitment period of the Kyoto Protocol ended in 2012. Governments, including 38 industrialized countries, agreed to a second commitment period of the Kyoto Protocol beginning January 1, 2013

and ending either on December 31, 2017 or December 31, 2020, to be decided by the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol at its seventeenth session (UNFCCC 2012).

In Durban (17th session of the Conference of the Parties in Durban, South Africa, 2011), governments decided to adopt a universal legal agreement on climate change. Work began on that task immediately under a new group called the Ad Hoc Working Group on the Durban Platform for Enhanced Action. Progress was also made regarding the creation of a Green Climate Fund (GCF) for which a management framework was adopted (United Nations 2011).

In December 2015, the 21st session of the Conference of the Parties (COP21) adopted the Paris Agreement. The deal requires all countries that ratify it to commit to cutting greenhouse gas emissions, with the goal of peaking greenhouse gas emissions "as soon as possible" (Worland 2015). The agreement includes commitments to (1) achieve a balance between sources and sinks of greenhouse gases in the second half of this century; (2) to keep global temperature increase "well below" 2°C or 3.6°F and to pursue efforts to limit it to 1.5°C; (3) to review progress every five years; and (4) to spend $100 billion a year in climate finance for developing countries by 2020 (UNFCCC 2015). The agreement includes both legally binding measures, like reporting requirements, as well as voluntary or non-binding measures, such as the setting of emissions targets for any individual country (Worland 2015).

Federal Regulations

The U.S. Supreme Court in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) held that the USEPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act.

The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines, and requires annual reporting of emissions. The first annual reports for these sources were due in March 2011.

On May 13, 2010, the USEPA issued a Final Rule that took effect on January 2, 2011, setting a threshold of 75,000 tons CO_2e per year for GHG emissions. New and existing industrial facilities that meet or exceed that threshold require a permit after that date. On November 10, 2010, the USEPA published the "PSD and Title V Permitting Guidance for Greenhouse Gases." The USEPA's guidance document is directed at State agencies responsible for air pollution permits under the federal Clean Air Act to help them understand how to implement GHG reduction requirements while mitigating costs for industry. It is expected that most states will use the USEPA's new guidelines when processing new air pollution permits for power plants, oil refineries, cement manufacturing, and other large pollution point sources.

On January 2, 2011, the USEPA implemented the first phase of the Tailoring Rule for GHG emissions Title V Permitting. Under the first phase of the Tailoring Rule, all new sources of emissions are subject to GHG Title V permitting if they are otherwise subject to Title V for another air pollutant and they emit at least 75,000 tons CO_2e per year. Under Phase 1, no sources were required to obtain a Title V permit solely due to GHG emissions. Phase 2 of the Tailoring Rule went into effect July 1, 2011. At that time new sources were subject to GHG Title V permitting if the source emits 100,000 tons CO_2e per year, or they are otherwise subject to Title V permitting for another pollutant and emit at least 75,000 tons CO_2e per year.

On July 3, 2012 the USEPA issued the final rule that retains the GHG permitting thresholds that were established in Phases 1 and 2 of the GHG Tailoring Rule. These emission thresholds determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

State Regulations

CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. California has numerous regulations aimed at reducing the State's GHG emissions. These initiatives are summarized below.

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, USEPA granted the waiver of Clean Air Act preemption to California for its greenhouse gas emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016 and Pavley II, which is now referred to as "LEV (Low Emission Vehicle) III GHG" will cover 2017 to 2025. Fleet average emission standards would reach 22 percent reduction from 2009 levels by 2012 and 30 percent by 2016. The Advanced Clean Cars program coordinates the goals of the Low Emissions Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, when the rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

In 2005, the governor issued Executive Order (EO) S-3-05, establishing statewide GHG emissions reduction targets. EO S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent below 1990 levels (CalEPA 2006). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report") (CalEPA 2006). The 2006 CAT Report identified a recommended list of strategies that the State could pursue to reduce GHG emissions. These are strategies that could be implemented by various State agencies to ensure that the emission reduction targets in EO S-3-05 are met and can be met with existing authority of the State agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc. In April 2015 the governor issued EO B-30-15, calling for a new target of 40 percent below 1990 levels by 2030.

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006," signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05), and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions.

After completing a comprehensive review and update process, CARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO_2e. The Scoping Plan was approved by CARB on December 11, 2008, and included measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean

Car standards, and Cap-and-Trade) have been adopted over the last five years. Implementation activities are ongoing and CARB is currently the process of updating the Scoping Plan.

In May 2014, CARB approved the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan update defines CARB's climate change priorities for the next five years and sets the groundwork to reach post-2020 goals set forth in EO S-3-05. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluates how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (CARB 2016a). For example, AB 939 requires projects to divert a minimum of 50 percent of associated waste from landfills to reduce GHG emissions from solid waste.

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in CEQA documents. In March 2010, the California Natural Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

CARB Resolution 07-54 establishes 25,000 metric tons (MT) of GHG emissions as the threshold for identifying the largest stationary emission sources in California for purposes of requiring the annual reporting of emissions. This threshold is just over 0.005 percent of California's total inventory of GHG emissions for 2004.

Senate Bill (SB) 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles for 2020 and 2035. In addition, SB 375 directs each of the State's 18 major Metropolitan Planning Organizations (MPO) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On September 23, 2010, CARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035.

Renewables Portfolio Standards pursuant to SB 1038, SB 1078, SB 1250, and SB 107 requires retail sellers of electricity to increase the amount of renewable energy they procure each year by at least one percent until 20 percent of their retail sales are served with renewable energy.

- Senate Bill 1038 (Chapter 515, Statutes of 2002). The pertinent provisions of SB 1038 were formerly codified in Public Utilities Code Sections 383.5 and 445, but are now codified in Public Resources Code Sections 25740 through 25751 as a result of Senate Bill 183 (Chapter 666, Statutes of 2003)
- Senate Bill 1078; Chapter 516, Statutes of 2002. The pertinent provisions of SB 1078 are codified in Public Utilities Code section 399.11 through 399.15. This law was subsequently amended to add Sections 399.16, 399.17, and 399.12.5 under Senate Bill 67 (Chapter 731, Statutes of 2003), Assembly Bill 200 (Chapter 5, Statutes of 2005), and Assembly Bill 2189 (Chapter 747, Statutes of 2006), respectively
- Senate Bill 1250; Chapter 512, Statutes of 2006. SB 1250 amends pertinent provisions in Public Resources Code Sections 25740 through 25751
- Senate Bill 107; Chapter 464, Statutes of 2006. SB 107 amends pertinent provisions in Public Resources Code Sections 25740 through 25751 and Public Utilities Code Sections 399.11 through 399.16

In early 2010, CARB adopted a regulation for reducing SF_6 emissions from electric power system gas-insulated switchgear (17 CCR 95350). SF_6 gas is commonly used as an arc quenching and insulating medium for high and medium voltage switchgear systems used in electrical substations. The regulation requires owners of such switchgear to: (1) annually report their SF_6 emissions; (2) determine the emission rate relative to the SF_6 capaCity of the switchgear; (3) provide a complete inventory of all gas-insulated switchgear and their SF_6 capacities; (4) produce a SF_6 gas container inventory; and (5) keep all information current for CARB enforcement staff inspection and verification. Changes to the switching station owned by PG&E and any gas insulated switchgear associated with the project would be subject to this regulation.

In April 2011, the governor signed SB 2X requiring California to generate 33 percent of its electricity from renewable energy by 2020.

On September 8, 2016, the governor signed Senate Bill 32 (SB 32) into law. SB 32 is an extension of AB 32, which requires the State to further reduce GHGs to 40 percent below 1990 levels by 2030. The other provisions of AB 32 remain unchanged. CARB is currently working to update the Scoping Plan to provide a framework for achieving the 2030 target. The updated Scoping Plan is expected to be completed and adopted by CARB in 2017 (CARB 2015).

For more information on the Senate and Assembly Bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted State CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, a variety of air districts have adopted quantitative significance thresholds for GHGs.

Local Regulations

MBARD AIR QUALITY PLANNING DOCUMENTS

The MBARD, as the regional air agency for the NCCAB, has air-permitting authority in San Benito County. In February 2008, the MBARD issued revised adopted guidance for assessing and reducing the impacts of project-specific air quality emissions: CEQA Air Quality Guidelines. This document included a reserved section to address project-specific GHG emissions: Climate Change and Assessment of Project Impacts from Greenhouse Gases. To date, the MBARD has not adopted guidance for GHG emissions inventory, or established significance thresholds for GHG emissions.

2035 GENERAL PLAN

The 2035 General Plan Land Use Element, Circulation Element, Housing Element, Public Facilities and Services Element, and Health and Safety Element provide the following goals, policies and objectives pertaining to greenhouse gas emissions that are relevant to this analysis:

Land Use Element

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-1.5 **Infill Development.** The County shall encourage infill development on vacant and underutilized parcels to maximize the use of land within existing urban areas, minimize the conversion of productive agricultural land and open spaces, and minimize environmental impacts associated with new development as one way to accommodate growth.

Goal LU-2 To promote energy efficiency through innovative and sustainable building and site design.

LU-2.1 **Sustainable Building Practices**. The County shall promote, and where appropriate, require sustainable building practices that incorporate a "whole system" approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.

LU-2.2 **Green Sustainable Building Practices.** The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).

LU-2.4 **Solar Access.** The County shall encourage new residential subdivisions and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency.

LU-2.7 **Sustainable Location Factor.** The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.

Goal LU-4 To encourage variety in new unincorporated residential development while also providing incentives for clustered residential as a means to protect valuable agricultural and natural resources.

LU-4.2 **Urban Residential Development.** The County shall ensure new urban residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.

LU-4.5 **Innovative Site Planning and Residential Design.** The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.

Circulation Element

C-1.2 **Complete Streets.** To promote a road and street network that accommodates cars without requiring car dependence, the County shall plan for use of roadways by all vehicle types and users, including automobiles, trucks, alternative energy vehicles, agricultural equipment, transit, bicyclists, and pedestrians, when constructing or modifying roadways. Additionally, the County shall plan its road and street network to reflect a context-sensitive approach to the design of thoroughfare assemblies, where the allocation of right-of-way and the facilities provided are based on the intended character, whether urban or rural, of a particular location (urban context). Roads and streets within communities shall be designed to support and encourage walkability as a response to their context, whereas roads in open areas of the County shall be designed primarily for vehicular circulation. As such, thoroughfares that serve both open areas and communities in the County shall change as the surrounding urban context varies. This includes:

a. Encouraging thoroughfare designs that are context sensitive, such as those recommended in Designing Walkable Urban Thoroughfares: A Context Sensitive Approach by the Institute of Transportation Engineers (ITE);

b. Supporting urban design principles that promote walkability within communities to include:

    i. A mix and variety of land uses designed to be relatively compact and in proximity to one another;

    ii. Buildings that are oriented toward streets, with appropriately narrow setbacks and functional entries directly fronting onto sidewalks;

    iii. Pedestrian-scaled architecture, landscape, and thoroughfares designed to provide engaging sidewalk views and comfort to pedestrians traveling at slow speeds; and

    iv. Circulation networks that provide an interconnected system of streets and open spaces with relatively small block lengths;

c. Creating multi-modal street connections in order to establish a comprehensive, integrated, and connected transportation network;

d. Incorporating pedestrian and bicycle facilities, where appropriate and feasible, that promote safety and maximize access;

e. Planting street trees adjacent to curbs and between the street and sidewalk or walking path to provide a buffer between the pedestrian and the automobile, where appropriate;

f. Incorporating traffic calming devices such as roundabouts, bulb-outs at intersections, and traffic tables; and

g. Coordinating with other agencies and cities to ensure connections are made between jurisdictions.

C-1.10 **Street Network Plans.** The County shall require the project applicants to prepare a street network plan for any subdivision proposal located near existing, approved or proposed development (County or City). The plan shall illustrate how adjoining

properties will interconnect over the long-term and how the plan will improve pedestrian and bicycle connectivity. The plan shall include an interim access plan and a long-term plan that consolidates vehicular access onto arterials/collectors (via street network design, or some other method).

Goal C-2 To provide a safe, continuous and accessible system of facilities for bicycle and pedestrian travel in appropriate areas in the County.

C-2.1 **Bicycle, Pedestrian, and Equestrian Systems.** The County shall encourage complete, safe, and interconnected bicycle, pedestrian, and equestrian systems, as appropriate to the context, that serve both commuter travel and recreational use, and provide access to major destinations in the county.

C-2.2 **Pedestrian and Bike Path Construction.** The County shall plan, design, and construct pedestrian routes and bikeways consistent with the 2009 County Bikeway and Pedestrian Master Plan or its succeeding plan. Priority shall be given to bicycle commuting routes, routes to schools, bike lanes on all new streets classified as arterials or collectors, and bike lanes on or adjacent to existing heavily traveled roads.

C-2.3 **Bicycle Parking Facilities.** The County shall provide or encourage the provision of secure bicycle parking facilities at transit facilities, private and public facilities, and park-and-ride lots.

C-2.8 **Sidewalks or Pedestrian Paths in Subdivisions.** The County shall encourage project applicants to provide sidewalks or pedestrian paths, or other safe and convenient accommodations for pedestrians (e.g., shared-space streets) on all new roads or modifications to existing roads, as appropriate to the context, in accordance with County roadway design standards.

C-2.10 **Paths Through Cul-de-Sacs.** The County shall encourage developments at a density of one unit per acre or greater to include paths for bicycle and pedestrian traffic through or near the ends of loop streets and cul-de-sacs over 500 feet in length and to facilitate bicycle and pedestrian travel.

Goal C-3 To promote a safe and efficient public transit system that provides a viable travel alternative to automobiles, maximizes mobility, and reduces roadway congestion and greenhouse gas emissions.

C-3.8 **Transit in New Development.** The County shall require new development at densities of one unit per acre or greater to provide funding for or construct transit stops and signs in appropriate locations and facilitate access to existing or future public transit through project design, consistent with the local Transportation Authority Transit Design Guidelines.

C-3.9 **Consistency with RTP.** The County shall require all new development proposals to be consistent with and implement the San Benito County Regional Transportation Plan transit policies.

Housing Element

Goal HOU-5 To establish development and construction standards which encourage energy conservation in residential uses. Promote the use of energy conservation methods in housing for all segments of the community.

HOU-5A The County shall require energy-conserving construction, as required by State law.

HOU-5B The County shall encourage innovative site designs and orientation techniques, which incorporate passive and active solar designs and natural cooling techniques.

HOU-5C The County shall promote a weatherization and retrofit program for existing housing units that fall below current State performance standards for energy efficiency.

HOU-5D The County shall promote opportunities for use of solar energy by assuring solar access. The County shall pursue all avenues of solar access and energy conservation currently provided by California law and consider a local ordinance to further promote energy conservation.

HOU-5E The County shall promote energy efficient land use planning by incorporating energy conservation as a major criterion for future decision making.

HOU-5F The County shall promote energy conservation through education and outreach programs.

HOU-5G The County shall require solar access to be considered in environmental review and/or decision-making for all subdivisions.

Public Facilities and Services Element

PFS-1.10 **Maximize Use of Existing Facilities.** The County shall require new development projects to be designed and sited to use existing facilities and services to the extent practical and to the extent that such a design and site choice would be consistent with good design principles.

PFS-7.5 **Waste Diversion.** The County shall require waste reduction, recycling, composting, and waste separation to reduce the volume and toxiCity of solid wastes sent to landfill facilities and to meet or exceed State waste diversion requirements of 50 percent.

PFS-7.6 **Construction Materials Recycling**. The County shall encourage recycling and reuse of construction waste, including recycling materials generated by the demolition of buildings, with the objective of diverting 50 percent to a certified recycling processor. The County shall encourage salvaged and recycled materials for use in new construction.

PFS-8.7 **Renewable Energy Grid-Connections.** The County shall coordinate with public utility providers to design their facilities so that private and public onsite renewable energy facilities (e.g. solar, wind, biomass, geothermal) can connect to the larger electricity grid.

Health and Safety Element

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

HS-5.1 **New Development.** The County shall use the CEQA process to ensure development projects incorporate feasible mitigation measures to reduce construction and operational air quality emissions, and consult with the Monterey Bay Unified Air Pollution Control District early in the development review process.

HS-5.2 **Sensitive Land Use Locations.** The County shall ensure adequate distances between sensitive land uses and facilities or operations that may produce toxic or hazardous air pollutants or substantial odors.

HS-5.4 **PM10 Emissions from Construction.** The County shall require developers to reduce particulate matter emissions from construction (e.g., grading, excavation, and demolition) consistent with standards established by the Monterey Bay Unified Air Pollution Control District.

HS-5.6 **New Construction Mitigation.** The County shall work in coordination with the Monterey Bay Unified Air Pollution Control District to minimize air emissions from construction activities associated with proposed development.

HS-5.7 **Greenhouse Gas Emission Reductions.** The County shall promote greenhouse gas emission reductions by supporting carbon efficient farming methods (e.g., methane capture systems, no-till farming, crop rotation, cover cropping); supporting the installation of renewable energy technologies; and protecting grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to urban uses.

HS-5.8 **GHG Reduction Targets.** The County acknowledges that the State endeavors to achieve 1990 greenhouse gas (GHG) emission levels, and establish a long-term goal to reduce GHG emissions by 80 percent below 1990 levels by 2050. The County will encourage projects that support these goals, recognizing that these goals can be met only if the State succeeds in decarbonizing its fuel supply.

HS-5.10 **Vehicle Emissions Reductions.** The County shall study alternatives for improving circulation (e.g., roundabouts, one ways, etc.), when feasible, to reduce idling motor vehicle emissions.

HS-5.13 **Reduce Air Pollution from Wood Burning.** No permanently installed wood-burning devices shall be allowed in any new development, except when necessary for food preparation in a restaurant or other commercial establishment serving food.

SAN BENITO COUNTY CODE OF ORDINANCES

Chapter 15.01: Solid Waste Regulations

The chapter addresses collection, transportation of solid waste, disposal of refuse, and enforcement in five articles.

Section 15.01.046 Building Permits; Diversion Plans states that no building permit shall be issued until a solid waste diversion plan has been submitted to and approved by the Integrated Waste Management Department. Failure to submit a plan shall prevent the issuance of a building permit. Permitees are required to divert a minimum of 50% of their waste. A permit holder who has not

diverted 50% of the construction or demolition waste from disposal shall be required to pay San Benito County an amount equal to the rate per ton for disposal of mixed waste at the John Smith Road Landfill existing at the time the penalty is calculated times the number of tons of waste that were not properly diverted as required by this section. Funds generated from any penalties collected will be set aside in a separate fund for waste diversion activities in San Benito County. Final occupancy will not be signed off until the permitee has submitted their waste diversion documentation and/or paid the penalty, if any, to the Integrated Waste Management Department. Sample solid waste diversion plans shall be available for permitees' use.

Chapter 19.31: Development Lighting "Dark Skies" Ordinance

This chapter requires the use of outdoor lighting systems and practices be designed to reduce light pollution and glare, and to protect the nighttime visual environment by regulating outdoor lighting which interferes with astronomical observations and enjoyment of the night sky. Section 19.31.002 states the provisions of Chapter 19.31 apply to all proposed new land uses, developments, buildings, structures or building additions, as well as street lights on county and private roadways. Section 19.31.005 establishes three lighting zones, with Zone I imposing the strictest regulations and Zone III imposing the least restrictive. The project site is more than five miles, but less than eight miles northwest of Fremont Peak State Park and is therefore located in Zone II. General requirements are applicable to all zones, under section 19.31.006 and the special requirements applicable to Zone II are set forth in section 19.31.008.

4.7.2 Impact Analysis

a. Methodology and Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, impacts related to GHG emissions from the proposed project would be significant if the project would:

1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (State CEQA Guidelines, section 15064[h][1]).

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. MBARD is currently in the process of developing GHG emissions thresholds for evaluating projects under CEQA. According to an MBARD staff report to the District Board of Directors, MBARD is currently considering adoption of a threshold of 10,000 metric tons (MT) of CO_2e per year for stationary source projects and a threshold of 2,000 MT CO_2e per year for land-use projects or compliance with an adopted GHG Reduction Plan/Climate Action Plan. MBARD is currently evaluating a percentage-based threshold option

(MBARD 2013). However, MBARD does not have a formally adopted policy recommending any specific threshold. Since MBARD has no adopted thresholds, MBARD encourages lead agencies to consider a variety of metrics for evaluating GHG emissions and related mitigation measures as they best apply to the specific project (MBARD 2014).

In April 2012, SLOAPCD, whose jurisdiction is adjacent to MBARD to the south, adopted quantitative thresholds for GHG emissions for most land use projects (SLOAPCD 2012a). The SLOAPCD CEQA Handbook includes a bright-line threshold of 1,150 MT CO_2e, as well as an efficiency threshold of 4.9 MT CO_2e per service population (SP) per year (SP is the total residents and employees accommodated by the proposed project). These thresholds were established for compliance with AB 32 for reducing emissions to 1990 levels by 2020 and do not include compliance with SB 32 to reduce emissions 30 percent below 1990 levels by 2030.

Given the recent legislative attention and judicial action regarding post-2020 goals and the scientific evidence that additional GHG reductions are needed through the year 2050, the Association of Environmental Professionals' (AEP) Climate Change Committee published a white paper in 2015 recommending that CEQA analyses for most land use development projects can continue to rely on current thresholds for the immediate future, but that long term projects should consider post-2020 emissions demonstrating substantial progress toward the reduction trajectory that meets the 2050 statewide target (AEP, Beyond 2020: The Challenges of Greenhouse Gas Reduction Planning by Local Governments in California 2015). AEP also recommends that the significance determination should be based on demonstrating substantial progress along a post-2020 trajectory. As such, for the GHG emissions resulting from the proposed project, this analysis evaluates conditions in the year 2020 and 2022, the operational year of the project.

As discussed above, the SLOAPCD Greenhouse Gas Thresholds and Supporting Evidence document (2012a) established a project level efficiency threshold of 4.9 MT CO_2e per year, but does not establish long-term targets beyond 2020 GHG targets identified by AB 32. Because the ARB Scoping Plan has not been adopted and is not publically available, GHG emissions were analyzed in light of the trajectory of state climate change legislation by calculating a 2022 efficiency threshold for the project. The project specific efficiency threshold represents the rate of emissions reductions necessary for the project to achieve a fair share of statewide GHG reductions necessary to meet SB 32 targets. The target efficiency for the year 2022 was determined by calculating a linear interpolation of SB 32 reduction goals (Appendix B) (SLOAPCD 2012b). The resulting 2022 efficiency threshold for the project is 4.5 MT CO_2e per service population. This efficiency threshold is the level of project emissions per-SLOAPCD service population that would be necessary for the proposed project to achieve substantial progress toward the long term reduction targets established by SB 32.

Study Methodology

Calculations of CO_2, CH_4, and N_2O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO_2, CH_4, and N_2O because these make up 98.9 percent of all GHG emissions by volume (IPCC 2007) and are the GHG emissions that the project would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF_6, were also considered for the analysis. However, because the project is a residential development, the quantity of fluorinated gases would not be significant since fluorinated gases are primarily associated with industrial processes. Emissions of all GHGs are converted into their equivalent weight in terms of CO_2 (CO_2e). Minimal amounts of other GHGs (such as chlorofluorocarbons [CFCs]) would be emitted; however, these other GHG emissions would not substantially add to the total calculated CO_2e amounts. Calculations are based on the methodologies discussed in the California Air Pollution Control

Officers Association (CAPCOA) *CEQA and Climate Change* white paper (CAPCOA 2008) and included the use of the California Climate Action Registry (CCAR) General Reporting Protocol (CCAR 2009).

GHG emissions associated with the proposed project were calculated using the California Emissions Estimator Model (CalEEMod) version 2016.3.1 (see Appendix B for calculations).

CONSTRUCTION EMISSIONS

Although construction activity is addressed in this analysis, CAPCOA does not discuss whether any of the suggested threshold approaches adequately address impacts from temporary construction activity. As stated in the CEQA and Climate Change white paper, "more study is needed to make this assessment or to develop separate thresholds for construction activity" (CAPCOA 2008). For purposes of this analysis, in order to estimate the annual emissions that would result from construction activity associated with the project, GHGs from construction projects are quantified and amortized over the life of the project. The amortized construction emissions are added to the annual average operational emissions and then compared to the operational threshold. To amortize the emissions over the life of the project, the total GHG emissions for the construction activities are quantified, divided by the project life, and added to the annual operational phase GHG emissions. For the purpose of this analysis, the estimated project lifetime was assumed to be 50 years. A 50-year project lifetime is within the range used by air districts that employ this methodology for annualizing short-term emissions, including SLOAPCD (SLOAPCD 2012).

Construction of the proposed project would generate temporary GHG emissions primarily due to the operation of construction equipment on-site as well as from vehicles transporting construction workers to and from the project site and heavy trucks to export earth materials offsite. Site preparation and grading typically generate the greatest amount of emissions due to the duration and use of grading equipment and soil hauling. CalEEMod provides an estimate of emissions associated with the construction period, based on parameters such as the duration of construction activity, area of disturbance, and anticipated equipment utilized during construction.

OPERATIONAL EMISSIONS

CalEEMod provides operational emissions of CO_2, N_2O, and CH_4. Emissions from energy use include electricity and natural gas use. The emissions factors for natural gas combustion are based on USEPA's AP-42, Compilation of Air Pollutant Emissions Factors, and the California Climate Action Registry (CCAR). Electricity emissions are calculated by multiplying the energy use times the carbon intensity of the utility district per kilowatt hour (BREEZE Software 2016). The default electricity consumption values in CalEEMod include the CEC-sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies.

Emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating were calculated in CalEEMod and utilize standard emission rates from CARB, USEPA, and emission factor values provided by the local air district (BREEZE Software 2016).

Emissions from waste generation were also calculated in CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (BREEZE Software 2016). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery (CalRecycle).

Emissions from water and wastewater usage calculated in CalEEMod were based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for Northern and Southern California.

For mobile sources, CO_2 and CH_4 emissions were quantified in CalEEMod. Because CalEEMod does not calculate N_2O emissions from mobile sources, N_2O emissions were quantified using the CCAR General Reporting Protocol (CAPCOA 2008) direct emissions factors for mobile combustion (see Appendix B for calculations). Emission rates for N_2O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors found in the CCAR General Reporting Protocol.

A limitation of the quantitative analysis of emissions from mobile combustion is that emission models, such as CalEEMod, evaluate aggregate emissions, meaning that all vehicle trips and related emissions assigned to a project are assumed to be new trips and emissions generated by the project itself. Such models do not demonstrate, with respect to a regional air quality impact, what proportion of these emissions are actually "new" emissions, specifically attributable to the project in question. For most projects, the main contributor to regional air quality emissions is from motor vehicles; however, the quantity of vehicle trips appropriately characterized as "new" is usually uncertain as traffic associated with a project may be relocated trips from other locales. In other words, vehicle trips associated with the project may include trips relocated from other existing locations, as people begin to use the proposed project instead of similar existing land uses. Therefore, because the proportion of "new" versus relocated trips is unknown, the VMT estimate generated by CalEEMod is used as a conservative, reasonable "worst-case" estimate.

b. Project Impacts and Mitigation Measures

Impact GHG-1 Development of the proposed project would generate GHG emissions during construction activity and long-term operation. Total estimated GHG emissions would exceed SB 32 compliant thresholds. Impacts would be less than significant with mitigation incorporated. [Threshold number 1]

GHG emissions associated with the proposed project were estimated using CalEEMod. The following summarizes the project's overall GHG emissions (see Appendix B for full CalEEMod worksheets).

Construction Emissions

For the purpose of this analysis, construction activity is assumed to occur over a period of approximately 52 months. The construction phase includes site preparation, grading, building construction, paving, and architectural coating. The construction phase was assumed to take place over roughly a three year period, and the architectural coating phase was assumed to overlap with approximately the second half of the construction phase. Paving was assumed to occur during approximately the last two months of construction. Emissions associated with the construction phase occur as a result of off-road machinery such as: rubber tired dozers, paving equipment, graders, tractors, loaders, backhoes, scrapers, rollers, forklifts, among other equipment. In addition to off-road equipment, construction emissions also result from hauling sediment and materials as well as construction worker trips and VMT. A full list of off-road equipment and other sources of GHG emissions associated with the construction phase is included in Appendix B. The site preparation phase would involve hauling, as well as vendor and worker trips and VMT; grading would involve fugitive dust, off-road emissions, hauling, as well as vendor and worker trips and VMT; construction would involve the use of off-road equipment; architectural coating would include the application of paint and other materials as well as the use of off-road equipment; and the paving

phase would involve hauling, worker trips, and VMT, as well as the use of off-road equipment. For a conservative estimate, the year associated with the most GHG emissions was utilized to estimate the average GHG emissions per year. As shown in Table 19, construction activity for the proposed project would generate a maximum of approximately 1,696 MT of CO_2e per year during the entire construction of the project. Amortized over a 50-year period (the assumed lifetime of the project), construction of the proposed project would generate an estimated 34 MT of CO_2e per year.

Table 19 Estimated Construction Emissions of Greenhouse Gases

Emission Source (Phase)	Estimated Annual Emissions (Approximate)[1] (MT CO_2e)
2017	144.6
2018	292.5
2019	293.7
2020	491.8
2021	471.6
Total Construction Emissions	1,694.2
Amortized over 50 years	34

[1] See Appendix B for calculations and for GHG emission factor assumptions. Numbers have been rounded and will not sum.
MT = metric tons
CO_2e = carbon dioxide equivalent

New street trees and other shade trees would likely also be included in the landscape design of the proposed project, but in order to provide a more conservative analysis, carbon sequestration rates for trees were not included as part of the proposed project during the CalEEMod analysis. Any new landscaping would sequester additional CO_2, and would result in a reduction of estimated project emissions. Therefore, this analysis represents a conservative estimate of the change in GHG emissions that would result from a change in overall vegetative land use associated with the project.

OPERATIONAL INDIRECT AND STATIONARY DIRECT EMISSIONS

Long-term emissions relate to area sources, energy use, solid waste, water use, and transportation. Each of these sources is discussed below.

Area Source Emissions

CalEEMod was used to calculate direct sources of air emissions located at the project site. These include repainting (assumed once every 10 years), consumer product use, and landscape maintenance equipment for the residences and parks. This analysis estimates that none of the 90 dwellings would contain wood burning fireplaces or hearths, as the 2035 General Plan Health and Safety Element prohibits wood-burning fireplaces. Operational area source emissions are estimated at approximately two metric tons of CO_2e per year (see CalEEMod results in Appendix B).

Energy Use

Operation of the 90 single-family residences would consume both electricity and natural gas. The generation of electricity through combustion of fossil fuels typically yields CO_2, and to a smaller extent, N_2O and CH_4. As discussed above, annual electricity and natural gas emissions can be calculated using default values from the CEC sponsored CEUS and RASS studies which are built into the CalEEMod model. Electricity consumption associated with the project would generate approximately 225 MT CO_2e per year. Natural gas use would generate approximately 129 MT CO_2e

per year. Thus, overall energy use at the project site would generate approximately 354 MT CO_2e per year (see CalEEMod results in Appendix B).

Solid Waste Emissions

As required by AB 939, development of the proposed project would be expected to divert a minimum of 50 percent of its waste from landfills, reducing the GHG emissions associated with solid waste. Based on this estimate, solid waste associated with the project would generate approximately 113 tons of waste annually, resulting in an estimated 57 MT CO_2e per year (see CalEEMod results in Appendix B).

Water Use Emissions

Based on the amount of electricity generated in order to supply and convey water for the proposed project, the project would generate an estimated 37 MT CO_2e per year. These emissions would result from the consumption of approximately nine million gallons of water per year (indoor use) and the utilization of approximately ten million gallons of water per year for outdoor use.

Transportation Emissions

Mobile source GHG emissions were estimated using the average daily trips for the proposed project according to the project traffic study (see Appendix E) and based on the total VMT estimated in CalEEMod. The proposed project would generate about 885 new trips per day and approximately 2,540,944 annual VMT, which would result in 1,717 MT CO_2e due to CO_2 and CH_4. As noted above, CalEEMod does not calculate N_2O emissions related to mobile sources. As such, N_2O emissions were calculated based on the project's VMT using calculation methods provided by the California Climate Action Registry General Reporting Protocol (CCAR 2009). Based on the calculations, an additional 51 metric tons of CO_2e would result from N_2O emissions. Overall, the project would emit an estimated 1,767 MT CO_2e per year from mobile sources (see CalEEMod results in Appendix B).

Combined Construction, Stationary and Mobile Source Emissions

Table 20 combines the construction, stationary, and mobile GHG emissions associated with onsite development for the proposed project. The service population for this project is 363 persons (290 residents + 73 jobs).

Table 20 Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions (Approximate) (MT CO_2e)
Construction (Amortized)	33.9
Stationary	
Area	1.5
Energy	354.2
Solid Waste	57.0
Water	37.4
Mobile (during operations)	
CO_2 and CH_4	1,716.5
N_2O	50.6
Total	2,251.1
Service Population	363 persons
Total / Service Population	6.2 MT CO_2e / service population / year
Threshold	4.5 MT CO_2e / service population / year
Threshold Exceeded?	Yes

Sources: See Appendix B for calculations and for GHG emission factor assumptions.

The combined annual emissions associated with the proposed project would total an estimated 2,251 MT CO_2e per year, which would equate to approximately 6.2 MT CO_2e per service population per year. Although a GHG significance threshold has not been formally adopted by San Benito County that would apply to the proposed project, an efficiency threshold of 4.5 MT CO_2e per service population was calculated for the proposed project, as discussed above. As shown in Table 20, the project would result in annual emissions that would exceed this threshold. However, the following mitigation measure has been included to reduce impacts to less than significant levels. Therefore, the proposed project would result in a *less than significant with mitigation incorporated* impact.

Mitigation Measures

In order to quantify the total annual GHG emissions that would need to be reduced over the operational life of the project, the threshold of 4.5 MT CO_2e per person per year was multiplied by the service population of 363 (totaling 1,634 MT CO_2e) to determine the volume of bulk emissions that would be less than significant based on the 4.5 MT CO_2e per person per year threshold. The difference between the proposed project's annual emissions (2,251 MT CO_2e) and the bulk emissions below the threshold (1,634 MT CO_2e) is 617 MT CO_2e. Therefore, 617 MT CO_2e is the total volume of GHGs that the project would need to eliminate or offset to reduce this impact to a less than significant level. The following mitigation measure would be required to reduce GHG emissions impacts to a less than significant level.

According to the U.S. EPA Greenhouse Gas Equivalencies Calculator, 617 MT of CO_2e is equivalent to the GHG emissions from following (U.S. EPA 2017):

- 1,478,737 miles driven by an average passenger vehicle, or 130 passenger vehicles driven for one year
- 196 tons of discarded material diverted from the landfill and recycled

617 MT of CO_2e is also equivalent to the CO_2 emissions from the following:

- 69,427 gallons of gasoline consumed
- 0.156 wind turbines installed
- 21,872 incandescent lamps switched to LEDs

617 MT of CO_2e is also equivalent to the carbon sequestered by the following:

- 15,990 tree seedlings grown for 10 years
- 584 acres of U.S. forests in one year
- 4.9 acres of U.S. forests preserved from conversion to cropland in one year

MM GHG-1 GHG REDUCTION PLAN

Prior to initial grading permit issuance, the project applicant shall develop and implement a GHG Reduction Plan, approved by the County, which documents a reduction in annual GHG emissions from the project by a minimum of 617 MT CO_2e per year over the operational life of the project.

A. On-site GHG reduction measures may include, but are not limited to, the following components:
    a. Energy Use
        i. On-site energy conservation policies in addition to those described in the Specific Plan Development Standards
        ii. Exceed adopted 2013 Title 24 energy requirements by a minimum of 10 percent through implementation of energy reduction measures, including:
            1. Use locally made building materials for construction of the Project and associated infrastructure when such materials are locally available;
            2. Use of materials which are resource efficient, recyclable, with long life cycles;
            3. Install energy-reducing shading mechanisms for windows, porches, patios, walkways, etc.;
            4. Install energy reducing day lighting systems (e.g. skylights, light shelves, transom windows);
            5. Use of water efficient landscapes;
            6. Use tankless water heaters or solar water heaters;
            7. Use of low-energy interior lighting;
            8. Use low-energy street lights and parking lot lights (i.e. sodium); and
            9. Use of light-colored, water-based paint and roofing materials.
        iii. On-site renewable energy production, including wind-generated energy or installation of solar photovoltaic (PV) panels or other on-site renewable energy that generates a minimum of 30 percent of the project's total energy demand

B. The project applicant shall be responsible for ensuring that the GHG Reduction Plan quantifies the emissions reduction achieved by all GHG reduction measures included in the GHG Reduction Plan. The GHG Reduction Plan shall include all necessary evidence to facilitate review of the emissions reductions measures and the total GHG emissions reduction achieved by the San Benito County Planning and Building Departments.

C. GHG/Carbon Offset Mechanism. The GHG emissions reduction achieved through implementation of on-site GHG reduction measures would depend on the specific mix of measures available for each development application within the project. Because it is not yet possible to know with certainty which on-site GHG reduction measures would be feasibly incorporated into the project, or to quantify the reduction in GHG emissions that these measures would achieve, on-site GHG reduction measures may not be sufficient to reduce project GHG emissions by the required 617 MT CO_2e/year. If GHG emissions cannot be reduced below threshold levels through compliance with the Project GHG Reduction Plan described in Part A, the project applicant shall purchase a fair share of carbon offsets that meet approved offset protocols through the California Cap-and-Trade Program to reduce GHG emissions below threshold levels. Carbon offsets reduce GHG emissions globally through funding off-site projects that eliminate new GHG emissions and/or sequester existing GHGs in the atmosphere.

Plan Requirements and Timing

Applicable elements of the GHG Reduction Plan shall be reflected on project site plans prior to permit approval. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets shall be approved prior to permit approval.

Monitoring

Condition compliance shall monitor and verify implementation of measures included in the GHG Reduction Plan to ensure implementation.

Emissions reductions from individual GHG reduction measures are quantifiable for the purpose of demonstrating compliance with Mitigation Measure GHG-1 using CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures* (August 2010), available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf. Depending on the specific combination of GHG reduction components available to a particular phase of the project, sufficient on-site GHG emissions reductions may not be available to reduce GHG emissions by the required 617 MT CO_2e/year over the operational life of the project. Therefore, to further reduce project GHG emissions, project applicants would be required to purchase carbon offsets that meet approved offset protocols through the California Cap-and-Trade Program.

Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would mitigate the GHG emissions associated with the proposed project to a less than significant level.

Impact GHG-2 THE PROPOSED PROJECT WOULD BE CONSISTENT WITH APPLICABLE PLANS AND POLICIES ADOPTED FOR THE PURPOSE OF REDUCING GREENHOUSE GAS EMISSIONS, INCLUDING SB 375 AND AB 32. ALTHOUGH GHG EMISSIONS WOULD EXCEED SB 32 REQUIREMENTS, INCLUSION OF A GHG REDUCTION PLAN AS DESCRIBED IN MITIGATION MEASURE GHG-1 WOULD ENSURE CONSISTENCY WITH THE GOALS OF SB 32. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBER 2]

San Benito County has not adopted a formal Climate Action Plan or other GHG reduction plan as of May 2017, although applicable policies in the San Benito County General Plan are described in section 4.7.1(d), Regulatory Setting, above.

CalEPA's Climate Action Team (CAT) published the 2006 CAT Report which includes GHG emissions reduction strategies intended for projects emitting less than 10,000 tons CO_2e/year. In addition, the California Attorney General's Office (2008) has developed Global Warming Measures and OPR's CEQA and Climate Change (CAPCOA 2008) document includes greenhouse gas reduction measures intended to reduce GHG emissions in order to achieve statewide emissions reduction goals. All of these measures aim to curb GHG emissions through suggestions pertaining to land use, transportation, renewable energy, and energy efficiency. Several of these actions are already required by California regulations, such as:

- AB 1493 (Pavley) requires the State to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks.
- In 2004, CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.
- The Integrated Waste Management Act of 1989 established a 50 percent waste diversion mandate for California.
- Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).
- California's Renewables Portfolio Standards, established in 2002, requires that all load serving entities achieve a goal of 33 percent of retail electricity sales from renewable energy sources by 2020, within certain cost constraints.
- Green Building Executive Order, S-20-04, sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels.

In addition, several actions are required by County regulations, such as:

- Diversion of at least 50 percent of construction and demolition waste from disposal (San Benito County Code section 15.01.046).
- Energy efficient outdoor lighting in certain areas (San Benito County Code Chapter 19.31, Development Lighting).
- Water conservation pursuant to San Benito County Code (Chapter 15.05: Water) Article V County Service Area No. 31 Water Conservation Ordinance and permanent water conservation requirements

In addition, the San Benito County General Plan includes several goals and policies that encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction, and establish development and construction standards which encourage energy conservation in residential uses. 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 then-applicable State energy performance standards; the use of locally made materials for construction; use of water efficient landscapes; and roofs upon which solar panels may be installed.

MBARD has not established significance thresholds for GHG emissions, nor has MBARD adopted specific goals or policies designed to reduce GHG emissions; however, as noted above, development on the project site would be required to comply with applicable State and local laws and regulations and MBARD plans and policies intended to reduce criteria pollutant emissions (refer to Section 4.3,

Air Quality, for additional detail regarding adopted MBARD plans) which would also reduce GHG emissions from development on the project site.

On June 11, 2014, AMBAG adopted the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) designed to help the region achieve its SB 375 GHG emissions reduction target, thereby contributing to the overall GHG emissions reduction goals identified in AB 32. [19] In late 2015, the California Supreme Court's Newhall Ranch decision confirmed that there are multiple potential pathways for evaluating GHG emissions consistent with CEQA, depending on the circumstances of a given project (Center for Biological Diversity v. Department of Fish and Wildlife (2015) 62 Cal. 4th 204). The decision also identified the need to analyze both near term and post-2020 emissions, as applicable, stating that an "EIR taking a goal-consistency approach to CEQA significance may in the near future need to consider the project's effects on meeting longer term emissions reduction targets." While not legally binding on local land use agencies, SB 32 extends the statewide AB 32 reduction goal, requiring the State to further reduce GHGs to 40 percent below 1990 levels by 2030, and Executive Order S-03-05 has set forth a long-term reduction target to reduce GHG emissions in California by 80 percent below 1990 level by the year 2050.

While the State has adopted the AB 32 Scoping Plan and multiple regulations to achieve the AB 32 year 2020 target, there is no currently adopted State plan to meet post-2020 GHG reduction goals. CARB is currently working to update the Scoping Plan to provide a framework for achieving the 2030 target set forth by SB 32 (CARB 2015). As a result, State reduction strategies cannot be applied to the project to achieve long-term reductions. Achieving these long-term GHG reduction policies will require State and federal plans and policies for achieving post-2020 reduction goals.

On December 2, 2016 CARB released a 2030 Target Scoping Plan Update Discussion Draft which indicates that the Spring Proposed 2030 Target Scoping Plan would be released in 2017 (CARB 2016d). However, a 2030 Target Scoping Plan has not yet been adopted or released. Therefore, to analyze the project's GHG emissions and compliance with the SB 32 Scoping Plan an efficiency threshold of 4.5 CO_2e per service population was calculated for the proposed project. As discussed above, emissions from the proposed project would exceed the GHG efficiency threshold. Nevertheless, the GHG Reduction Plan, as required by Mitigation Measure GHG-1, would enable the project to be generally consistent with SB 32 GHG reduction goals.

The project would be required to comply with State laws and regulations adopted to achieve the overall GHG emissions reduction goals, as well as applicable State laws and regulations and MBARD plans and policies to reduce criteria pollutant emissions. Moreover, the project would also be required to implement adopted County goals and policies that encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction, and establish development and construction standards which encourage energy conservation in residential uses. As stated in Section 2.0, Project Description, the proposed residential units would include a variety of floor plans based on five primary designs: cottage, traditional, mission, farmhouse, and craftsman. Individual building designs would consider solar orientation and natural lighting, as feasible and an optional solar voltaic package would be offered to homeowners/buyers upon purchase, as applicable. Designs would also include large windows for access to natural lighting and the windows would be tinted to keep the buildings cool during summer months. Additionally, the Ridgemark HOA has rules including, but not limited to: the requirement that any landscaping or physical improvements be approved by the HOA Architectural

[19] On June 11, 2014, AMBAG adopted a regional Sustainable Communities Strategy designed to help the region achieve its SB 375 GHG emissions reduction target, thereby contributing to the overall GHG emissions reduction goals identified in AB 32.

Committee; limitations pertaining to the installation of satellite dishes, exterior lighting, and other improvements; and the prohibition of noxious or offensive activities. If the project lots/units are not annexed to the Ridgemark HOA, then it is anticipated that the project would form a new independent HOA which would have substantially similar rules. Therefore, the project would make efforts to comply with applicable plans, policies, and regulations intended to reduce GHG emissions. Therefore, the project's impact would be *less than significant with mitigation incorporated*.

Mitigation Measures

Mitigation Measure GHG-1 would be required to reduce emissions.

Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would mitigate GHG emissions associated with the proposed project to a less than significant level. As such, with implementation of Mitigation Measure GHG-1, the proposed project would be consistent with the goals of SB 32 and impacts would be less than significant.

c. Cumulative Impacts

Table 4 in Section 3.0, Environmental Setting, lists 11 future development projects within the planning area. Five of the 11 projects in Table 4 include development projects with over 100 residential units. Such development would increase population, demand for water and energy resources, and overall GHG emissions generated within the County. Each applicable project would be evaluated independently as individual projects, and each, as applicable, would include a discussion of cumulative impacts, pursuant to CEQA guidelines. However, such projects located within the lead agency's jurisdiction, regardless of impacts, would be subject to receive final approval granted at the discretion of the approving lead agency. Analyses of GHG emissions and climate change impacts are cumulative in nature and by definition, as they affect the accumulation of GHGs in the atmosphere. Projects that exceed the thresholds discussed above would have a significant impact on GHG emissions and climate change, both individually and cumulatively. As indicated in Impact GHG-1 and Impact GHG-2, GHG emissions associated with the project would be reduced to less than significant with the implementation of Mitigation Measure GHG-1, which requires the development of a GHG Reduction Plan, the purchase of carbon credits to offset project emissions, and compliance with SB 32 goals including the anticipated 2030 Scoping Plan. As a result, the project's GHG emissions and contribution to cumulative impacts related to climate change would be reduced to less than significant, and the project's GHG impacts are therefore also less than significant.

4.8 Hazards and Hazardous Materials

This section addresses the proposed project's potential impacts regarding hazards and hazardous materials. To the extent appropriate, given the nature of the project, the analysis focuses on potential health risks associated with impacts relating to wildland fire hazards, hazardous materials transported on nearby roadways, and possible historic soil contamination on-site. The analysis relies, in part, on a hazards site investigation conducted by Bureau Veritas North America, Inc. in October 2016 and a hazardous materials database search.

4.8.1 Setting

The project site consists of a total of approximately 49.6 acres, including the approximately 49.2-acre blufftop site and the approximately 0.3-acre adjacent area.[20] Approximately 37.1 acres of the blufftop site are currently used for agriculture (hay production); the remainder of the site, including the adjacent area, is comprised of steep slopes that are not used for agriculture.

The project site is surrounded by single-family and some multi-family residences within the Ridgemark Country Club development to the north; multi-family residences, tennis courts, a parking lot, and a stormwater detention basin within the Ridgemark Country Club development to the east; agricultural land to the south; and Southside Road, an orchard, and one single-family residence to the west.

a. Hazardous Materials Sites

The following databases were searched in September 2016 for records relating to any known hazardous materials contamination at the project site:[21]

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

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

b. Environmental Site Assessment

Bureau Veritas North America, Inc. (BVNA) completed a Phase I Environmental Site Assessment (ESA) report in 2016 for the blufftop site, which revealed no evidence of recognized environmental conditions (RECs). An REC is defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at the property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. The report included contamination screening and a Tier One Vapor Encroachment Screen (VES).[22]

[20] The 49.2-acre blufftop site and 0.3-acre adjacent area add to 49.6 acres when numbers are not rounded to the nearest tenth.

[21] The scope of search and radius are based on American Society for Testing and Materials (ASTM) industry standards.

[22] The VES was conducted in accordance with ASTM E2600-10, Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions. The goal of a VES is to identify if a vapor encroachment condition exists at the subject property. A VEC is defined as the presence or likely presence of chemicals-of-concern vapors in the subsurface of a subject property caused by the release of vapors from contaminated soil or groundwater either on or near the subject property.

BVNA identified project site uses from the present back to 1949, at which time the project site was in use as a hay field. Agricultural uses of the project site have continued through the present, mostly as hay and grain crops, sugar beets, and other row crops. For approximately 7 years in the 1970s a walnut orchard was planted, but the trees were removed because they did not grow well. BVNA interviewed the current property owner who has owned or otherwise been familiar with the project site for the past 50 years (circa 1966). The owner recalls that pesticides were not used on the project site during the period he has owned or farmed it. There have reportedly been no pesticide applications for the past three years (BVNA, 2016). The agricultural fields on the blufftop site are currently fallow.

Nearby properties were in agricultural use by 1949, primarily cultivated with hay and grain fields on the upland alluvial terrace that encompasses the blufftop site, with land on the lower alluvial terrace to the west and south of the blufftop site primarily cultivated with orchards. Two farm residences with outbuildings were present by 1949 on the western and southern adjoining properties. By 1974, the northern and northeastern adjoining properties were under development with a residential tract and golf course, which appears to have been fully developed by 1981. The eastern adjoining property was similarly developed with residences and a golf course during the period from 1987 to 1998. By 2006, the orchards had mostly been removed on the western and southern adjoining properties, with agricultural uses in these areas appearing to transition to hay or grain fields.

On October 12, 2016 BVNA performed a visual reconnaissance of the project site and surrounding areas (to the extent feasible) to ascertain current and historical uses. The blufftop site was systematically traversed on foot; the adjacent area was observed from the blufftop site and from public thoroughfares. BVNA inspected the project site for indications of:

1. The use, storage, or disposal of hazardous substances and petroleum products (*e.g.*, manufacturing activities, drums, containers, stressed vegetation, stains, sheen, and heating/cooling systems);
2. Underground Storage Tanks (UST) (*e.g.*, vent piping, dispensing equipment, pavement variations, and fill ports);
3. Aboveground Storage Tanks (AST) (*e.g.*, pavement bolts, containers, reservoirs, and generators);
4. Liquid waste discharge sources (e.g., sumps, drains, clarifiers, pools of liquid, pits, ponds, lagoons, septic systems, wastewater, and storm water);
5. Solid waste disposal (e.g., mounding, depressions, fill material, bins, debris, and active human use);
6. Polychlorinated Biphenyls (PCBs) (e.g., transformers, capacitors, elevators, and lifts); and
7. Supply, irrigation, monitor, injection, dry, abandoned, or other wells (e.g., protruding pipes, cover plates, pumps, small sheds, large water storage containers, and mounded grout).

BVNA observed no indications of items one through five. In relation to item six, BVNA observed three pole-mounted transformers on an existing access road extending along the north side of the project site, which terminates at a small, fenced property inholding associated with a water supply utility; single pole-mounted transformers are also located along the eastern and southwestern boundaries of the project site. The transformers are owned and maintained by Pacific Gas & Electric Company (PG&E). However, no evidence of spillage was observed at the above locations. In relation

to item seven, BVNA observed a small, 4-inch-diameter standpipe located along the southern margin of the blufftop site's fallow agricultural field.

A Tier One Vapor Encroachment Screen (VES) was conducted by BVNA, which included obtaining and reviewing the following information on the project site:

1. User provided information;
2. Physical setting information;
3. Existing/planned use of the project site;
4. Types of structures/existing or planned on the project site;
5. Surrounding area description;
6. Selected federal, State, Local and Tribal environmental records sources;
7. Historical records related to the past use of the project site within defined Critical Distances as defined in the Standard;
8. The likely chemicals of concern; and
9. The presence of significant natural or man-made conduits that can serve as preferential pathways, such as utility corridors, sewers, storm drains, etc. (Note: These "preferential pathways" may provide for a more direct route for vapors to encroach upon the project site).

Most of this information was obtained as part of the standard Phase I assessment process. Additional information was also obtained or sought with respect to planned additional structures and significant natural or man-made "preferential pathways" of potential vapor migration.

The Tier One VES Evaluation includes two tests:

1) A search distance test to evaluate the proximity of the target property to known or suspected "contaminated properties", and
2) Conduct chemicals of concern test to determine the likely presence of such chemicals at the project site or properties within the applicable Critical Distance.

In evaluating the data, the distance and proximity to potentially contaminated off-site properties, or portions therein, are determined, including whether they are up-, cross-, or downgradient relative to the project site. A summary of relevant information considered for the Tier One VES follows:

Use of Property

The project site and nearby properties were historically cultivated with hay, grain and row crops from at least 1949 through the present, including a brief period during the 1970s when the project site was cultivated with sugar beets and walnut trees. The agricultural field comprising much of the project site appears to have fallowed for at least the past few years. No sources of contamination were identified during the assessment.

Soil Characteristic

Soil conditions on the project site reportedly consist of uppermost clays and/or silts to approximate depths of between 1 and 5 feet below ground surface (bgs), underlain by gravelly sands and gravels with minor sand and silt interbeds to explored depths of approximately 16.5 to 21.5 feet bgs (Stevens, Ferrone & Bailey 2015). An earlier on-site study completed in 2000 and cited in the 2015

Geotechnical Investigation, Ridgemark Phase Six Report by Stevens, Ferrone & Bailey (2015) encountered interbedded clays, silts, sands and gravels to explored depths of up to 110 feet bgs.

Depth to Groundwater

Groundwater was reportedly encountered at a depth of approximately 78.5 feet bgs in one boring in the northwestern corner of the project site; groundwater was not encountered in the remaining borings of that study to a maximum explored depth of 110 feet bgs (Stevens, Ferrone & Bailey 2015).

Preferential Pathways

The project site contains a fallow agricultural field. Storm drain, sanitary sewer and water supply utilities extend along Ridgemark Drive and South Ridgemark Drive, which pass near the northeastern corner of the project site; similar utilities extend along Helen Court adjacent to the southeastern corner of the project site. The above utility easements do not correspond with potential contaminant source areas. No other natural "preferential pathways" (e.g., laterally extensive buried steam channel deposits) are known to exist on the project site.

BVNA also reviewed the GeoTracker and EnviroStor websites for release sites potentially impacting the project site. There were no plotted release sites identified within the applicable critical distance and the general area of the project site.[23]

The VES process was completed in accordance with the American Society for Testing and Materials (ASTM) Standard E2600-10. Based on a review of releases to the subsurface at nearby properties, no vapor encroachment conditions (VECs) were identified. The nature of project site conditions does not suggest the likelihood of a VEC due to onsite activities. In addition, no offsite properties of potential environmental concern with respect to the project site were noted in the databases or other information reviewed for this assessment to suggest the potential for a VEC.

c. Other Potential Hazards

Other hazards that are relevant to this analysis are wildland fire hazards and hazardous materials transported on nearby roadways. These potential hazards are discussed more fully below. Section 4.9, Hydrology and Water Quality, discusses potential hazards related to flooding. Section 4.16, Effects Found to Be Less Than Significant, discusses other potential hazards such as those related to dam failure.

Wildland Fire Hazards

According to the San Benito County Community Wildfire Protection Plan, wildfires are any fire on undeveloped land (San Benito County 2010a). Wildfires are often caused by human activities such as unattended campfires and smoking (U.S. Department of the Interior n.d.), and can result in loss of valuable wildlife habitat, soil erosion, and damage to life and property.

The level of wildland fire risk for an area is determined by a number of factors, including:

- Climate conditions or changes in weather
- Terrain factors, including aspect and slope
- Fuel and vegetation characteristics
- Property boundary and outlying high-risk area

[23] Critical distance is determined in accordance with the Standards provided in ASTM E2600-10.

- Historical propensity of wildfire activity (CoreLogic 2013)

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped the relative fire threat for San Benito County. The Fire and Resource Assessment Program (FRAP) fire threat analysis rates areas of the county into five separate categories, including little/none, moderate, high, very high, or extreme. The FRAP also assesses the wildland urban interface, an area within or adjacent to an at-risk community that is identified in recommendations to the Secretary in a community wildfire protection plan. The project site is located in the Fire Hazard Severity Zone area "Local Responsibility Areas Unzoned", which is considered to have to little/no fire threat (CAL FIRE 2007). According to Table 11 in the San Benito County Community Wildfire Protection Plan, the community of Ridgemark is considered to have a moderate overall risk of fire threat (San Benito County 2010a: 19-21).

Hazardous Materials Transport on Roadways

Portions of the project site border Southside Road. This roadway currently can be used for the transport of hazardous wastes and materials. Truck accidents along Southside Road could result in spills of such materials. However, all transport of hazardous materials is subject to federal, State, and local laws and regulations pertaining to the transportation of hazardous materials, as discussed further below.

d. Sensitive Receptors

For the purpose of this analysis, sensitive receptors are defined as any facilities or land uses that include people who are particularly sensitive to the effects of hazardous materials. Typical sensitive receptors are residences, elderly facilities, and schools (including, among others, child care facilities). There are no sensitive receptors on the project site. The off-site sensitive receptors closest to the project site are single-family residences (approximately 200 feet to the north and approximately 80 feet to the east, adjacent to the project site) within the Ridgemark Country Club development. There are also several farmhouses within the vicinity of the site, approximately 500 feet to the south-southeast of the proposed emergency vehicle access road and approximately 600 feet west of the western boundary of the project site, across Southside Road.

e. Regulatory Setting

The management of hazardous materials and hazardous wastes is regulated at federal, State, and local levels, including, among others, through programs administered by the USEPA; agencies within the CalEPA, such as the DTSC; federal and State occupational safety agencies; and the San Benito County Environmental Health Division. Regulations pertaining to flood hazards are further discussed in Section 4.9, Hydrology and Water Quality, and regulations for geologic and soil-related hazards are discussed in Section 4.6, Geology and Soils.

Definition of Hazardous Materials

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, State, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22, section 66261.10 of the California Code of Regulations as follows:

> A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly

contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

Chemical and physical properties can cause a substance to be considered hazardous. Such properties include toxicity, ignitability, corrosivity, and reactivity. California Code of Regulations, Title 22, Sections 66261.20 through 66261.24 define the aforementioned properties. The release of hazardous materials into the environment could potentially contaminate soils, surface water, and groundwater supplies.

Federal

THE FEDERAL TOXIC SUBSTANCES CONTROL ACT AND THE RESOURCE CONSERVATION AND RECOVERY ACT

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

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT

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

HAZARDOUS MATERIALS TRANSPORTATION ACT

The Secretary of the U.S. Department of Transportation (DOT) receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA). This Act administers container design, labelling, shipper and carrier responsibilities, training requirements, and incident reporting requirements. These regulations are contained in Title 49 – Transportation, Code of Federal Regulations, Parts 100 to 180 and include all modes of transportation – air, highway, rail, and water (Federal Motor Carrier Safety Administration [FMCSA] 2014).

State

THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL

This department of the CalEPA is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the California Health and Safety Code.

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

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

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

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Public Resources Code section 4291 requires that owners of property located within the responsibility area of CAL FIRE create defensible spaces around structures where firefighters can provide protections during a wildfire. CAL FIRE guidelines for compliance with section 4291 have been incorporated into the *San Benito County Community Wildfire Protection Plan*, which the County Board of Supervisors adopted in May 2010. According to these guidelines, a firebreak should be maintained by removing and clearing away all flammable vegetation and other combustible growth within 30 feet of each building or structure. Single specimens of trees or other vegetation may be retained if they are well-spaced, well-pruned, and not conducive to the spread of fire. At a distance of 30 to 100 feet from a structure, section 4291 requires maintenance of a Reduced Fuel Zone with clearing treatments (San Benito County 2010a).

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

The State of California Food and Agricultural Code regulates the use of pesticides. Section 12972 requires that the use of pesticides not result in substantial drift to non-target areas. Section 12977

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

Local

AGRICULTURAL COMMISSIONER

The San Benito County Agricultural Commissioner is charged with the protection and promotion of California's agriculture, the protection of the environment, as well as the protection of the public's health and safety. The Agricultural Commissioner requires that all pesticides be used pursuant to the manufacturers' instructions and that the pesticides are sprayed so as to prevent drift onto nearby properties (Department of Pesticide Regulations [DPR] 2006: 7). In addition, the *Pesticide Use Compliance Guide for Employers and Businesses* restricts application of pesticides when there is a reasonable possibility of substantial drift to non-target areas or when application would contaminate public or private property, including the creation of a health hazard that prevents normal usage of that property (DPR 2006: 7). Regulations for some chemicals do not permit any human contact with the area sprayed until the chemical has dissipated down to acceptable levels (DPR 2006: 23). The re-entry periods (i.e., the period of time after which an employee may re-enter the area in which the chemical was applied) following application of the chemical are specified on the chemical label and by regulation. The Agricultural Commissioner's office requires that pesticide users strictly adhere to the chemical label, worker safety requirements, weather conditions, drift restrictions, and other applicable safety requirements as required by federal, State, and local laws and regulations (DPR 2006: 5). The Agricultural Commissioner's office also is responsible for issuing pesticide spraying permits and regulating the use of pesticides and other agricultural chemicals (San Benito County).

2035 GENERAL PLAN

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

Land Use Element

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

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-1.9 **Airport Land Use Coordination and Consistency.** The County shall coordinate planning and zoning with the San Benito County Airport Land Use Commission and

ensure that all land uses and regulations within the Hollister and Frazier Airports areas of influence are consistent with the adopted San Benito County Airport Land Use Compatibility Plan.

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-4.3 **Residential Density Reductions.** The County shall consider reducing the base density of a proposed residential development project if a combination of environmental hazards (e.g., fire, seismic, flooding, greater than 30 percent slope) and/or natural resources (e.g., sensitive habitat, wetlands) existing on the site, after consideration of the mitigations to be implemented to address those hazards, make higher densities less appropriate.

Circulation Element

C-1.16 **Roads on Hillsides.** The County shall require that new public and private roads on hillsides minimize visual impact by blending with natural landforms and by following the natural contours of the land as much as possible and that driveway access in hillside areas be consolidated where possible and limited to areas where adequate sight distance is available for all approaches.

C-1.17 **Grades on Hillsides.** The County shall require that new roads on hillsides do not exceed a 15 percent grade. The County may allow grades on hillsides of up to 20 percent for distances of up to 400 feet. Grades over 15 percent must have all weather surfaces, such as asphalt or concrete.

C-1.19 **Avoid Hazardous Areas.** The County shall ensure that road development is minimized in hazardous areas (e.g. faults, flood plains, landslide areas, fire hazard areas) and that, if a hazard is present within a planned road alignment, the planned alignment is modified to the extent feasible to avoid the hazard.

Natural and Cultural Resources Element

NCR-8.3 **Grading within Scenic Corridors.** The County shall review all projects involving grading within Scenic Corridors to protect valuable soil resources, preserve the natural environment, and avoid significant adverse impacts within scenic areas.

Healthy and Safety Element

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

HS-1.4 **Maintain State of Readiness.** The County shall maintain local law enforcement, fire, and health services in a state of readiness to insure adequate protection during a disaster for the citizens of San Benito County.

HS-1.7 **Multi-Hazard Mitigation Plan.** The County shall develop, maintain, and implement a Multi-Hazard Mitigation Plan to address disasters such as earthquakes, flooding, dam or levee failure, hazardous material spills, epidemics, fires, extreme weather, major transportation accidents, and terrorism.

HS-1.11 **Road Capacity.** The County shall require roads to be of adequate capacity for use in times of emergency.

HS-1.14 **Development Restrictions in High Risk Areas.** The County shall discourage development in areas that may be more severely impacted by climate change, including areas at high risk of wildfire or flooding, unless proper design mitigation is included in the project.

Goal HS-4 To minimize the risk of wildland and urban fire hazards.

HS-4.1 **Community Wildfire Protection Plan.** The County shall maintain and implement the Community Wildfire Protection Plan as a mechanism for community input and identification of areas presenting high fire hazard risk.

HS-4.2 **Fire Protection Water Standard.** The County shall develop, maintain, and implement an appropriate fire protection water standard to be applied to all urban and rural development.

HS-4.4 **Development in Fire Hazard Zones.** The County shall require development in high fire-hazard areas to be designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards.

HS-4.5 **Fire-Resistant Vegetation.** The County shall require development in high fire-hazard areas to have fire-resistant vegetation, cleared fire breaks separating communities or clusters of structures from native vegetation, or a long-term comprehensive vegetation and fuel management program consistent with State codes 4290 and 4291 for wildland fire interface and vegetation management.

HS-4.6 **Clear Zones.** The County shall encourage clear zones and weed abatement around new and existing residential structures in high-fire-hazard areas and assist property owners in identifying how clear zones should be maintained.

Goal HS-6 To safeguard and protect the health and safety of people, the environment, and personal property from the potential dangers associated with a hazardous materials release.

HS-6.1 **Hazardous Materials Storage and Disposal.** The County shall require proper storage and disposal of hazardous materials to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.

HS-6.2 **Hazardous Waste Management Plan.** The County shall maintain and implement the Hazardous Waste Management Plan.

HS-6.4 **Hazardous Materials Incident Response Area Plan.** The County shall maintain and implement the Hazardous Materials Incident Response Area Plan.

HS-6.5 **Transportation Routes.** The County shall restrict transport of hazardous materials within San Benito County to designated routes.

HS-6.6 **Household Hazardous Waste Program.** The County shall continue to sponsor household hazardous waste collection days to help residents lawfully dispose of household hazardous waste that is not accepted by the landfill.

Goal HS-7 To promote the safe operation of public and private airports and protect the safety of county residents.

HS-7.1 **Land Use Compatibility.** The County shall prohibit land uses within unincorporated areas that interfere with the safe operation of aircraft or that would be exposed to hazards from the operation of aircraft.

SAN BENITO COUNTY CODE OF ORDINANCES

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

Chapter 11.07: Hazardous Substances

The Hazardous Waste Facilities Consistency Ordinance adopts, by reference, the relevant provisions of State law and the State Water Resources Control Board's associated regulations pertaining to the underground storage of hazardous substances and off-site hazardous waste facilities, and further requires consistency with the County's Hazardous Waste Management Plan. The San Benito County Health & Human Services Agency, Department of Environmental Health has been designated the lead agency for the Certified Unified Program Agency (CUPA) for hazardous materials programs, pursuant to section 11.07.002 of the County Code, and acts as the single point of contact for issuance of permits at the local level.

Chapter 21.01 Building Regulations, Article II California Building Standards Code

This article incorporates, by reference, the 2010 CBC. The CBC has since been updated in 2016, and the County is abiding by the most recently adopted CBC. The 2016 CBC includes requirements to improve fire safety for buildings in Fire Hazard Severity Zones within Chapter 7A Materials and Construction Methods for Exterior Wildfire Exposure (CBC 2016). The 2016 CBC explains that buildings shall be constructed using noncombustible, fire-resistant, and ignition-resistant materials for roofing, exterior coverings, exterior windows and doors, and decking; vents are to be designed to resist ignition from the intrusion of burning embers and flame (CBC 2016: 288-291).

Title 23: Subdivisions

This title includes design standards and road standards for implementing the General Plan goals and policies identified above. Road standards applicable to minimizing on-site hazardous conditions and implementing the County's emergency response and evacuation plans, are set forth in Chapter 23.25 Design Requirements, section 23.25.009 Streets; Chapter 23.27 Fire Design Standards, section 23.27.004 Standards; and Chapter 23.29 Road Standards. Additionally, Chapter 23.31 Improvement Designs, Article III Storm Drainage Design Standards, implements General Plan goals and policies pertaining to the prevention of flooding hazards. These standards focus on the 100-year design

storm standard for the sizing of detention basins used to provide peak flow attenuation (American Legal Publishing Corporation).

4.8.2 Impact Analysis

a. Methodology and Thresholds of Significance

Assessment of impacts is based, among other things, on review of: 1) existing environmental conditions on the project site; 2) any listed hazardous materials sites within and near the project site; 3) the Phase I ESA; and 4) the San Benito County General Plan and other County information, as well as other applicable laws and regulations, regarding hazards and hazardous materials issues.

The following thresholds are based on Appendix G of the State CEQA Guidelines. A significant impact regarding hazards and hazardous materials would occur if the proposed project would result in any of the following conditions:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
2) 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;
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment;
5) 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, result in a safety hazard for people residing or working in the project area;
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area;
7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or
8) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

The nearest school to the project site, Southside Elementary School, is located approximately 0.3 mile to the southeast. Therefore, the project would not affect a school within one-quarter mile of the site. The project site also is not located within a two-mile vicinity of any airport or airfield and is not within an airport land use plan or safety area and would therefore not expose residents or workers to hazards associated with airport or private air strip operations. Further discussion regarding checklist items related to schools and airports (Thresholds 3, 5, 6) can be found in Section 4.16, Effects Found to Be Less Than Significant.

b. Project Impacts and Mitigation Measures

Impact HAZ-1 THE PROPOSED PROJECT WOULD NOT INVOLVE THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF SUBSTANTIAL AMOUNTS OF HAZARDOUS SUBSTANCES. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 1]

The exposure of people to hazardous chemicals during construction of the proposed project could lead to adverse health effects. Residential construction and operation may involve use and storage of some materials that are considered hazardous. These materials would be limited to typical solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. These materials would not be substantially different from household chemicals and solvents already in general and wide use throughout the county and in the vicinity of the project site at other residences. Furthermore, the handling, use, disposal and transport of these materials are governed by a comprehensive regulatory frame, with which the project would be required to comply. Therefore, the proposed project would not involve the routine transport, use, or disposal of substantial amounts of hazardous substances and impacts would be *less than significant*.

Mitigation Measures

No mitigation is required

Impact HAZ-2 RESIDENTIAL DEVELOPMENT ON THE PROJECT SITE WOULD OCCUR NEAR ROADWAYS ON WHICH ACCIDENTS THAT INVOLVE HAZARDOUS MATERIALS COULD OCCUR. SUCH ACCIDENTS COULD POTENTIALLY 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. HOWEVER, REQUIRED ADHERENCE TO EXISTING LAWS AND REGULATIONS WOULD ENSURE THAT IMPACTS REMAIN LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 2]

The project site is bounded by Southside Road on the west and Ridgemark Drive on the northeast. Neither of these roadways is regularly used by commercial transport vehicles. The majority of commercial vehicles transporting hazardous materials near the site would utilize SR 25, which is a primary highway corridor (San Benito County 2010d). First, the project is not creating this situation; rather, any risk of accident or upset already exists as a result of SR 25 being used by commercial vehicles transporting these types of materials. That said, in the unlikely event of an accident involving the transport of hazardous wastes and materials on roadways abutting the project site, the health of construction workers or future residents on the project site could be adversely affected given the location of the project near SR 25. However, County agencies would be expected to respond to any such incident in accordance with the assignment of duties and procedures in the Hazardous Materials Incident Response Area Plan (San Benito County 2015a). In addition, USEPA and DOT laws and regulations have been promulgated to track and manage the safe interstate transportation of hazardous materials and waste. The USEPA administers permitting, tracking, reporting, and operations requirements established by RCRA. The DOT regulates the transportation of hazardous materials through implementation of the HMTA, as discussed in the Federal Regulatory Section above. Enforcement of these acts and rapid response by local agencies to any such incident, would ensure that the project would not 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, and therefore project impacts in this regard are *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HAZ-3 WHILE THERE WOULD BE NO SIGNIFICANT IMPACT TO CONSTRUCTION WORKERS AND FUTURE RESIDENTS AS A RESULT OF EXPOSURE TO PESTICIDES FROM THE PROJECT SITE, THE USE OF PESTICIDES AND OTHER AGRICULTURAL CHEMICALS ON ADJACENT AGRICULTURAL LAND COULD CREATE A HAZARD TO FUTURE ON-SITE RESIDENTS. HOWEVER, COMPLIANCE WITH STATE AND LOCAL LAWS AND REGULATIONS ADDRESSING PESTICIDE APPLICATION WOULD HELP PROTECT CONSTRUCTION WORKERS AND FUTURE RESIDENTS ON THE PROJECT SITE FROM EXPOSURE TO PESTICIDE DRIFT. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 4]

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, therefore, the project would not create a significant hazard to the public or the environment in this regard.

The vast majority of the project site has been used for agricultural purposes since the late 1940s and is currently fallow agricultural land. The current owner reportedly maintained that agricultural chemicals have not been used on the project site during the period he has owned or farmed the property (circa 1966). He is not aware of past pesticide use on the project site prior to that time. That said, although not documented at the project site, agricultural chemicals (*e.g.*, organochlorine pesticides and metal compounds) may have been applied to the project site. If this is the case, this use can result in concentrations of residual agricultural chemicals being present in the near surface soil (*i.e.*, 1 to 3 feet bgs). However, residual agricultural chemicals typically are not present at concentrations that would require offsite disposal of soil or pose a health risk to residential site users when the agricultural use is limited to hay, grain or row crops as has been the case for the project site, and there is no evidence of any such presence here. Thus, there would be no significant impacts to construction workers and/or future residents from exposure to pesticides on the project site.

Nevertheless, there may be some adjacency issues that could occur as a result of the location of the project site close to nearby agricultural operations. While this is not a true CEQA impact (since it involves potential effects of the existing environment on the project rather than vice versa), the following is being provided for information purposes. The project site is surrounded by existing single-family and some multi-family residences within the Ridgemark Country Club development to the north; agricultural land to the south; multi-family residences, tennis courts, a parking lot, and a stormwater detention basin within the Ridgemark Country Club development to the east; and Southside Road, an orchard, and one single-family residence to the west. The orchard to the west is located across Southside Road from the project site. This roadway and the existing steep slopes on the western portion of the project site, as well as the required setback from the top of the slope, would provide a minimum 315-foot buffer between proposed new residences and existing agricultural operations to the west. Steep slopes and the associated setback on the southern end of the blufftop site would similarly provide a buffer of at least 275 feet between proposed new residences and agricultural operations to the south. Based on this distance, it is unlikely that future residents would be exposed to agricultural chemicals during and after their application to adjacent farmland, whether through ingestion, inhalation, or dermal contact. In addition, adherence to the applicable requirements mandated from the San Benito County Agricultural Commissioner regarding the oversight of pesticide use would minimize health hazards associated with spraying on adjacent farmland. For example, the Pesticide Use Compliance Guide for Employers and Businesses requires that all pesticides be used pursuant to the manufacturers' instructions and that the pesticides are sprayed so as to prevent drift onto nearby properties (DPR 2006). In addition,

California Food and Agriculture Code section 12972 requires that the use of any pesticide by any person be in such a manner as to prevent substantial drift to non-target areas. California Code of Regulations, Title 3, section 6614 further restricts pesticide application when there is a reasonable possibility of: substantial drift to non-target areas; contamination of the bodies or clothing of persons not involved in the application process; damage to non-target crops, animals or other public or private property; or contamination of public or private property, including the creation of a health hazard that prevents normal usage of that property. Regulations for some chemicals do not permit any human contact with the area sprayed until the chemical has dissipated down to acceptable levels. The re-entry periods (i.e., the period of time after which an employee may re-enter the area in which the chemical was applied) following application of the chemical are specified on the chemical label and by regulation. The Agricultural Commissioner's office requires that pesticide users strictly adhere to the chemical label, worker safety requirements, weather conditions, drift restrictions, and all other safety requirements as required by federal, State and local laws and regulations. The Agricultural Commissioner's office seeks compliance through education, training sessions, and information or formal compliance actions (such as warning letters, suspension of the right to harvest, and the issuance of civil and criminal penalties). Farmers must obtain site-specific permits from the Agricultural Commissioner's office to buy or use many agricultural chemicals (DPR 2006).

In summary, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. Furthermore, there is no evidence of any residual agricultural pesticides that would create significant hazards to the project's construction workers or future project residents. Therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HAZ-4 THE PROPOSED PROJECT WOULD HAVE A SECONDARY VEHICLE ACCESS POINT AND INTERNAL ROADWAYS DESIGNED TO ACCOMMODATE EMERGENCY RESPONDERS, AND OTHERWISE WOULD BE DESIGNED TO ENSURE THAT EMERGENCY RESPONSE WOULD NOT BE IMPAIRED. THEREFORE, THE PROJECT WOULD NOT IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 7]

Local access to the project site would be through the existing Ridgemark Country Club development, which has two access points: the "west entrance," located at SR 25 and Ridgemark Drive and the "east entrance," located at SR 25 and South Ridgemark Drive. Secondary vehicle access to the site would be provided via an emergency vehicle access road connecting the southern end of proposed Street D to Southside Road. Gates at both ends of this road would restrict access to emergency vehicles. Circulation within the project site would be provided by six new roads that would be 56 feet wide and constructed to comply with relevant County Fire Department standards and other applicable requirements. The provision of a secondary vehicle access point and new internal roadways designed to adhere to applicable Fire Department standards and other requirements would improve emergency access to the site as well as evacuation routes from the site. Therefore, impacts from interference with any existing emergency or evacuation plans would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

Impact HAZ-5 THE PROJECT SITE IS NOT LOCATED IN AN AREA SUBJECT TO A HIGH FIRE THREAT, AND NEW DEVELOPMENT LOCATED ON THE PROJECT SITE WOULD BE REQUIRED TO COMPLY WITH EXISTING REGULATIONS INTENDED TO MINIMIZE THE POTENTIAL EFFECTS ASSOCIATED WITH WILDFIRES. IMPACTS RELATED TO EXPOSING PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY, OR DEATH INVOLVING WILDLAND FIRES WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 8]

The project site is located in the Fire Hazard Severity Zone area Local Responsibility Areas Unzoned, which is considered to have to little/no fire threat (CAL FIRE 2007). The southern and eastern portions of the existing, adjacent Ridgemark Country Club development are considered a moderate at-risk community (CAL FIRE 2007). The project site is not considered to be subject to a high fire threat. Furthermore, the proposed project would be designed to protect structures from wildfires to the extent feasible; including implementation of all applicable standards and requirements set forth the Fire Code and County Code. As discussed in Section 4.12, Public Services and Recreation, all road widths and circulation, as well as the placement of fire hydrants and installation of automatic sprinkler systems, would be designed with the guidance of the City of Hollister Fire Department (see Section 4.12, Public Services, for more information of local fire protection services). Specifically, the proposed project would be required to comply with the following as standard conditions of approval:

- All public and private roads shall be all-weather surfaces with a minimum width of 18 feet, unobstructed by parking. Cul-de-sacs and turnouts would be designed to local Fire Department/District standards. For private roads, there shall be ongoing and legally binding provisions to maintain the roads to local Fire Department/District approval.
- Structure numbers and street signs shall be lighted to applicable County standards so that emergency vehicles including police and ambulances can locate residences in the event of any emergency.
- All fire hydrants shall be installed in accordance with County Zoning requirements and applicable local Fire Department/District standards.
- Prior to approval of the first building permit, the applicant shall submit revised plans subject to the review and approval by the County and local Fire Department/District that illustrate the roadways and site access, and the placement of fire hydrants throughout the site. Primary access shall be constructed as part of initial grading, and fire hydrants would be installed prior to occupancy.
- The project's water system shall be designed to maintain a minimum fire flow of 2,500 gallons per minute (GPM) for two hours (or greater) at 20 pounds per square inch (PSI).
- The applicant shall prepare a fire/vegetation management plan for the approval of the County and Fire Department/District.

As discussed in Section 4.12, Public Services and Recreation, emergency response times would remain adequate with implementation of the proposed project, in the event of a wildfire.

Implementation of standard fire prevention measures and proper site design, as well as compliance with applicable codes and ordinances, would ensure that impacts resulting from fire hazards would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

c. Cumulative Impacts

Cumulative impacts associated with hazards and hazardous materials are generally site-specific. For cumulative impacts related to the transport, use, and disposal of hazardous materials, the geographic extent includes construction- and operation-related activities along key transportation routes, including SR 25, Union Road, Enterprise Road, Fairview Road, and Southside Road. The geographic extent for considering cumulative impacts from wildland fires is the valley area of the northern portion of San Benito County, including cities of Hollister and San Juan Bautista, and extending north to the northern boundary of San Benito County, consistent with the geographic extent for biological resources cumulative impacts.

Development of past, present and reasonably foreseeable future developments could cumulatively increase the potential for exposure of people to hazards and hazardous materials, including those located along the transportation routes (SR 25, Union Road, Enterprise Road, Fairview Road, and Southside Road) to hazardous materials that would be used, transported, or disposed of during construction or operation of future projects. However, as discussed throughout this section, USEPA and DOT laws and regulations have been promulgated to track and manage the safe interstate transportation of hazardous materials and waste. Enforcement of these laws and regulations and rapid response by local agencies would reduce hazards to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment to a less than significant level for cumulative development along transportation routes.

Development of past, present and reasonably foreseeable future developments in the vicinity of the site could cumulatively increase the potential for exposure of people to soil and groundwater contamination, including pesticides. This exposure could occur as a result of ground disturbance during construction. However, as discussed throughout this section, such risks of exposure are substantially reduced through adherence to existing local, State, and federal laws and regulations. Accordingly, as required under applicable laws and regulations, potential impacts associated with other cumulative developments would be addressed on a case-by-case basis and appropriate mitigation would be designed to mitigate impacts resulting from individual projects, depending upon the type and severity of hazards present. Assuming that all hazards are adequately addressed for each individual development proposal, cumulative impacts related to hazards and hazardous materials would be less than significant.

Development of past, present and reasonably foreseeable future developments could cumulatively increase the potential for exposure of people along the transportation routes (SR 25, Union Road, Enterprise Road, Fairview Road, and Southside Road) to hazards associated with emergency evacuation plans. Such hazards could result from issues with compliance with the County's emergency response and/or evacuation plans because of the addition of residents and employees in areas without adequate emergency access. The project does not conflict with, or otherwise impair the implementation of, any such plans and would provide appropriate access and evacuation routes for residents. Other cumulative projects also would be assessed on a case-by-case basis to ensure that any emergency response and/or evacuation plans would not be negatively impacted by development. Therefore, cumulative impacts would be less than significant.

Development of past, present and reasonably foreseeable future developments could cumulatively increase the potential for exposure of people in the valley areas of the northern portion of San Benito County, including cities of Hollister and San Juan Bautista, and extending north to the northern boundary of San Benito County, to wildland fire hazards from development in a fire hazard

severity zone. The proposed project would not locate residents in a fire hazard severity zone and would not contribute to this cumulative impact, and cumulative impacts in this regard would be less than significant.

4.9 Hydrology and Water Quality

4.9.1 Setting

a. Regional Setting

San Benito County is located in the Coast Ranges of central California and covers 1,391 square miles. The valley covers a portion of the Pajaro River watershed and is drained by tributaries of the Pajaro River. The project site is located within the Hollister urban area, as defined more fully in the 2015 Hollister Urban Area Urban Water Management Plan (SBCWD *et al.* 2016). The Hollister urban area is an approximately 20 square mile area comprising all of the incorporated, and some unincorporated county lands, surrounding the City of Hollister (SBCWD *et al.* 2016).

Water Districts

The Sunnyslope County Water District (SSCWD) provides water service to the unincorporated area east of Hollister, the Ridgemark Country Club development, and incorporated properties east of Memorial Drive in Hollister (SBCWD 2012).

Surface Water Resources

The Pajaro River forms the northern boundary of San Benito County. The Pajaro River is the largest coastal stream between San Francisco Bay and the Salinas River Watershed in the Monterey County. The watershed is approximately 1,300 square miles and it includes portions of the counties of Santa Cruz, Santa Clara, San Benito, and Monterey. Its large size contributes to the number of diverse environments, physical features, and land uses within the watershed. Tributaries to the Pajaro River, the largest of which is the San Benito River, serve as the major routes for surface flow and drainage throughout the watershed (Pajaro River Watershed Flood Prevention Authority 2014).

The San Benito River, intermittent in some parts of the basin, runs through the southern portion of the basin before reaching the Pajaro River. The San Benito River, when flowing, is a recharging stream along much of its channel, but groundwater contributes some base flow upstream of its confluence with the Pajaro River (SBCWD *et al.* 2016).

The San Benito County Water District (SBCWD) operates two reservoirs, Hernandez and Paicines, along the San Benito River for flood control and water conservation. These reservoirs are specifically used to store water in order for the SBCWD to manage water releases to downstream surface and groundwater recharge areas (San Benito County 2015c).

Surface Water Quality

Within the watershed, the most significant surface water quality pollutants are sediment and nutrients which are generated during agricultural activities near rivers and creeks that run through the watershed. These pollutants are eventually carried downstream and cause water quality degradation throughout the watershed drainage area.

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

and RWQCB monitor and assess water quality on an ongoing basis. According to the 2010 Integrated Report [CWA section 303(d) List/305(b) Report], the water quality of the San Benito River and Tres Pinos Creek are impaired. Specifically, the San Benito River is listed as impaired for the following pollutants: boron, electrical conductivity, Escherichia coli (E. coli), fecal coliform, pH, unknown toxicity, and sedimentation/siltation. Tres Pinos Creek is listed as impaired for the following pollutants: E. coli, fecal coliform, and pH. TMDLs are in place for some of these pollutants (E. coli, fecal coliform, and sedimentation/siltation) but not for others (boron, electrical conductivity, unknown toxicity, and pH) (SBCWD *et al.* 2016).

Groundwater Resources

Groundwater is the major source of water supply in San Benito County (refer to Section 4.15, Systems, for a discussion of other water sources, including imported Central Valley Project [CVP] water). The Hollister urban area, which includes the project site, overlies the Gilroy-Hollister groundwater basin. The San Benito County portion of the Gilroy-Hollister basin is bounded by the Pajaro River in the north, the Diablo Range on the east and the Gabilan Range to the southwest. The basin covers approximately 200 square miles of the Pajaro River watershed and is drained by its tributaries, most notably the San Benito River. The Hernandez Reservoir, located upstream of the basin on the San Benito River, is operated to enhance flow in the river by releasing flows to recharge the groundwater basin (SBCWD *et al.* 2016).

The Gilroy-Hollister basin is broken into eight subbasins which were originally delineated in 1996: Bolsa, Bolsa Southeast, Pacheco, Hollister East, Tres Pinos, Hollister West, and San Juan subbasins, and the Llagas subbasin in Santa Clara County. The Hollister urban area overlies the Hollister East, Hollister West, and Tres Pinos subbasins. As discussed more fully below, that portion of the Hollister urban area where the project site is located overlies the Tres Pinos subbasin. The City of Hollister and SSCWD pump directly from the Hollister East, Hollister West, and Tres Pinos subbasins. In water year 2015, approximately 45 percent of Hollister and SSCWD pumping was located in the Hollister West subbasin, approximately 35 percent in the Tres Pinos subbasin, and approximately 20 percent in the Hollister East subbasin. The subbasins are hydrologically connected and pumping in these subbasins affects the entire groundwater basin (SBCWD *et al.*2016).

In general, groundwater in the basin flows from the southeast and eastern portions of the Gilroy-Hollister basin toward the western and northwestern portions of the basin to the Pajaro River. However, general flow directions have been reversed in the Bolsa subbasin due to groundwater pumping; groundwater in the Bolsa subbasin near the Pajaro River flows southeast toward lower water levels (SBCWD *et al.* 2016).

Groundwater Water Quality

The quality of groundwater for the subbasins that serve the Hollister urban area, including the project site, and the Gilroy-Hollister groundwater basin overall has been described as highly mineralized and of marginal quality for drinking and agricultural purposes. The mineralized water quality is typical of other relatively small Coast Range groundwater basins, but has also been impacted by decades of human-related activities, both agricultural and urban.

A general measure of groundwater quality is total dissolved solids (TDS). For drinking water purposes, TDS concentration of 500 milligrams per liter (mg/L) or less is recommended; however, TDS concentrations up to 1,000 mg/L are acceptable. TDS concentrations are affected by both natural and anthropogenic sources. While not occurring at present, the agencies in the Hollister urban area plan to blend treated imported CVP water with local groundwater to reduce TDS in

Hollister and Sunnyslope's water supplies. If CVP is available, at least 65 percent of the municipal and industrial water supplied in the Hollister urban area is planned to come from CVP imports, with the remaining 35 percent of supply made up from groundwater. This blending would result in better water supply, and sufficient wastewater quality to produce high quality recycled water and meet wastewater discharge requirements with the RWQCB (SBCWD *et al.* 2016).

Chemicals of concern (COCs) for the Gilroy-Hollister groundwater basin include boron, chloride, hardness, nitrate, and TDS. In some parts of the basin, groundwater does not meet water quality standards. The Sunnyslope County Water District, water purveyors, and other agencies are examining ways to improve quality in these localized areas. In addition to the historical COCs, current operations by regulated facilities have introduced new local COCs including perchlorate, metals, and volatile organic chemicals. All areas where these COCs have been discovered are regulated by RWQCB (SBCWD *et al.* 2016). RWQCB guides and regulates water quality through establishment of water quality objectives and administration of the National Pollutant Discharge Elimination System (NPDES) permit program for stormwater and construction site runoff, as described in the regulatory section below.

However, in most areas of the Gilroy-Hollister basin, water quality has remained stable in recent years (2004-2015). Other areas, such as the eastern portion of the San Juan subbasin, have shown variable but increasing trends in key constituents like nitrate and chloride. This localized change in water quality results from local factors including nearby regulated facilities, land use changes, and high groundwater levels (SBCWD *et al.* 2016).

Groundwater Levels

The San Benito County Water District (SBCWD) has formal responsibility for the management of surface and groundwater resources and flood control in the County. Groundwater levels have been recorded in the Gilroy-Hollister basin since at least 1913. Water levels over time have varied in response to precipitation, groundwater pumping, and artificial recharge conditions. Water levels are estimated to have been at historical highs prior to 1913 before development of groundwater pumping. In the drought conditions of the late 1970s, water levels in some areas had declined more than 150 feet from the estimated highs. With the exception of a few areas of persistent water level lows, by 1998 groundwater levels had recovered close to the historical highs as a result of decreased pumping (following CVP importation), increased precipitation, and artificial recharge. During the recent drought that began in 2012, groundwater levels have declined over much of the basin, most notably in agricultural areas of the basin that rely on groundwater. These subbasins have now sustained four successive years of drought with limited CVP imports. During this time groundwater elevations have declined slightly or remained steady in areas of municipal pumping including Hollister East and Tres Pinos subbasins (SBCWD *et al.* 2016).

Groundwater elevation declines during drought do not necessarily constitute overdraft; nevertheless, the continued reduced supplies of imported water in tandem with increased groundwater demands are a warning of potential groundwater overdraft in the future. However, based on available information, it appears that sufficient storage remains in the basin to accommodate additional dry conditions with limited imported water availability (SBCWD *et al.* 2016).

Flooding

Flooding along river and stream corridors is a natural occurrence in the major river valleys and tributary basins within the County. Normal flooding processes in the County are driven by rainfall

precipitation associated with regional frontal storm systems that occur from November through April. Flood management within the County is primarily a local government function, as there are no major State or federal flood protection systems or facilities within the County. As such, the County is the responsible local agency for overseeing floodplain land use decisions and for planning emergency preparedness and response measures (San Benito County 2015c).

Flood-prone areas within the County are identified based on the National Flood Insurance Rate Maps delineating flood hazard boundaries. These flood prone areas have a one-in-100 chance of being inundated during any year, more commonly referred to as the one percent flood, or 100 year flood. The flood-way is the channel of a stream that must be kept free from encroachment in order that a 100-year flood might be accommodated without substantial increase in flood height. The flood-ways in San Benito County are generally restricted to areas immediately adjacent to either side of river and creek channels (FEMA 2009). In the northernmost portion of the County, the Pajaro River has the potential of inundating larger areas; however, most of the associated flood waters are expected to be contained within the Tequisquita Slough (San Benito County 2015c).

In addition to exposure to flooding from overbank flow in local streams and rivers, portions of the County would be subject to inundation in the event of the failure of dams, although in accordance with the applicable regulatory framework, these dams are considered to be safe by California Division of Dam Safety. The State's Dam Safety Act (California Government Code section 8589.5) requires owners of dams to prepare maps showing the approximate extent of inundation in the event of a dam failure. In addition, these dams are inspected regularly and are certified safe by the U.S. Department of Interior, Bureau of Reclamation. Finally, the San Benito County Office of Emergency Services (OES) includes potential dam inundation areas in their emergency response planning. It actively engages with the appropriate agencies in receiving and updating Emergency Action Plans associated with each dam (San Benito County 2015c).

b. Project Site Setting

The project site is located in unincorporated San Benito County, approximately 0.7 mile south of the City of Hollister. Eight drainages were identified in the project site, all located on the steep slopes in the western portion of the site. These drainages appear to be isolated features, and therefore are not likely to be under the jurisdiction of the USACE or RWQCB pursuant to the CWA. These drainage features are likely under State jurisdiction per the Porter-Cologne Water Quality Act and section 1602 of the California Department of Fish and Game Code (refer to Section 4.4, Biological Resources, for additional detail).

The blufftop site topography gently slopes from the southeast at an elevation of approximately 515 feet downward to the northwest at an elevation of approximately 460 feet. The blufftop site currently drains toward the northwest. The vast majority of the project site is currently used for agricultural production (hay production); when not in hay production, the site is fallow. The western and southern approximately 12.1 acres of the blufftop site contain approximately 90- to 120-foot high slopes with 1.5:1 to 3:1 slope inclinations, sloping downward toward Southside Road. The adjacent area, which would be developed with an emergency vehicle access road, contains steep slopes similar to the western and southern portions of the blufftop site.

Water Supply

Potable water would be provided to the proposed project by SSCWD as part of the District's historic and continued retail water service to a portion of the Hollister urban area, a region incorporating the City and surrounding suburban and agricultural lands. Based on an approximate 2012 SSCWD

Service Area map, the SSCWD is the anticipated water service provider for the proposed project (SBCWD 2012). The project site is currently outside the SSCWD service area and sphere of influence, and therefore, San Benito LAFCO approval to annex the project site into the SSCWD service area would be required. Water supplies delivered in the Hollister urban area, including the project site, are derived from both local groundwater and imported surface water from the CVP.

Surface Water Resources

There are no surface water resources present on the project site; however, the San Benito River is approximately 0.6 mile southwest of the project site.

Groundwater Resources

The project site is located within the Tres Pinos subbasin of the Gilroy-Hollister groundwater basin. The project site has an active SSCWD groundwater well located near the center of the northern property boundary. Access to the well site is provided via a dirt access road from Ridgemark Drive to the east, along the northern property line.

All of the subbasins within the Gilroy-Hollister groundwater basin have existing assimilative capacity for TDS and nitrate. Assimilative capacity is a water body's ability to receive waste materials without harmful effects. TDS and nitrate levels are generally well below the respective water quality objectives and other pertinent criteria. While TDS trends are somewhat mixed, data from the Northern San Benito Bounty Salt and Nutrient Management Plan indicate more decreasing trends than increasing trends, mainly due to large outflows (SBCWD 2014).

Flooding

FEMA establishes base flood heights for the 100-year flood zone (not including flooding in the unlikely event of a dam failure). The 100-year flood zone is defined as the area that could be inundated by the flood which has a one percent probability of occurring in any given year. The project site is outside the effective 100-year FEMA floodplain (FEMA 2009).

c. Regulatory Setting

Federal

At the federal level the County falls under the jurisdiction of the USEPA Region 9. The USEPA is primarily responsible for implementing federal water quality laws and the USACE is responsible for implementing one portion of the water quality law, as described below.

CLEAN WATER ACT

The CWA is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, aquifers, and coastal areas. Although the CWA applies to groundwater, implementation is focused on the protection of surface water. The CWA is a 1977 amendment to the federal Water Pollution Control Act of 1972 (United States Code, Title 33, section 1251 *et seq*.), which established the basic structure for regulating pollutant discharges to navigable waters of the United States. Under the CWA, USEPA sets national standards and effluent limitations, but delegates significant responsibilities to the California SWRCB and its regional boards. The CWA is based on the concept that all discharges into the nation's waters are unlawful unless specifically authorized by permit. The CWA includes a permit system that provides two general types of pollution control

limits: (1) Effluent limits that are technology-based and limit the quantity of pollutants discharged from a point source such as a pipe, ditch, or tunnel into a navigable water body; and (2) Ambient water quality standards that limit the concentration of pollutants in navigable waters based on the beneficial uses to which particular waters are put.

- Section 401 of the CWA requires water quality certification for any activity, including the construction or operation of a facility, which may result in any discharge into navigable waters (Title 33 CFR §1341). Within California, section 401 is implemented by SWRCB and the RWQCBs.
- Section 404 of the CWA requires a permit for the discharge of dredged fill material into navigable waters at specified disposal sites (Title 33 CFR §1344). Responsibility for administering and enforcing section 404 is shared by the USACE and USEPA.
- In 1987, amendments to the CWA added section 402(p), which establishes a framework for regulating non-point source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). The NPDES stormwater program is further described below under the "State Regulations" subsection.

FEDERAL EMERGENCY MANAGEMENT AGENCY

FEMA is a former independent agency that became part of the Department of Homeland Security in March 2003 and is tasked with responding to, planning for, recovering from, and mitigating against disasters. Formed in 1979, FEMA is responsible for determining flood elevations and floodplain boundaries based on USACE studies and other approved agencies studies and for coordinating the federal response to floods, earthquakes, hurricanes, and other natural or man-made disasters. FEMA also provides disaster assistance to states, communities, and individuals. FEMA distributes the Flood Insurance Rate Maps, which identify the locations of special flood hazard areas, including the 100-year flood zone. Executive Order 11988 (Flood Plain Management) links the need to protect lives and property with the need to restore and preserve natural and beneficial flood plain values. Specifically, federal agencies are directed to avoid conducting, allowing, or supporting actions on the base floodplain unless the agency finds that the base floodplain is the only practicable alternative location. Similarly, DOT Order 5650.2, which implements Executive Order 11988 and was issued pursuant to the National Environmental Policy Act of 1969, the National Flood Insurance Act of 1968, and the Flood Disaster Protection Act of 1973, prescribes policies and procedures for ensuring that proper consideration is given to avoidance and mitigation of adverse floodplain impacts in agency actions, planning programs, and budget requests.

State

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

WATER BOARD

The California SWRCB and the nine RWQCBs have the responsibility in California to protect and enhance water quality, both through their designation as the lead agencies in implementing the section 319 non-point source program of the federal CWA, and through the State's primary water pollution control legislation, the Porter-Cologne Water Quality Control Act (Water Code, § 13000 *et seq*.). The SWRCB establishes statewide policies and regulations for the implementation of water quality control programs mandated by federal and State water quality statutes and regulations. The

RWQCBs develop and implement Water Quality Control Plans (Basin Plans) that consider regional beneficial uses, water quality characteristics, and water quality problems. All projects resulting in discharges, whether to land or water, are subject to California Water Code section 13263 and are required to obtain approval of Waste Discharge Requirements (WDRs) by the RWQCBs. Land and groundwater-related WDRs (i.e., non-NPDES WDRs) regulate discharges of privately or publicly treated domestic wastewater and process and wash-down wastewater. WDRs for discharges to surface waters also serve as NPDES permits, which are further described below.

The Central Coast (Region 3) office of the RWQCB guides and regulates water quality in streams and aquifers throughout the central coast of California and the Monterey Bay region, including San Benito County, through designation of beneficial uses, establishment of water quality objectives, and administration of the NPDES permit program for stormwater and construction site runoff. The Central Coast RWQCB is also responsible for providing permits and water quality certifications in the above-referenced areas (section 401) pursuant to the CWA.

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

Construction activity on projects that disturb one or more acres of soil, or less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capaCity of a facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Program (SWPPP). The SWPPP should identify stormwater collection and discharge points, drainage patterns across the project site, and Best Management Practices that the discharger would use to protect stormwater runoff and the placement of those Best Management Practices.

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

The Central Coast RWQCB adopted Resolution No. R3-2013-0032 on July 12, 2013 setting forth post-construction stormwater management requirements for development projects in the central coast region. These requirements include specific performance requirements with the objective to ensure

reduction of pollutant discharges to the maximum extent practical and prevent stormwater discharges from causing or contributing to a violation of receiving water quality standards.

Local

SAN BENITO COUNTY

The portion of the Gilroy-Hollister groundwater basin within the County is managed by SBCWD. The District Act, passed by the State Legislature in 1953, established SBCWD and provided formal responsibility for the management of surface and groundwater resources and flood control in the County. SBCWD is active in regional water management planning, including the Pajaro Watershed Integrated Regional Water Management Plan with Santa Clara Valley Water District and Pajaro Valley Water Management Agency. It also collaborated with the City of Hollister and Sunnyslope County Water District to prepare the Hollister Area Urban Water Management Plan (2011). SBCWD also has active programs, often in cooperation with other agencies, to conduct various investigations and promote water conservation, irrigation efficiency, salt management, and water recycling. SBCWD is the designated Enforcing Agency for the inspection and enforcement of water related ordinances, as defined in County Code section 15.05. SBCWD produces annual groundwater reports summarizing their activities.

2035 GENERAL PLAN

The 2035 General Plan Land Use Element, Circulation Element, Public Facilities and Services Element, Natural and Cultural Resources Element, and Health and Safety Element provide the following goals, policies and objectives pertaining to hydrology and water quality that are relevant to this analysis:

Land Use Element

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

LU-1.10 **Development Site Suitability.** The County shall encourage 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-4.2 **Urban Residential Development. The** County shall ensure new residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.

LU-4.3 **Residential Density Reductions.** The County shall consider reducing the base density of a proposed residential development project if a combination of environmental hazards (e.g., fire, seismic, flooding, greater than 30 percent slope) and/or natural resources (e.g., sensitive habitat, wetlands) existing on the site, after consideration of the mitigations to be implemented to address those hazards, make higher densities less appropriate.

LU-4.5 **Innovative Site Planning and Residential Design.** The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.

Circulation Element

C-1.19 **Avoid Hazardous Areas.** The County shall ensure that road development is minimized in hazardous areas (e.g. faults, flood plains, landslide areas, fire hazard areas) and that, if a hazard is present within a planned road alignment, the planned alignment is modified to the extent feasible to avoid the hazard.

Public Facilities and Services Element

Goal PFS-1 **To provide residents and businesses quality, cost-effective, and sustainable public facilities and services.**

PFS-1.9 **Development Review.** The County shall evaluate facility capacity, levels of service, and/or funding needs during the development review process to ensure adequate levels of service and facilities are provided and maintained.

PFS-1.10 **Maximize Use of Existing Facilities.** The County shall require new development projects to be designed and sited to use existing facilities and services to the extent practical and to the extent that such a design and site choice would be consistent with good design principles.

PFS-1.11 **Pay Fair Share.** The County shall require new development to pay in fair share of public facility and service costs.

PFS-1.12 **New Development Requirements.** The County shall require new development, in compliance with local, State, and federal law, to mitigate project impacts associated with public facilities and services, including, but not limited to, fire, law enforcement, water, wastewater, schools, infrastructure, roads, and pedestrian and bicycle facilities through the use of annexation fees, connection fees, facility construction/expansion requirements, or other appropriate methods.

Goal PFS-3 To ensure reliable supplies of water for unincorporated areas to meet the needs of existing and future agriculture and development, while promoting water conservation and the use of sustainable water supply sources.

Goal PFS-4 To maintain an adequate level of service in the water systems serving unincorporated areas to meet the needs of existing and future agriculture and development, while improving water system efficiency.

PFS-4.1 **Adequate Water Treatment and Delivery Facilities.** The County shall ensure, through the development review process, that adequate water supply, treatment and delivery facilities are sufficient to serve new development, and are able to be expanded to meet capacity when needed. Such needs shall include capacities necessary to comply with water quality and public safety requirements.

PFS-4.2 **Water Facility Infrastructure Fees.** As a condition of approval for discretionary developments, the County shall not issue approval for a final map until verification of adequate water and wastewater service has been provided, which may include verification of payment of fees imposed for water and wastewater infrastructure capacity per the fee payment schedule from the water and wastewater provider.

Goal PFS-5 To ensure wastewater treatment facilities and septic systems are available and adequate to collect, treat, store, and safely dispose of wastewater.

PFS-5.1 **Water and Sewer Expansion.** The County shall encourage public wastewater system operators to maintain and expand their systems to meet the development needs of the county.

PFS-5.3 **Adequate Water Treatment and Disposal.** The County shall ensure through the development review process that wastewater collection, treatment, and disposal facilities are sufficient to serve existing and new development, and are able to be expanded to meet capacity demands when needed.

PFS-5.4 **Developer Requirements.** The County shall require that new development meet all County requirements for adequate wastewater collection, treatment, and disposal prior to project approval.

Goal PFS-6 To manage stormwater from existing and future development using methods that reduce potential flooding, maintain natural water quality, enhance percolation for groundwater recharge, and provide opportunities for reuse.

PFS-6.1 **Adequate Stormwater Facilities.** The County shall require that stormwater drainage facilities are properly designed, sited, constructed, and maintained to efficiently capture and dispose of runoff and minimize impacts to water quality.

PFS-6.2 **Best Management Practices.** The County shall require best management practices in the development, upgrading, and maintenance of stormwater facilities and services to reduce pollutants from entering natural water bodies while allowing stormwater reuse and groundwater recharge.

PFS-6.3 **Natural Drainage Systems.** The County shall encourage the use of natural stormwater drainage systems (e.g., swales, streams) to preserve and enhance the environment and facilitate groundwater recharge.

PFS-6.4 **Development Requirements.** The County shall require project designs that minimize stormwater drainage concentration and impervious surfaces, complement groundwater recharge, avoid floodplain areas, and use natural watercourses in ways that maintain natural watershed functions and provide wildlife habitat.

PFS-6.5 **Stormwater Detention Facilities.** Where necessary, the County shall require on-site detention/retention facilities and/or velocity reducers to maintain pre-development runoff flows and velocities in natural drainage systems.

PFS-6.6 **Stormwater Detention Basin Design.** The County shall require stormwater detention basins to be designed to ensure public safety, be visually unobtrusive, provide temporary or permanent wildlife habitat, and where feasible, provide recreation opportunities.

PFS-6.7 **Runoff Water Quality.** The County shall require all drainage systems in new development and redevelopment to comply with applicable State and federal non-point source pollutant discharge requirements.

PFS-6.8 **Reduce Erosion and Sedimentation.** The County shall ensure that drainage systems are designed and maintained to minimize soil erosion and sedimentation and maintain natural watershed functions.

Natural and Cultural Resources Element

NCR-4.2 **Water Quality Tests.** The County shall require new development to prepare water quality tests prior to project approval, demonstrating whether proposed domestic water supply will meet State primary and secondary drinking water standards.

NCR-4.5 **Groundwater Recharge.** The County shall encourage new development to preserve, where feasible, areas that provide important groundwater recharge and stormwater management benefits such as undeveloped open spaces, natural habitat, riparian corridors, wetlands, and natural drainage areas.

NCR-4.7 **Best Management Practices.** The County shall encourage new development to avoid significant water quality impacts and protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, and best management practices (BMPs).

NCR-4.16 **Develop in Existing Areas.** The County shall encourage development to occur in or near existing developed areas in order to reduce the use of individual septic systems in favor of domestic wastewater treatment in an effort to protect groundwater quality.

Health and Safety Element

HS-1.7 **Multi-Hazard Mitigation Plan.** The County shall develop, maintain, and implement a Multi-Hazard Mitigation Plan to address disasters such as earthquakes, flooding, dam or levee failure, hazardous material spills, epidemics, fires, extreme weather, major transportation accidents, and terrorism.

HS-1.14 **Development Restrictions in High Risk Areas.** The County shall discourage development in areas that may be more severely impacted by climate change, including areas at high risk of wildfire or flooding, unless proper design mitigation is included in the project.

Goal HS-2 To minimize the loss of life, injury, or damage to property as a result of floods in the county.

HS-2.1 **Minimum Flood Protection.** The County shall require a minimum 100-year flood protection for all new development in accordance with local, State, and federal requirements to avoid or minimize the risk of flood damage.

HS-2.2 **Development in Dam Inundation Areas.** The County shall encourage, to the extent feasible, new development located in dam inundation areas to consider and mitigate the risks from dam failure.

HS-2.3 **Floodwater Diversion.** The County shall require new flood control projects or developments within areas subject to 100- year floods to be constructed in a manner that will not cause floodwaters to be diverted onto adjacent property or increase flood hazards to property downstream.

HS-2.9 **Reduce Erosion and Sedimentation.** The County shall ensure that flood control facilities are designed and maintained to minimize soil erosion and sedimentation and maintain natural watershed functions.

SAN BENITO COUNTY CODE OF ORDINANCES

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

Chapter 19.15: Flood Damage Prevention

This chapter includes regulations for flood damage prevention such as construction and utilities standards, as well as requirements for new development that could encroach upon the floodway.

Chapter 19.17: Grading, Drainage and Erosion Control

This chapter sets forth rules and regulations to control excavation, grading, drainage, and erosion, establishes the administrative procedure for issuance of permits, and provides for approval of plans and inspection of grading construction, drainage measures, and erosion control methods. Pursuant to section 19.17.011(c), in granting a grading permit, the county may attach such conditions as necessary to prevent creation of a public nuisance or hazard to public or private property. The conditions may include, but are not limited to:

- The use of check dams, cribbing, rip rap or other devices to prevent erosion;
- Application of mulching, fertilizing, watering or other methods to establish new vegetation;
- Restricting the locations of where earth or organic material may be deposited;
- Requiring the preparation of erosion control plans indicating proposed methods for the control of runoff, erosion and sediment control;
- Requiring the preparation of revegetation plans detailing the revegetation of all exposed surfaces during development; and
- Requiring the preparation of drainage plans that include on-site retention of water to pre-development levels.

Chapter 23.31, Article III. Storm Drainage Design Standards

This article addresses increases in peak stormwater flows. These standards focus on the 100-year design storm standard for the sizing of detention [and retention] basins used to provide peak flow attenuation. San Benito County requires all subdivisions to release the 100-year post-development runoff at the 10 year pre-development rate.

HOLLISTER URBAN AREA WATER AND WASTEWATER MASTER PLAN

The Hollister Urban Area Water and Wastewater Master Plan (Master Plan) provides a comprehensive plan and implementation program to meet the existing and future water resources needs of the Hollister Urban Area through 2035 (SBCWD 2008). The Master Plan was initiated through a Memorandum of Understanding (MOU) developed in 2004 by the City of Hollister, San Benito County, and SBCWD. The MOU was amended in 2008 to include SSCWD. The MOU described the principles, objectives, and assumptions that formed the basis of the Master Plan, focusing on the following goals:

- Improve municipal, industrial, and recycled water quality
- Increase the reliability of the water supply
- Coordinate infrastructure improvements for water and wastewater systems
- Implement goals of the Groundwater Management Plan
- Integrate recommendations of the Long-term Wastewater Management Plans with the Master Plan
- Support economic growth and development consistent with the City of Hollister and San Benito County General Plans and Policies
- Consider regional issues and solutions

As described in the MOU, the Master Plan provides a comprehensive plan including: (1) capacity and estimated cost of physical facilities, and (2) an implementation program including institutional agreements, engineering, CEQA compliance, permitting, financing, coordination with ongoing projects and programs, stakeholder outreach, and scheduling (SBCWD 2004).

4.9.2 Impact Analysis

a. Methodology and Thresholds of Significance

Assessment of hydrologic and water quality impacts is based on, among other information, a review of site topography, the Hollister Urban Area Water Management Plan (SBCWD *et al.* 2016) (and related planning documents), and the San Benito County 2035 General Plan. Flooding risk was determined using a combination of a federal Insurance Rate Maps for the area, information posted on the FEMA web site, and information from the U.S. Bureau of Reclamation.

According to Appendix G of the State CEQA Guidelines, hydrology and water quality impacts related to the proposed project would be considered significant if the project would:

1) Violate any water quality standards or waste discharge requirements;
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted);
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;

4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
5) 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;
6) Otherwise substantially degrade water quality;
7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows;
9) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam;
10) Be subject to inundation by seiche, tsunami, or mudflow; and/or
11) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

It should be noted that the project site would not be subject to flooding as a result of the failure of a levee or dam because the project site is not located downstream of a dam and the project site has not been designated to be in a dam inundation area. In addition, the project site would not be subject to inundation by seiche, tsunami, or mudflow because the project site is not located near the coast or other large water body where these hazards could occur. Therefore, these impacts (Thresholds 9 and 10) are not discussed further in this section, although they are addressed in Section 4.16, Effects Found to Be Less Than Significant.

b. Project Impacts and Mitigation Measures

Impact HWQ-1 During project construction, the soil surface on the project site would be subject to erosion. Compliance with the NPDES program through preparation of a SWPPP and implementation of Best Management Practices would ensure that the project would not violate water quality standards, would not exceed the capaCity of existing systems, or contribute additional sources of polluted runoff. Impacts would be less than significant. [Threshold numbers 1 and 5]

Temporary soil disturbance would occur during construction of the proposed project as a result of earth-moving activities, such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. If not managed properly, disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project site. The types of pollutants contained in runoff from construction sites 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.

As discussed in Section 4.9.1(c), Regulatory Setting, construction activity on project sites that disturb one or more acres of soil (such as the proposed project) are required to comply with the NPDES program through preparation of a SWPPP, which outlines Best Management Practices that would

address post-construction runoff. Best Management Practices that are typically specified within the SWPPP may include, but would not be limited to, the following:

- The use of sandbags, straw bales, and temporary de-silting basins during project grading and construction during the rainy season to prevent discharge of sediment-laden runoff into storm water facilities.
- Revegetation as soon as practicable after completion of grading to reduce sediment transport during storms.
- Installation of straw bales, wattles, or silt fencing at the base of bare slopes before the onset of the rainy season (October 15th through April 15th).
- Installation of straw bales, wattles, or silt fencing at the project perimeter and in front of storm drains before the onset of the rainy season (October 15th through April 15th).

In addition, 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 regulations would limit erosion, which would reduce temporary impacts to surface water quality, and would further ensure that construction-phase runoff would not exceed the capaCity of existing drainage systems. As such, with implementation of all applicable laws and regulations, the proposed project would not violate water quality standards or contribute additional sources of polluted runoff. Construction impacts to water quality would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HWQ-2 Development and operation of the proposed project would increase the demand on groundwater supplies and create additional impervious surfaces, which could interfere with groundwater recharge. However, the Sunnyslope County Water District has determined that groundwater supplies are sufficient to serve the project and such service would not result in significant groundwater depletion. Thus, impacts would be less than significant. [Threshold number 2]

New development on the project site would increase the demand for water. Water service to the project site would be provided by SSCWD, which derives its supply from both groundwater and imported CVP water. According to the 2015 UWMP, the amount of CVP water has historically been limited by the treatment capaCity of the Lessalt WTP. Future CVP deliveries are expected to increase for the HUA as a second water treatment plant is in development (expected to be online by the end of 2017) and unused CVP M&I allocation remains available (SBCWD, et al. 2016). However, during single- to multiple-dry years the amount would likely decrease. The use of groundwater would be an increasing source of water to SSCWD, and would therefore be one of the primary sources to the proposed project. As described in Section 4.15, Utilities and Service Systems, sufficient water is anticipated to be available to serve the project under all hydrologic conditions, including single and multiple dry years. Therefore, sufficient water supplies would be available to serve the project, and no new or expanded water supply entitlements would be needed.

Development of the proposed project could potentially interfere with groundwater recharge by increasing the area covered by impervious surfaces. The proposed project would result in the construction of 90 single-family residential units, as well as the necessary infrastructure to support these units (including, among other improvements, internal roadways, an on-site retention basin,

etc.). While each residence would retain some area in pervious surfaces (i.e., landscaping), much of the residential area would be developed with impervious surfaces, such as rooftops, hardscaping, and roadways. In addition, about 0.3 acre would be developed with an emergency vehicle access road, which would involve the introduction of more impervious surfaces.

Based on currently available information and as reflected in the conceptual site plan and related application materials, for the purposes of this analysis, it is conservatively assumed that the entire residential area (37.1 acres of the blufftop site) and the proposed emergency vehicle access road (totaling 0.3 acre) would be impervious. This estimated increase in impervious surfaces from 0.00 acre to up to 37.4 acres would be a substantial increase in impervious surfaces on the site.

However, the proposed project would involve on-site drainage infrastructure and construction of a retention basin. The retention basin would be designed to store and attenuate runoff from impervious surfaces (including, among others, rooftops) and would be sized in accordance with applicable standards and requirements to capture the 100-year post-development storm and release only a 10-year storm at pre-development levels. Soil underlying the proposed retention basin is composed of Reiff sandy loam soil and has a high infiltration rate (low runoff potential) (NRCS 2016). Stormwater would be collected in the retention basin and may infiltrate into the groundwater.

Because the proposed project would not significantly deplete groundwater, and because stormwater runoff from the site would be captured in a retention basin, which would allow for some groundwater recharge, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table level. Impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HWQ-3 THE PROPOSED PROJECT WOULD ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE, RESULTING IN AN INCREASE OF STORMWATER RUNOFF FROM THE PROJECT AREA. HOWEVER, THE PROPOSED DRAINAGE FEATURES OF THE PROJECT WOULD ENSURE THAT IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBERS 3, 4, AND 11]

Development associated with the proposed project would result in alterations to site drainage, such as changes in ground surface permeability from paving and changes in topography from grading and excavation. The proposed project would increase the area covered by impervious surfaces, resulting in potential increases in surface runoff. Increased runoff could impact water quality down-gradient of the project site by increasing erosion or sedimentation and the quantity of flood water. Increased runoff could also impact stormwater drainage facilities such that new or expanded facilities would be required.

The proposed project would involve onsite drainage infrastructure and construction of an on-site retention basin to manage stormwater, which would ensure that the capaCity of existing stormwater drainage systems would not be significantly impacted by the project. Specifically, the project would include a system of stormwater conduits designed to convey the runoff from the various sub-catchments to the retention basin. The proposed retention basin would be constructed in the northwest corner of the blufftop site, immediately west of proposed lot 1 (refer to Figure 9). It would be designed to store and attenuate runoff from impervious surfaces and rooftops.

Although the final design may be refined in terms of slope and rise, based on preliminary design and hydrologic modeling, it is anticipated that the basin bottom elevation would be approximately 450 feet, and the side slopes would have a maximum 2:1 slope ratio, which is consistent with applicable performance standards and requirements. The retention basin would capture the 100-year post-development storm and release only a 10-year storm at pre-development levels.

San Benito County requires all subdivisions to release the 100-year post-development runoff at the 10 year pre-development rate. The retention basin would be sized to store the 100-year event with no outflow, thus exceeding this requirement (by not releasing the 10 year pre-development rate). The actual size of the retention basin may be refined in the ultimate design process following determination of an actual infiltration rate by the project Geotechnical Engineer to ensure that all applicable standards and requirements are satisfied. If soil infiltration rates are slower than anticipated, the retention basin would be sized to release the 10-year pre-development rate into an existing storm drain located at the northern boundary of the project site. This design modification would still comply with County requirements, as described above. Thus, in either scenario (complete capture or release of the 10-year pre-development flow), the proposed project would not result in substantial flooding on- or off-site and would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

In addition, the Central Coast RWQCB adopted Resolution No. R3-2013-0032 on July 12, 2013 setting forth post-construction stormwater management requirements for development projects in the central coast region. These requirements include specific performance requirements with the objective to ensure reduction of pollutant discharges to the maximum extent practical and prevent stormwater discharges from causing or contributing to a violation of receiving water quality standards. With the construction of the 100-year event retention basin, the proposed project would meet (and potentially exceed) Central Coast RWQCB post-construction requirements, which require capturing and infiltrating the 85th and 95th percentile 24-hour storm events. As such, the proposed project would not result in substantial erosion or siltation on- or off-site and would not create or contribute runoff water that would exceed the capaCity of existing or planned stormwater systems. Further, the project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. Onsite construction of 12-foot diameter storm drain lines are proposed throughout the internal streets of the proposed project. The storm drain lines would flow towards the on-site retention basin and would handle the runoff capaCity of the project. Therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HWQ-4 THE PROPOSED PROJECT WOULD NOT OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 6]

See above discussion in connection with Impact HWQ-1.

Post construction requirements set by the Central Coast RWQCB include site design to reduce runoff, water quality treatment through the use of low impact development (LID) treatment systems, and runoff retention through the use of LID (Resolution No. 2013-0032). The project permitee is required to submit the appropriate documentation of compliance with all the post construction requirements to the Central Coast RWQCB. Required compliance with County and Central Coast RWQCB requirements would reduce the potential for adverse water quality effects. Impacts to water quality would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HWQ-5 Development of the proposed project would not place housing, structures, or people within a 100-year flood zone. No impacts would occur. [Threshold numbers 7 and 8]

As shown in the FEMA Flood Insurance Rate Map, the project site is not within a 100-year flood zone; therefore, the development of the proposed project would not place housing, structures, or people within a 100-year flood zone and no impact would occur.

Mitigation Measures

No mitigation is required.

c. Cumulative Impacts

The geographic extent for this cumulative impact analysis is the Pajaro River Watershed, which includes the project site. This watershed is approximately 1,300 square miles and it includes portions of the counties of Santa Cruz, Santa Clara, San Benito, and Monterey. This geographic extent is appropriate for the issue area of hydrology and water quality because the watershed is hydrologically connected, and any surface water quality impacts in one part of the watershed could potentially affect surface water quality elsewhere in the watershed. In addition, this cumulative extent fully encompasses the three hydraulically connected groundwater basins that underlay the HUA: Hollister East, Hollister West, and Tres Pinos. These groundwater basins form the appropriate geographic extent for groundwater quality and recharge effects, as they are all hydraulically connected. Thus, the larger geographic scope of the Pajaro River Watershed encompasses both geographic extents.

Storm Water Runoff

Cumulative development throughout the Pajaro River Watershed (including past, present and reasonably foreseeable future development), along with the project, would generally increase impermeable surface area, thereby potentially increasing peak flood flows and overall runoff volumes. However, San Benito County requires all subdivisions to release the 100-year post-development runoff at the 10-year pre-development rate and thus accommodate runoff in a manner so as not to increase post-development flows above pre-development levels. Other counties within the watershed have similar regulations. Cumulative development would be subject to the applicable runoff regulations, thereby ensuring that a cumulative impact would not result. In addition, as discussed above, the project would result in less than significant impacts to stormwater runoff as it would be constructed in accordance with all applicable requirements and standards to address stormwater runoff. For these reasons, the cumulative impacts related to increases in stormwater runoff and associated downstream flooding and water quality concerns would be less than significant, and the project's contribution to such effects would not be considerable in any event.

Groundwater

While cumulative development would place additional demand on groundwater (and other water sources), this demand has been accounted for in the Urban Water Management Plan (UWMP), and adequate water supplies are available for cumulative development in the HUA, including from

groundwater. Impervious surfaces associated with cumulative development would also potentially interfere with groundwater recharge by increasing the area covered by impervious surfaces. However, as described above, compliance with applicable laws and regulations would ensure that runoff from cumulative development is captured on each cumulative project site, which would facilitate continued recharge of the groundwater basin. Thus, cumulative impacts related to groundwater recharge would be less than significant, and the project's contribution to this cumulative effect would not be considerable in any event.

WATER QUALITY-WASTE DISCHARGE

Construction activity associated with cumulative development would increase erosion and sedimentation resulting from grading and construction. In addition, new development would increase the generation of urban pollutants that may adversely affect water quality in the long term. However, future construction activity on projects that disturb one or more acres of soil would be required to comply with the NPDES program through preparation of a SWPPP, which outlines Best Management Practices that would address post-construction runoff. In addition, cumulative development would be required to comply with Chapter 19.17 of the San Benito County Code which regulates grading, drainage, and erosion and contains requirements regarding discharge and construction site stormwater runoff control and Central Coast RWQCB adopted Resolution No. R3-2013-0032 which sets forth post-construction stormwater management requirements for development projects in the central coast region. These requirements include specific performance requirements with the objective to ensure reduction of pollutant discharges to the maximum extent practical and prevent stormwater discharges from causing or contributing to a violation of receiving water quality standards. Cumulative development would similarly be subject to these regulations. Furthermore, cumulative development within the City of Hollister would be required to comply with Chapter 15.24 of the Hollister Municipal Code which sets forth grading requirements and Best Management Practices designed to protect water quality. Compliance with such requirements would reduce cumulative impacts associated with contaminants from sources originating in the City of Hollister combining with those from county sources, thus resulting in less than significant cumulative impacts. In addition, as discussed above, the project would result in less than significant impacts to water quality, with implementation of the applicable requirements and standards as part of the project's design. For these reasons, the project's contribution to these less than significant cumulative impacts would not be considerable.

FLOODING

Cumulative development may potentially increase runoff volumes that could contribute to increased flood volumes. However, the project, along with other cumulative development in San Benito County, would be required to comply with existing County and FEMA floodplain management and storm water discharge regulations, if such development is located in a flood zone. Cumulative development in other counties within the Pajaro River Watershed would be subject to similar regulations. As discussed above, the project would result in less than significant impacts related to placing habitable structures or other structures in a flood zone, given that no portions of the proposed development would be located in these areas. Therefore, cumulative impacts would be less than significant, and the project's contribution to cumulative impacts would not be considerable.

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4.10 Land Use and Planning

4.10.1 Setting

a. Regional Setting

The project site is located in unincorporated San Benito County, which occupies approximately 1,391 square miles of both urban and rural land uses. Approximately 76 percent of the County's land area is in either agricultural or rangeland use (DOC 2015c). San Benito County is considered part of the Monterey Bay Area. It is located in the Coast Range Mountains, south of the City of San Jose, and west of the Central Valley. San Benito County is bordered on the north by the counties of Santa Cruz and Santa Clara, on the east by the counties of Merced and Fresno, and on the south and west by Monterey County.

b. Project Site Setting

The project site consists of an approximate 49.2-acre blufftop site adjacent to the existing Ridgemark Country Club development (Assessor Parcel Numbers [APNs] 025-420-019, 025-420-005) and approximately 0.3 acre within adjacent parcel to the south that would be developed with an emergency vehicle access road (portions of APNs 025-420-006) ("adjacent area"). The City of Hollister is located approximately 0.7 mile to the north on the north side of SR 25. Approximately 12.1 acres on the western and southern edge of the blufftop site are comprised of steep slopes and Southside Road (which currently runs through a portion of the southern edge of the project site); the remaining 37.1 acres of the blufftop site is currently used for agricultural production (hay); when not in hay production, the site is fallow.

The project site is designated under the 2035 General Plan as Residential Mixed (RM) and the current zoning district designation for the 49.2 acre-blufftop site is Single-Family Residential (R1). The remaining portion of the project site (i.e., the 0.3-acre adjacent area) has a current zoning designation of Agricultural Productive (AP).

The project site is bordered by land designated under the General Plan as Residential Mixed (RM) to the north, east and south, and Agriculture (A) to the west. Adjacent zoning includes Single-Family Residential (R1) and Residential Multiple (RM) to the north and east; and Agricultural Productive (AP) to the south and west (San Benito County 2015a).

Figure 4 and Figure 5 in Section 2.0, Project Description show existing General Plan and zoning designations, respectively, for the project site and surrounding area.

c. Regulatory Setting

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

2035 General Plan

The 2035 General Plan, adopted July 21, 2015, Land Use Element, 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-1.4 **Identifiable Community Boundaries.** The County shall encourage defined boundaries between communities (e.g., cities and unincorporated communities).

LU-1.5 **Infill Development.** The County shall encourage infill development on vacant and underutilized parcels to maximize the use of land within existing urban areas, minimize the conversion of productive agricultural land and open spaces, and minimize environmental impacts associated with new development as one way to accommodate growth.

LU-1.6 **Hillside Development Restrictions.** The County shall prohibit residential and urban development on hillsides with 30 percent or greater slopes.

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

LU-1.10 **Development Site Suitability.** The County shall encourage specific development sites to avoid natural and manmade hazards, including, but not limited to, active seismic faults, landslides, slopes greater than 30 percent, and floodplains. Development sites shall also be on soil suitable for building and maintaining well and septic systems (i.e., avoid impervious soils, high percolation or high groundwater areas, and provide setbacks from creeks). The County shall require adequate mitigation for any development located on environmentally sensitive

lands (e.g., wetlands, erodible soil, archaeological resources, important plant and animal communities).

LU-2.1 **Sustainable Building Practices.** The County shall promote, and where appropriate, require sustainable building practices that incorporate a "whole system" approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.

LU-2.2 **Green Sustainable Building Practices.** The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).

LU-2.4 **Solar Access.** The County shall encourage new residential sub-divisions and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency.

LU-2.7 **Sustainable Location Factor.** The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.

LU-3.8 **Urban Residential Buffer Requirement.** The County shall encourage the establishment of a buffer, by the residential developer, between new urban density residential development (i.e., greater than two dwelling units per acre) and existing conventional agricultural operations.

LU-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-3.10 **Agricultural Land Mitigation.** If new development permanently converts Prime Farmland that is Class 1 soil to non-agricultural uses, the County shall encourage project applicants to preserve an equal number of Prime Farmland acres (i.e. up to a 1:1 ratio) either on- or off-site. An applicant may pay a mitigation fee(s) for some or all of the converted Prime Farmland that is designated Class 1 soils to non-agricultural uses as agreed in a development agreement. The funds collected shall be used for agricultural protection and/or affiliated programs within San Benito County. Further, the County shall work with the City of San Juan Bautista and encourage them to adopt a similar agricultural conversion mitigation ratio.

LU-4.1 **Housing Stock Diversity.** The County shall encourage a balance of housing types, locations, and price ranges within the county to accommodate a variety of families from all socio-economic backgrounds.

LU-4.2 **Urban Residential Development.** The County shall ensure new urban residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.

LU-4.3 **Residential Density Reductions.** The County shall consider reducing the base density of a proposed residential development project if a combination of environmental hazards (e.g., fire, seismic, flooding, greater than 30 percent slope) and/or natural resources (e.g., sensitive habitat, wetlands) existing on the site, after consideration of the mitigations to be implemented to address those hazards, make higher densities less appropriate.

LU-4.5 **Innovative Site Planning and Residential Design.** The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.

LU-4.6 **Clustered Residential Program.** The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.

LU-7.10 **New Development Design.** The County shall encourage the design of new development to complement its surroundings, including nearby development, nearby open landscapes, and gateways into populated areas, as well as to show coherence within itself, including with regard to architectural style, human–scale development, and street layout.

LU-9.7 **County General Plan Consistency Report.** The County shall monitor and report to the Local Agency Formation Commission (LAFCO) regarding the consistency with the General Plan with any proposed changes in the sphere of influence or other urban boundaries for governmental entities that provide water or sewer services.

LU-9.8 **Sewer and Water Service Commitments.** The County shall require new development within the spheres of influence of Hollister or San Juan Bautista to obtain sewer and water service commitments from either the Cities or appropriate special districts prior to project approval.

Economic Development Element

ED-8.1 **Increased Park/Open Space Use and Connection.** Create new park space, connect existing and future parks and open space areas/corridors, and encourage public art throughout the County.

ED-8.2 **Park and Recreation Maintenance and Establishment.** Improve existing parks and recreational facilities, where feasible, in need of repair or upgrading, and acknowledge the positive impact on property values from building and maintaining high quality parks across the County. Establish, where applicable, a range of parks

and open spaces, including tot lots, neighborhood parks, community parks, skate parks, sports fields and courts, organized sports complexes, plazas/greens and/or green- ways/parkways within new neighborhoods, business districts and commercial areas.

ED-8.3 **Park Financing Mechanisms.** The County shall use a variety of financing mechanisms to acquire, develop, and maintain park, recreation, and other open space uses consistent with growth in County population and adopted land use policies and shall encourage the establishment of community service districts or other financing mechanisms to finance the maintenance and operation of private and public parks created in conjunction with new development.

ED-8.4 **Walking Distance to Parks.** Strive to create development patterns such that the majority of residents are within a reasonable walking distance of a park, greenway, public plaza or recreation center.

Housing Element

HOU-1A The County shall ensure that housing is affordable to extremely low, very low, low, and moderate-income families and members of the local workforce (e.g. teachers, fire and police, farm workers). Affordable housing units shall be granted priority for development.

HOU-2A The County shall encourage and assist the construction of a variety of housing types with varying densities and prices, for both sales and rental that are affordable to all income groups, particularly very low income and special needs groups.

HOU-2C The County shall assure that new housing efficiently uses land and causes minimum environmental impact.

HOU-2L The County shall require, through specific plans, neighborhood design standards and development review, a mix of housing types, densities, designs and prices/rents in each planning area where land is available.

HOU-2M The County shall disperse lower, moderate and higher cost housing throughout the County, each planning area and each subdivision where feasible due to the availability of land and adequate service facilities.

HOU-2R The County shall use land efficiently to encourage a diversity of housing types and to implement “smart” and sustainable development principles.

HOU-5A The County shall require energy-conserving construction, as required by State law.

HOU-5B The County shall encourage innovative site designs and orientation techniques, which incorporate passive and active solar designs and natural cooling techniques.

HOU-5E The County shall promote energy efficient land use planning by incorporating energy conservation as a major criterion for future decision making.

HOU-5G The County shall require solar access to be considered in environmental review and/or decision-making for all subdivisions.

Circulation Element

C-1.2 **Complete Streets.** To promote a road and street network that accommodates cars without requiring car-dependence, the County shall plan for use of roadways by all vehicle types and users, including automobiles, trucks, alternative energy vehicles, agricultural equipment, transit, bicyclists, and pedestrians, when constructing or modifying roadways. Additionally, the County shall plan its road and street network to reflect a context sensitive approach to the design of thoroughfare assemblies, where the allocation of right-of-way and the facilities provided are based on the intended character, whether urban or rural, of a particular location (urban context). Roads and streets within communities shall be designed to support and encourage walkability as a response to their context, whereas roads in open areas of the County shall be designed primarily for vehicular circulation. As such, thoroughfares that serve both open areas and communities in the County shall change as the surrounding urban context varies. This includes:

a. Encouraging thoroughfare designs that are context sensitive, such as those recommended in Designing Walkable Urban Thoroughfares: A Context Sensitive Approach by the Institute of Transportation Engineers (ITE);

b. Supporting urban design principles that promote walkability within communities to include:

i. A mix and variety of land uses designed to be relatively compact and in proximity to one another;

ii. Buildings that are oriented toward streets, with appropriately narrow setbacks and functional entries directly fronting onto sidewalks;

iii. Pedestrian-scaled architecture, landscape, and thoroughfares designed to provide engaging sidewalk views and comfort to pedestrians traveling at slow speeds; and

iv. Circulation networks that provide an interconnected system of streets and open spaces with relatively small block lengths;

c. Creating multi-modal street connections in order to establish a comprehensive, integrated, and connected transportation network designed to avoid the construction of new roadways and rail lines that would cause the physical division of existing communities;

d. Incorporating pedestrian and bicycle facilities, where appropriate and feasible, that promote safety and maximize access;

e. Planting street trees adjacent to curbs and between the street and sidewalk or walking path to provide a buffer between the pedestrian and the automobile, where appropriate;

f. Incorporating traffic calming devices such as roundabouts, bulb-outs at intersections, and traffic tables; and

g. Coordinating with other agencies and cities to ensure connections are made between jurisdictions.

C-1.3 **Roadway Improvement Aesthetics.** The County shall require roadway improvements to be designed to conform to existing landforms and to include landscaping and/or other treatments to ensure that aesthetics are preserved, including the county's rural character.

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.

C-1.10 **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.

C-1.11 **Discourage Cul-de-Sacs.** The County shall encourage developers to minimize the use of cul-de-sac streets in new development. Cul-de-sac streets shall not exceed 800 feet in length and no portion of the cul-de-sac street shall be more than 400 feet from an intersecting street or public access way unless physical constraints make it unfeasible.

C-1.12 **Level of Service (LOS) Standard.** The County shall endeavor to maintain a General Plan target goal of LOS D at all locations. If a transportation facility is already operating at an LOS D or E, the existing LOS should be maintained. Exceptions should be considered where achievement of these levels of service would cause unacceptable impacts to other modes of transportation, the environment, or private property.

C-1.14 **Driveway Siting.** The County shall encourage driveways to be located on adjacent collector streets rather than on arterial streets.

C-1.15 **Street Networks that Enhance Neighborhood Character.** The County shall encourage traditional interconnected street networks that provide alternate routes between neighborhoods and other measures that slow neighborhood traffic and enhance neighborhood character, such as those associated with Complete Streets.

C-1.16 **Roads on Hillsides.** The County shall require that new public and private roads on hillsides minimize visual impact by blending with natural landforms and by following the natural contours of the land as much as possible and that driveway access in hillside areas be consolidated where possible and limited to areas where adequate sight distance is available for all approaches.

C-1.17 **Grades on Hillsides.** The County shall require that new roads on hillsides do not exceed a 15 percent grade. The County may allow grades on hillsides of up to 20 percent for distances of up to 400 feet. Grades over 15 percent must have all weather surfaces, such as asphalt or concrete.

C-2.1 **Bicycle, Pedestrian, and Equestrian Systems.** The County shall encourage complete, safe, and interconnected bicycle, pedestrian, and equestrian systems, as appropriate to the context, that serve both commuter travel and recreational use, and provide access to major destinations in the county.

C-2.2 **Pedestrian and Bike Path Construction.** The County shall plan, design, and construct pedestrian routes and bikeways consistent with the 2009 County Bikeway and Pedestrian Master Plan or its succeeding plan. Priority shall be given to bicycle commuting routes, routes to schools, bike lanes on all new streets classified as arterials or collectors, and bike lanes on or adjacent to existing heavily traveled roads.

C-2.8 **Sidewalks or Pedestrian Paths in Subdivisions.** The County shall encourage project applicants to provide sidewalks or pedestrian paths, or other safe and convenient accommodations for pedestrians (e.g., shared-space streets) on all new roads or modifications to existing roads, as appropriate to the context, in accordance with County road-way design standards.

C-2.11 **Curb Ramps.** The County shall require developments to include curb ramps at new intersections, consistent with ADA requirements.

C-3.9 **Consistency with RTP.** The County shall require all new development proposals to be consistent with and implement the San Benito County Regional Transportation Plan transit policies.

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-1.2 **Facilities and Services Deficiencies.** The County shall coordinate with other public facility and service providers, such as CAL FIRE and water districts, to identify and find solutions to key infrastructure deficiencies in the county.

PFS-1.4 **Level of Service.** The County shall preserve, improve, and replace public facilities as necessary to maintain adequate levels of service for existing and future development. Where public facilities and services are provided by other agencies, the County shall encourage similar service level goals.

PFS-1.9 **Development Review.** The County shall evaluate facility capacity, levels of service, and/or funding needs during the development review process to ensure adequate levels of service and facilities are provided and maintained.

PFS-1.10 **Maximize Use of Existing Facilities.** The County shall require new development projects to be designed and sited to use existing facilities and services to the extent practical and to the extent that such a design and site choice would be consistent with good design principles.

PFS-1.11 **Pay Fair Share.** The County shall require new development to pay its fair share of public facility and service costs.

PFS-1.12 **New Development Requirements.** The County shall require new development, in compliance with local, State, and federal law, to mitigate project impacts associated with public facilities and services, including, but not limited to, fire, law enforcement, water, wastewater, schools, infrastructure, roads, and pedestrian and

bicycle facilities through the use of annexation fees, connection fees, facility construction/expansion requirements, or other appropriate methods.

PFS-1.13 **Service Agency Notification.** The County shall notify the appropriate agencies (e.g., cities, special districts, school districts, emergency service providers) of new development applications within their service areas early in review process to allow sufficient time to assess impacts on facilities and services.

PFS-3.1 **Water District Support.** The County shall support efforts of the San Benito County Water District to ensure that adequate high-quality water supplies are available to support current residents and businesses and future development projects.

PFS-3.9 **Sufficient Water Supply for New Development.** The County shall require new development to prepare a source water sufficiency study and water supply analysis for use in preparing, where required, a Water Supply Assessment per SB 610 and a Source Water Assessment per Title 22. This shall include studying the effect of new development on the water supply of existing users. The County encourages the development of integrated regional water management plans or similar plans.

PFS-4.1 **Adequate Water Treatment and Delivery Facilities.** The County shall ensure, through the development review process, 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. Such needs shall include capacities necessary to comply with water quality and public safety requirements.

PFS-4.2 **Water Facility Infrastructure Fees.** As a condition of approval for discretionary developments, the County shall not issue approval for a final map until verification of adequate water and wastewater services has been provided, which may include verification of payment of fees imposed for water and wastewater infrastructure capacity per the fee payment schedule from the water and wastewater provider.

PFS-4.7 **Consistent Fire Protection Standards for New Development.** The County, in coordination with public and private water purveyors and fire protection agencies, shall ensure consistent and adequate standards for fire flows and fire protection for new development, with the protection of human life and property as the primary objectives.

PFS-5.3 **Adequate Water Treatment and Disposal.** The County shall ensure through the development review process that wastewater collection, treatment, and disposal facilities are sufficient to serve existing and new development, and are able to be expanded to meet capacity demands when needed.

PFS-5.4 **Developer Requirements.** The County shall require that new development meet all County requirements for adequate wastewater collection, treatment, and disposal prior to project approval.

PFS-6.1 **Adequate Stormwater Facilities.** The County shall require that stormwater drainage facilities are properly designed, sited, constructed, and maintained to efficiently capture and dispose of runoff and minimize impacts to water quality.

PFS-6.2 **Best Management Practices.** The County shall require best management practices in the development, upgrading, and maintenance of stormwater facilities and

services to reduce pollutants from entering natural water bodies while allowing stormwater reuse and groundwater recharge.

PFS-6.3 **Natural Drainage Systems.** The County shall encourage the use of natural stormwater drainage systems (e.g. swales, streams) to preserve and enhance the environment and facilitate groundwater recharge.

PFS-6.4 **Development Requirements.** The County shall require project designs that minimize stormwater drainage concentrations and impervious surfaces, complement groundwater recharge, avoid floodplain areas, and use natural watercourses in ways that maintain natural watershed functions and provide wildlife habitat.

PFS-6.5 **Stormwater Detention Facilities.** Where necessary, the County shall require on-site detention/retention facilities and/or velocity reducers to maintain pre-development runoff flows and velocities in natural drainage systems.

PFS-6.6 **Stormwater Detention Basin Design.** The County shall require stormwater detention basins be designed to ensure public safety, be visually unobtrusive, provide temporary or permanent wildlife habitat, and where feasible, provide recreation opportunities.

PFS-6.7 **Runoff Water Quality.** The County shall require all drainage systems in new development and redevelopment to comply with applicable State and federal non-point source pollutant discharge requirements.

PFS-6.8 **Reduce Erosion and Sedimentation.** The County shall ensure that drainage systems are designed and maintained to minimize soil erosion and sedimentation and maintain natural watershed functions.

PFS-7.1 **Adequate Capacity.** The County shall ensure that there is adequate capacity within the solid waste system for the collection, transportation, processing, recycling, and disposal of solid waste to meet the needs of existing and projected development.

PFS-7.6 **Construction Materials Recycling.** The County shall encourage recycling and reuse of construction waste, including recycling materials generated by the demolition of buildings, with the objective of diverting 50 percent to a certified recycling processor. The County shall encourage salvaged and recycled materials for use in new construction.

PFS-8.5 **Undergrounding of Utility Lines.** The County shall require utility lines in subdivisions to be placed underground. During roadway construction or as other opportunities are presented, the County shall encourage utility providers to underground existing utility lines.

PFS-9.7 **Subdivision Improvement Requirements.** The County shall require new residential and commercial development projects to include the facility components necessary to support modern telecommunication technologies, such as conduit space within joint utility trenches.

PFS-10.3 **New School Location.** The County shall encourage school districts to site new schools in locations that are consistent with current and future land uses. The County shall also encourage the siting of new schools near residential areas with safe access for students to walk or bicycle to and from their homes.

PFS-10.5 **School Impact Fees.** The County shall support the efforts of school districts to obtain necessary funding, including school impact fees.

PFS-12.2 **Sheriff Department Response Time Standards.** The County shall strive to achieve and maintain appropriate Sheriff Department response times for all call priority levels to provide adequate law enforcement services for all County residents.

PFS-12.4 **Fair Share.** The County shall require new development to pay its fair share of the costs for providing law enforcement service facilities and equipment to new residents.

PFS-13.1 **Fire Staffing and Response Time Standards.** The County shall strive to maintain fire department staffing levels and response times consistent with National Fire Protection Association standards.

PFS-13.5 **Water Service Standards.** The County shall require all development within unincorporated communities to have adequate water supply, pressure, and capacity for fire protection.

PFS-13.6 **Visible Signage.** The County shall require that all roads and buildings are properly identified by name or number with clearly visible signs in order to promote faster response times.

PFS-13.7 **Fire Facility Fees.** The County shall require new development to pay its fair share of fees for new fire station facilities, equipment, and staffing necessary to maintain the County's service standards in that area. New development may also be required to create or join a special assessment district or other funding mechanism, to pay the costs associated with the operation of a fire station.

PFS-13.9 **Fire Safety Compliance.** The County shall ensure that all proposed developments are reviewed for compliance with the California Fire Code and other applicable State laws.

Natural and Cultural Resource Element

NCR-1.1 **Maintenance of Open Space.** The County shall support and encourage the maintenance of open space lands that support natural resources, agricultural resources, recreation, tribal resources, wildlife habitat, water management, scenic quality, and other beneficial uses.

NCR-2.2 **Habitat Protection.** The County shall require major subdivisions within potential habitat of federal- or State-listed rare, threatened, or endangered plant or animal species to mitigate the effects of development. Mitigation for impacts to species may be accomplished on land preserved for open space, agricultural, or natural resource protection purposes.

NCR-2.4 **Maintain Corridors for Habitat.** The County shall protect and enhance wildlife migration and movement corridors to ensure the health and long-term survival of local animal and plant populations, in particular contiguous habitat areas, in order to increase habitat value and lower land management costs. As part of this effort, the County shall require road and development sites in rural areas to:

a. Be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas; and

b. Incorporate measures to maintain the long-term health of the plant and animal communities in the area, such as buffers, consolidation of/or rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors.

NCR-2.5 **Mitigation for Wetland Disturbance or Removal.** The County shall encourage the protection of the habitat value and biological functions of oak woodlands, native grasslands, riparian and aquatic resources, and vernal pools and wetlands. The County shall further require mitigation for any development proposals that have the potential to reduce these habitats. Recreational trails and other features established within natural wetlands and aquatic and riparian buffer areas shall be, as long as such areas are not required to meet the Americans with Disabilities Act, located along the outside of the sensitive habitat whenever possible to minimize intrusions and maintain integrity of the habitat. Exceptions to this action include irrigation pumps, roads and bridges, levees, docks, public boat ramps, and similar uses. In all cases where intrusions into these buffers are made, only the minimum amount of vegetation necessary to construct the feature shall be removed.

NCR-2.8 **Pre-Development Biological Resource Assessment.** The County shall require the preparation of biological resource assessments for new development proposals as appropriate. The assessment shall include the following: a biological resource inventory based on a reconnaissance-level site survey, and an analysis of anticipated project impacts to: potentially occurring special-status species (which may require focused special-status plant and/or animal surveys); an analysis of sensitive natural communities; wildlife movement corridors and nursery sites on or adjacent to the project site; potentially jurisdictional wetlands/waterways; and locally protected biological resources such as trees. The assessment shall contain suggested avoidance, minimization, and/or mitigation measures for significant impacts to biological resources.

NCR-2.9 **Mitigation Funding and Site Protection.** The County shall require that project applicants demonstrate that adequate funding can be provided to implement all required biological mitigation and monitoring activities. Habitat preserved as part of any mitigation and monitoring plan shall be preserved through a conservation easement, deed restriction, and other method to ensure that habitat remains protected.

NCR-2.10 **Invasive Species.** The County shall require that new developments avoid the introduction or spread of invasive plant species during construction by minimizing surface disturbance, seeding and mulching disturbed areas with certified weed-free native mixes, and using native or noninvasive species in erosion control plantings.

NCR-3.1 **Comprehensive Park System.** The County shall continue to acquire, develop, operate, and maintain a comprehensive system of parkland and recreational facilities that include active and passive recreation for a wide range of users.

NCR-3.2 **Park Ratio Standard.** The County shall encourage and support the development of recreational facilities to serve unincorporated communities at a ratio of five acres of recreation area per 1,000 persons.

NCR-3.7 **On-Site Recreation.** The County shall require new major subdivisions to include on-site recreation facilities, with design and features appropriate to the size, type, and setting of each subdivision and with financing for long-term maintenance.

NCR-3.9 **Evaluation of New Development.** The County shall require an evaluation of new development within existing communities to include an analysis of the individual and cumulative effect of the development on the recreational needs of the community and county.

NCR-4.1 **Mitigation for Wetland Disturbance or Removal.** The County shall consider implementing Regional Water Quality Control Board Basin Plan policies to improve areas of low water quality, maintain water quality on all drainage, and protect and enhance habitat for fish and other wildlife on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and the Silver Creek watershed.

NCR-4.4 **Open Space Conservation.** The County shall encourage conservation and, where feasible, creation or restoration of open space areas that serve to protect water quality such as riparian corridors, buffer zones, wetlands, undeveloped open space areas, and drainage canals.

NCR-4.5 **Groundwater Recharge.** The County shall encourage new development to preserve, where feasible, areas that provide important groundwater recharge and stormwater management benefits such as undeveloped open spaces, natural habitat, riparian corridors, wetlands, and natural drainage areas.

NCR-4.6 **Groundwater Studies for New Development.** To ensure an adequate water supply, large-scale development projects that meet the criteria in California Water Code section 10912 shall prepare an analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project in accordance with SB 610.

NCR-4.7 **Best Management Practices.** The County shall encourage new development to avoid significant water quality impacts and protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, and best management practices (BMPs).

NCR-4.10 **Water Efficient Landscape Ordinance.** The County shall develop, maintain, and implement a Water Efficient Landscape Ordinance, consistent with the Model Water Efficient Landscape Ordinance prepared by the California Department of Water Resources, to require greater use of regionally native drought-tolerant vegetation, limitations on the amount of turf in residential development, and other measures as appropriate.

NCR-4.11 **Reclaimed Water.** The County shall require, where feasible, the use of reclaimed water irrigation systems in new development wherever possible.

NCR-4.12 **Rainwater Catchment.** The County shall encourage homeowners to install roof catchment systems and use rainwater for non-potable uses in order to reduce the need for groundwater.

NCR-4.16 **Develop in Existing Areas.** The County shall encourage development to occur in or near existing developed areas in order to reduce the use of individual septic systems in favor of domestic wastewater treatment in an effort to protect groundwater quality.

NCR-6.1 **Local Renewable Energy.** The County shall strive to increase the supply of locally-produced, renewable energy (e.g., solar, wind, geothermal, and biomass) in order to promote energy independence and efficiency.

NCR-8.1 **Protect Scenic Corridors.** The County shall endeavor to protect the visual characteristics of certain transportation corridors that are officially designated as having unique or outstanding scenic qualities.

NCR-8.4 **Review Architectural Massing.** The County shall review development proposals to ensure that the obstruction of views is minimized through architectural building massing and location that is compatible with scenic areas.

NCR-8.5 **Review Site Planning.** The County shall review development proposals to ensure a reasonable and attractive appearance from the highway concurrent with a harmonious relationship with the existing landscape and shall require development that determined not to be in harmonious relationship with the existing landscape to be screened from view through planting or other forms of visual buffers.

NCR-8.6 **Regulate Building Height and Setback.** The County shall regulate building height and setbacks to protect the field of vision within an officially designated Scenic Corridor. The County shall not approve building heights that exceed, nor setback requirements that are less, than those of the basic zoning district unless such variance has had the appropriate review and public comment.

NCR-8.9 **Hillside and Ridgeline Protection.** The County shall use design review for development on hillsides and within Scenic Corridors to protect the hillsides and ridgelines that are a unique scenic resource in the county. The County shall prohibit development within 100 vertical feet of any ridgeline unless there are no site development alternatives.

NCR-9.1 **Light Pollution Reduction.** The County shall continue to enforce the development lighting ordinance (SBC Code Chapter 19.13) and restrict outdoor lighting and glare from development projects in order to ensure good lighting practices, minimize nighttime light impacts, and preserve quality views of the night sky. The ordinance shall continue to recognize lighting zones and contain standards to avoid light trespass, particularly from developed uses, to sensitive uses, such as the areas surrounding Fremont Peak State Park and Pinnacles National Park.

Health and Safety Element

HS-1.11 **Road Capacity.** The County shall require roads to be of adequate capacity for use in times of emergency.

HS-1.14 **Development Restrictions in High Risk Areas.** The County shall discourage development in areas that may be more severely impacted by climate change, including areas at high risk of wildfire or flooding, unless proper design mitigation is included in the proposed project.

HS-2.1 **Minimum Flood Protection.** The County shall require a minimum 100-year flood protection for all new development in accordance with local, State, and federal requirements to avoid or minimize the risk of flood damage.

HS-2.3 **Floodwater Diversion.** The County shall require new flood control projects or developments within areas subject to 100-year floods to be constructed in a manner that will not cause floodwaters to be diverted onto adjacent property or increase flood hazards to property downstream.

HS-3.2 **Subsidence or Liquefaction.** The County shall require that all proposed structures, utilities, or public facilities within recognized near-surface subsidence or liquefaction areas be located and constructed in a manner that minimizes or eliminates potential damage.

HS-3.6 **Unstable Soils.** The County shall require and enforce all standards contained in the current California Building Code related to construction on unstable soils, and shall make a determination as to site suitability of all development projects during the building permit review process. The County shall not approve proposed development sited within areas of known or suspected instability until detailed area studies are completed that evaluate the extent and degree of instability and its impact on the overall development of the area.

HS-3.7 **Setback from Fault Traces.** The County shall require setback distances from fault traces to be determined by individual site specific surface rupture investigations.

HS-3.8 **Liquefaction Studies.** The County shall require proposals for development in areas with high liquefaction potential to include detailed site specific liquefaction studies.

HS-4.2 **Fire Protection Water Standard.** The County shall develop, maintain, and implement an appropriate fire protection water standard to be applied to all urban and rural development.

HS-4.4 **Development in Fire Hazard Zones.** The County shall require development in high fire-hazard areas to be designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards.

HS-5.1 **New Development.** The County shall use the CEQA process to ensure development projects incorporate feasible mitigation measures to reduce construction and operational air quality emissions, and consult with the Monterey Bay Unified Air Pollution Control District early in the development review process.

HS-5.2 **Sensitive Land Use Locations.** The County shall ensure adequate distances between sensitive land uses and facilities or operations that may produce toxic or hazardous air pollutants or substantial odors.

HS-5.4 **PM10 Emissions from Construction.** The County shall require developers to reduce particulate matter emissions from construction (e.g., grading, excavation, and demolition) consistent with standards established by the Monterey Bay Unified Air Pollution Control District.

HS-5.6 **New Construction Mitigation.** The County shall work in coordination with the Monterey Bay Unified Air Pollution Control District to minimize air emissions from construction activities associated with proposed development.

HS-8.1 **Project Design.** The County shall require new development to comply with the noise standards shown in Tables 9-1 and 9-2 through proper site and building design, such as building orientation, setbacks, barriers (e.g., earthen berms), and building construction practices. The County shall only consider the use of sound walls after

all design-related noise mitigation measures have been evaluated or integrated into the proposed project or found infeasible.

HS-8.2 **Acoustical Analysis.** The County shall require an acoustical analysis to be performed prior to development approval where proposed land uses may produce or be exposed to noise levels exceeding the "normally acceptable" criteria (e.g. "conditionally acceptable", "normally unacceptable") shown in Table 9-2. Land uses should be prohibited from locating, or required to mitigate, in areas with a noise environment within the "unacceptable" range.

HS-8.3 **Construction Noise.** The County shall control the operation of construction equipment at specific sound intensities and frequencies during day time hours between 7:00 am and 6:00 pm on weekdays and 8:00 am and 5:00 pm on Saturdays. No construction shall be allowed on Sundays or federal holidays.

HS-8.7 **Acceptable Vibration Levels.** The County shall require construction projects anticipated to generate a significant amount of vibration to ensure acceptable inferior vibration levels at nearby noise-sensitive uses based on FTA criteria.

HS-8.9 **Interior Noise Standards.** Adopt the State of California Code of Regulations' (Title 24) minimum noise insulation interior performance standard of 45 dBA Ldn for all new residential construction including hotels, motels, dormitories, apartment houses, and single-family dwellings.

HS-8.10 **Reduction in Noise Levels at Existing Land Uses.** Reduce traffic noise levels where expected to significantly impact sensitive receptors through the installation of noise control measures such as quiet pavement surfaces, noise barriers, traffic calming measures, and interior sound insulation treatments.

HS-8.11 **New Project Noise Mitigation Requirements.** Require new projects to include appropriate noise mitigation measures to reduce noise levels in compliance with the Table 9-1 and 9-2 standards within sensitive areas. If a project includes the creation of new non-transportation noise sources, require the noise generation of those sources to be mitigated so they do not exceed the interior and exterior noise level standards of Table 9-2 at existing noise-sensitive areas in the project vicinity, unless an exception is made by the County on a case-by-case basis. However, if a noise-generating use is proposed adjacent to lands zoned for residential uses, then the noise generating use shall be responsible for mitigating its noise generation to a state of compliance with the standards shown in Table 9-2 at the property line of the generating use in anticipation of the future residential development, unless an exception is made by the County on a case-by-case basis.

HS-8.12 **Construction Noise Control Plans.** Require all construction projects to be constructed within 500 feet of sensitive receptors to develop and implement construction noise control plans that consider the following available controls in order to reduce construction noise levels as low as practical:

- Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists;
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;

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

4.10.2 Impact Analysis

a. Methodology and Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, the proposed project would result in potentially significant land use impacts if it would:

1) Physically divide an established community;
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
3) Conflict with any applicable habitat conservation plan or natural community conservation plan.

The proposed project is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved conservation agreement within the County; accordingly, the project would not conflict with any such plan. Therefore, this issue (Threshold 3) is not discussed further in this section. However, furthers discussion regarding Threshold 3 can be found in Section 4.16, Effects Found to Be Less Than Significant.

Compatibility between proposed on-site land uses and adjacent land uses during both construction and operation are also described in Section 4.2, Agricultural Resources, Section 4.3, Air Quality, and Section 4.11, Noise.

b. Project Impacts and Mitigation Measures

Impact LU-1 THE PROJECT WOULD NOT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 1]

The project site is located in unincorporated San Benito County. The cities of Hollister and San Juan Bautista are the only two incorporated cities in San Benito County. The project site is approximately 0.7 mile south of the City of Hollister and is bordered on two sides by the Ridgemark Country Club development. It is anticipated that access to the project site would be through the Ridgemark Country Club development, which has two existing access points: the "west entrance," located at SR 25 and Ridgemark Drive and the "east entrance," located at SR 25 and South Ridgemark Drive. The project would not divide the Ridgemark Country Club development; instead it would be designed to be cohesive and compatible with this adjacent development. The area to the south and west of the project is currently agricultural and is separated from the project by approximately 90- to 120-foot high slopes and Southside Road located at the base of the western slopes. Further, the proposed project would not create large roadways or other infrastructure that create barriers between neighborhoods. As a result, the project would not physically divide an established community and impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact LU-2 THE PROJECT COULD BE VIEWED AS CONSISTENT WITH APPLICABLE SAN BENITO COUNTY POLICIES ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL IMPACT. WHILE THE PROJECT WOULD RESULT IN THE CONVERSION OF AGRICULTURAL LAND, THE PROJECT IS GENERALLY CONSISTENT WITH THE OVERALL VISION AND POLICY DIRECTION OF THE 2035 GENERAL PLAN. THIS WOULD BE A LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACT. [THRESHOLD NUMBER 2]

The project site is designated under the General Plan as Residential Mixed (RM) (refer to Figure 4). The purpose of the RM designation is to allow areas of unincorporated urban uses where circulation and utility services exist, thereby accommodating anticipated growth while still taking into consideration the County's goal to retain its rural and agricultural character and protect sensitive biological and related resources. The designation allows mixed-use developments that include residential, retail, and office uses, and allows single-family uses at a density of up to 20 dwelling units per acre. The project includes construction of 90 single-family units on approximately 37.1 acres of the blufftop site. The proposed density of the project would be 1.8 dwellings per gross acre. Therefore, it would be consistent with the residential standards permitted in the RM designation. Furthermore, the RM designation indicates the County's overall vision for this area as becoming more urbanized in certain identified areas, which is consistent with the County's approach of accommodating urban growth in certain portions of the County (typically in areas that are less sensitive from a biological resource and agricultural resource perspective).

The underlying zoning designations for the vast majority of the project site is Single-Family Residential (R1) (refer to Figure 5); the 0.3-acre adjacent area is currently zoned Agricultural Productive (AP). Permitted uses in the R1 zone include single-family dwellings with a minimum building site area of 5,000 square feet (where a public sewer and public water supply are available). The project proposes to connect to the Sunnyslope County Water District (SSCWD) for water and wastewater services. The smallest lot size would be approximately 8,464 sf. Therefore, the project is consistent with the proposed R1 zoning designation. Consistent with the RM land use designation, the R1 zoning indicates the County's overall vision for this area as becoming more urbanized in certain identified areas with the goal of accommodating for a portion of the County's planned growth.

Policy Consistency. The following discussion focuses on those General Plan goals and policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. Ultimately, the determination as to whether the project is consistent is a decision for the Board of Supervisors ("Board"). Table 21 contains a discussion of the evidence that can be relied upon by the Board to determine the proposed project's consistency with applicable goals and policies of the San Benito County General Plan. Only goals and policies relevant to this analysis and applicable to the proposed project are included. Policies that are redundant between elements are omitted.

Table 21 Policy Consistency: 2035 General Plan

2035 General Plan Policy	Consistency Discussion
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 and demonstrate a fiscally neutral or positive impact on the County and any special districts that provide services to the project.	**Consistent.** The project site is located approximately 0.7 mile south of the City of Hollister, in an unincorporated area of the County. Infrastructure and public services are available or can be extended to meet the needs of the proposed project. Infrastructure has already been extended to the urban development just north and east of the project (the Ridgemark Country Club development). The project would meet the requirements of Goal LU-7, which calls for preserving San Benito County's historic identity. The project would be required to be revenue neutral, through participation in a CFD or otherwise, as a condition of approval.
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.	**Consistent.** The project site is bordered on two sides by the existing Ridgemark Country Club development, which is considered an unincorporated community/clustered development in the 2035 General Plan. It is anticipated that access to the project site would be though the Ridgemark development and would be designed to be cohesive and compatible with the adjacent Ridgemark Country Club development. The project would include a bicycle/pedestrian path throughout the development to enhance connectivity and facilitate alternative modes of transportation. San Benito County Express operates several fixed-route buses in Hollister and San Benito County; however, none of the routes operate on roadways within walking distance of the project site. Nevertheless, the project would be located in an area designated to accommodate the County's planned growth, in relatively close proximity to employment centers and shopping areas, thereby helping to reduce

2035 General Plan Policy	Consistency Discussion
	pollution and the expenditure of energy and other resources.
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.	**Consistent.** The proposed project's potential impacts to service providers are addressed in Section 4.12, Public Services. As described therein, impacts to police protection, fire protection and ambulance services, schools, parks and recreational facilities, and library services and facilities would be less than significant. Therefore, County services would not be significantly adversely impacted. As described in Section 4.13, Transportation and Circulation, circulation infrastructure would be adequate to serve the proposed project. As described in Section 4.15, Utilities and Service Systems, the County evaluated the project in terms of whether there is sufficient utility capacity to serve the project without substantially impairing service to other users. As analyzed in Section 4.15, proposed water and wastewater infrastructure would be adequate to serve the proposed project; adequate wastewater capacity exists at SSCWD's Sequential Batch Reactor Wastewater Treatment Plant to serve the project; and there would be an adequate water supply to serve the project. Similarly, adequate landfill capacity is available to serve the project. Therefore, project development would not outpace the ability of service providers to provide adequate services or infrastructure.
LU-1.4 Identifiable Community Boundaries The County shall encourage defined boundaries between communities (e.g., cities and unincorporated communities).	**Consistent.** The proposed project would be designed to be cohesive and compatible with the adjacent Ridgemark Country Club development also located in unincorporated San Benito County. The sloped area along the south and west side of the project would provide a natural barrier between the new residences and the existing agricultural properties to the south and west to help further identify community boundaries.
LU-1.5 Infill Development The County shall encourage infill development on vacant and underutilized parcels to maximize the use of land within existing urban areas, minimize the conversion of productive agricultural land and open spaces, and minimize environmental impacts associated with new development as one way to accommodate growth.	**Consistent.** The proposed project would convert approximately 37.1 acres of agricultural land, which is currently used for hay production or kept fallow. However, the blufftop site is already designated as Residential Multi-Use (RM) per the 2035 General Plan and zoned as Residential Single-Family (R1), and therefore intended by the County to accommodate planned urban growth near an already developed urbanized area (Ridgemark). Furthermore, a portion of the project site would remain as natural open space, and the project's environmental impacts would be evaluated and mitigated to the extent feasible through the CEQA process.
LU-1.6 Hillside Development Restrictions. The County shall prohibit residential and urban development on hillsides with 30 percent or greater slopes.	**Consistent.** The proposed project does not propose residential or urban development on hillsides with 30 percent or greater slopes. The project's proposed residential uses have been planned to be constructed on the flatter portion of the project site, while the steeper areas would be preserved as natural open space.
LU-1.8 Site Plan Environmental Content Requirements The County shall require all submitted site plans, tentative	**Consistent.** The Vesting Tentative Map and associated application materials submitted to the County as components of the proposed project application included

2035 General Plan Policy	Consistency Discussion
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.	any environmentally sensitive and hazardous areas. Relevant seismic features are also depicted in Figure 27 (faults) and Figure 10 (GHAD boundary). Fire hazard severity zones are discussed in Section 4.8, Hazards/Hazardous Materials, and rely on CAL FIRE Fire Hazard Severity Zone map (CAL FIRE 2007). Furthermore, any potential jurisdictional features and riparian habitats are addressed in Section 4.4, Biological Resources.
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).	**Consistent.** The project site is considered suitable for the proposed development as considered by the criteria of this policy. As discussed in Section 4.6, Geology and Soils, the project is not within an active seismic fault zone and the depth to groundwater is about 60 to 100 feet (which helps to ensure that liquefaction risk is low). The proposed residential development and related improvements would be constructed on suitable land and designed to avoid steeper slopes and to address any geotechnical issues related to soils, etc. Additionally, implementation of slope set back recommendations from the *Geotechnical Investigation* and formation of the GHAD would ensure that impacts from landslides and any other potential geotechnical hazards would be *less than significant*. As discussed in Section 4.9, Hydrology and Water Quality, the project site is outside the effective 100-year FEMA floodplain. See Section 4.4, Biological Resources, for further information regarding any environmentally sensitive features and means to avoid or reduce impacts, as well as Section 4.5, Cultural Resources for further discussion on historic, archaeological and paleontological resource issues and required mitigation to ensure all impacts in this regard are less than significant.
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.	**Consistent.** The proposed project includes sustainable and green building design guidelines as promoted by this policy that would be applied throughout the project site. The project includes the following features: ▪ Exceed adopted 2013 Title 24 energy requirements by a minimum of five percent; ▪ Use of locally made building materials for construction of the project and associated infrastructure when such materials are locally available and competitively priced; ▪ Use of materials which are resource efficient, recycled, and have long life cycles; ▪ Install energy-reducing shading mechanisms for windows, porches, patios, and walkways (low-e glass); ▪ Use of water efficient landscapes (per County requirements); ▪ Use of tankless water heaters or solar water heaters; ▪ Use of low energy interior lighting; ▪ Use of low energy street lights and parking lot lights (per County standard); ▪ Use of gas space heating; ▪ Use of double-paned windows;

2035 General Plan Policy	Consistency Discussion
	▪ Use of heat transfer modules in furnaces; ▪ Roofs upon which solar panels may be installed; ▪ Use of natural lighting; ▪ Use of energy efficient appliances; and ▪ Use of landscaping to shade buildings. In accordance with Mitigation Measures GHG-1 of this EIR, the proposed project would be required to incorporate energy efficiency measures in common areas and in future residences. Additionally, detailed plans for proposed structures would be reviewed by the County for compliance with energy and water conservation requirements prior to issuance of building permits.
LU-2.2 Green Sustainable Building Practices The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).	**Consistent.** Refer to Land Use Policy 2.1 consistency discussion, above.
LU-2.4 Solar Access The County shall encourage new residential subdivisions and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency.	**Consistent.** The project's building design and siting would take advantage of solar orientation and natural lighting. An optional solar voltaic package would be offered to homeowners/buyers. Homes would be designed with ample and large windows for natural lighting and the windows would be tented to keep the buildings cool. See also LU Policy 2.1 consistency discussion, above.
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.	**Consistent.** The project site is located approximately 0.7 mile south of the City of Hollister and is accessible from existing transportation facilities, mainly Ridgemark Drive, and near major transportation corridors in the area. Residents in the project site would have access to transit options within the County.
LU-3.1. Agricultural Diversification The County shall support existing farms, vineyards, and other agricultural operations and encourage the agricultural industry to continue diversification that includes organic, value-added, small-scale, sustainable, and community-supported agricultural practices throughout the county.	**Inconsistent.** As described in Impact AG-1 in Section 4.2, Agricultural Resources, the project would involve permanent conversion of approximately 36.3 acres of FMMP Important Farmland on a site that is designated for residential use under the General Plan. Mitigation Measure AG-1 requires a conservation easement, deed restriction, or equivalent payment to a qualifying entity for agricultural preservation. This mitigation would reduce the impact to a less than significant level. Given the County's goal of allowing for a certain amount of planned urban growth in designated areas (such as the project site), which then enables the County to protect remaining portions of the County for ongoing rural and agricultural uses, the project would not be considered inconsistent with this policy. Further, the project would be required to comply with the County's "right to farm and ranch" ordinance, which would help to protect nearby ranching and agricultural operations. Also, the project would be required to permanently preserve high-value agricultural land off-site through payment of an agricultural mitigation fee or otherwise, consistent with the mitigation discussed in Section 4.2, Agricultural Resources.

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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.	**Consistent.** As described in Section 4.2, Agricultural Resources, and Section 4.8, Hazards and Hazardous Materials, the sloped area of the site would provide a natural barrier between proposed residences and the existing agricultural uses. Setback recommendations from the *Geotechnical Investigation* would provide further buffering.
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.	**Consistent**. As described in Section 4.2, Agricultural Resources, the proposed project would be required to comply with the County's Right-to-Farm Ordinance, which stipulates, among other things, all future occupants of the project site would legally have to be informed of agricultural activities within the vicinity of the project site.
LU-3.10 Agricultural Land Mitigation If new development permanently converts Prime Farmland that is Class 1 soil to non-agricultural uses, the County shall encourage project applicants to preserve an equal number of Prime Farmland acres (i.e. up to a 1:1 ratio) either on- or off-site. An applicant may pay a mitigation fee(s) for some or all of the converted Prime Farmland that is designated Class 1 soils to non-agricultural uses as agreed in a development agreement. The funds collected shall be used for agricultural protection and/or affiliated programs within San Benito County. Further, the County shall work with the City of San Juan Bautista and encourage them to adopt a similar agricultural conversion mitigation ratio.	**Consistent.** As described in Section 4.2, Agricultural Resources, Mitigation Measure AG-1 requires a conservation easement, deed restriction, or equivalent payment to a qualifying entity for agricultural preservation at a 1:1 ratio. The project would be required to comply with this mitigation as an enforceable condition of approval.
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.	**Consistent.** The project would provide market-rate housing at a density of 1.8 dwellings per gross acre. The project would provide new housing in the County and expand opportunities in the higher end market segment.
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.	**Consistent.** The project would provide housing at a density of slightly less than two units per acre. Nevertheless, the analysis included in this EIR concludes that there would be adequate public facilities and services to support the proposed project, either through existing service providers or through the implementation of identified mitigation measures (refer to 4.13, Transportation and Circulation and 4.15, Utilities and Service Systems). Additionally, the project site is located near a major transportation corridor and nearby employment centers and would include a

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	pedestrian/bicycle path throughout the project site to enhance connectivity.
LU-4.3 Residential Density Reductions The County shall consider reducing the base density of a proposed residential development project if a combination of environmental hazards (e.g., fire, seismic, flooding, greater than 30 percent slope) and/or natural resources (e.g., sensitive habitat, wetlands) existing on the site, after consideration of the mitigations to be implemented to address those hazards, make higher densities less appropriate.	**Consistent.** The project has been designed to avoid identified environmental hazards. For example, the residential uses and related improvements would be constructed on flatter portions of the project site, while the steeper slopes would remain as natural open space. Impacts of the proposed project related to wildland fire hazards are discussed in Section 4.8, Hazards/Hazardous Materials; impacts related to seismicity and slopes are described in Section 4.6, Geology and Soils; impacts related to flooding are discussed in Section 4.9, Hydrology and Water Quality; and impacts related to sensitive habitats and wetlands are discussed in Section 4.4, Biological Resources. As described therein, any potential hazards have been appropriately considered in the project's design and/or otherwise mitigated, as feasible, and therefore the project would not require a reduction in proposed residential site density.
LU-4.5 Innovative Site Planning and Residential Design The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.	**Consistent.** Refer to the Land Use Policy 2.1 consistency discussion, above.
LU-4.6 Clustered Residential Program The County shall continue to encourage the clustering of residential uses and the use of creative site planning techniques to promote preservation of agricultural land and open space areas.	**Consistent.** The project does not constitute clustered residential development but is a typical subdivision with single-family lots laid out across the entire site with individual driveways, in part to ensure compatibility with the nearby Ridgemark development. The project would be built near adjacent, similar residential uses, and designed to be cohesive with existing development, consistent with the General Plan's vision for this area (as opposed to creating unplanned sprawl). Although the site is located 0.7 mile south of the City of Hollister and directly adjacent to existing residential development to the north and east, the project would convert prime farmland, as discussed in LU-3.10 above, to non-agricultural use, although a portion of the project site has been designed to remain in natural open space. See also LU-3.1 consistency discussion, above.
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.	**Consistent.** As described in Section 4.1, Aesthetics, the project would substantially alter the aesthetic character of the site vicinity by changing the area's character from rural to a more suburbanized developed setting. However, Mitigation Measures AES-1(a) and AES-1(b) would help ensure development of a thoughtful, cohesive, and well-designed community. Furthermore, the proposed residential units would be located on land that has already been designed by the County's General Plan for urbanized growth, and would be designed to be compatible with similar, adjacent nearby uses. Also, a portion of the project site would remain in natural open space.

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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.	**Consistent.** This policy reflects an action item for the County to take. Nevertheless, the proposed project would not impair the County's ability to comply with this policy, since it is consistent with the General Plan (as reflected in the project site already being designated for urbanized growth). The project would be required to obtain LAFCO approval of a sphere of influence change and annexation into the SSCWD service area to provide water and sanitary sewer to the site.
LU-9.8 Sewer and Water Service Commitments The County shall require new development within the spheres of influence of Hollister or San Juan Bautista to obtain sewer and water service commitments from either the Cities or appropriate special districts prior to project approval.	**Consistent.** The proposed project is not located within the spheres of influence of either the City of Hollister or San Juan Bautista; rather, its development application is being processed by the County given its unincorporated status (i.e., the project is not seeking annexation to either Hollister or San Juan Bautista). However, as discussed in the consistency discussion for Land Use Element Policy 9.7 above, the proposed project would require LAFCO approval of a sphere of influence change and annexation into the SSCWD service area to provide water and sanitary sewer service to the site. See discussion in Section 4.15, Utilities and Service Systems for additional information regarding utility capacity to serve the project.
Economic Development Element	
ED-8.1 Increased Park/Open Space Use and Connection Create new park space, connect existing and future parks and open space areas/corridors, and encourage public art throughout the County.	**Consistent.** The proposed project includes the establishment of three neighborhood parks totaling 3.2 acres and a pedestrian/bicycle path throughout the project site. This pedestrian/bicycle path would connect to the existing Ridgemark development, allowing access to existing Ridgemark Park. In addition, approximately 12.1 acres of the project site would remain as natural open space.
ED-8.2 Park and Recreation Maintenance and Establishment Improve existing parks and recreational facilities, where feasible, in need of repair or upgrading, and acknowledge the positive impact on property values from building and maintaining high quality parks across the County. Establish, where applicable, a range of parks and open spaces, including tot lots, neighborhood parks, community parks, skate parks, sports fields and courts, organized sports complexes, plazas/greens and/or greenways/parkways within new neighborhoods, business districts and commercial areas.	**Consistent.** Refer to the Economic Development Policy 8.1 consistency discussion. In addition, as well as the discussion in Section 4.12, Public Services and Recreation, which among other things, confirms that the project would be required to provide in-lieu fees (and/or another funding mechanism, such as a CFD) to the County to be used for maintenance and operation of existing County parks.
ED-8.3 Park Financing Mechanisms The County shall use a variety of financing mechanisms to acquire, develop, and maintain park, recreation, and other open space uses consistent with growth in County population and adopted land use policies and shall encourage the establishment of community service districts or other financing mechanisms to finance the maintenance and operation of private and public parks created in conjunction with new development.	**Consistent.** The on-site parks would be owned and maintained by the project developer until such time as the last parcel is sold. At that time, assuming the project is annexed into the Ridgemark HOA, the developer would quit claim the parks to the HOA for long-term ownership and maintenance. If the proposed lots/units are not annexed to the Ridgemark HOA, on-site parks would be maintained by a new HOA for the proposed project. Furthermore, the GHAD would be structured such that the 12.1 acres of natural open space would be funded and maintained in perpetuity through GHAD assessments.

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	Also, the project developer would be required, as a condition of approval, to ensure revenue neutrality (through a CFD or otherwise), which funding could be used by the County to operate and maintain County parks, recreation facilities and open space areas.
ED-8.4 Walking Distance to Parks Strive to create development patterns such that the majority of residents are within a reasonable walking distance of a park, greenway, public plaza or recreation center.	**Consistent.** The proposed project would provide three on-site parks totaling approximately 3.2 acres. The first park (Entry & Passive Park, as shown in Figure 8) would be located near the project entrance at the intersection of proposed Street A and Street B. This park would be approximately 0.3 acre and would include a playground (ages 2-5), benches, a picnic table, a meandering walkway, an open play area with turf, and landscaping. The second park (Active Park, Parcel H, as shown in Figure 8) would be approximately 0.8 acre located at the southern end of the project site, south and west of the southern terminus of proposed Street D, abutting the project site's southern boundary. This park would include benches, picnic tables, two bocce ball courts, a small playground (ages 5-10), and landscaping. The third park (Sunset Park, Parcel 1, as shown in Figure 8) would be approximately 2.1 acres located at the northwest end of the project site, east of the northwestern terminus of proposed Street D. This park would include picnic tables or benches, a small playground, a meandering walkway, two open play areas with turf, a volleyball court, a 0.5-acre retention basin, and landscaping. All parks would be private parks intended for the use and enjoyment of the project residents (as well as Ridgemark Country Club residents and their guests, assuming annexation of the project into the Ridgemark HOA). Additionally a pedestrian/bicycle path would be provided throughout the project site.
Housing Element[24]	
HOU-1A The County shall ensure that housing is affordable to extremely low, very low, low, and moderate-income families and members of the local workforce (e.g. teachers, fire and police, farm workers). Affordable housing units shall be granted priority for development.	**Consistent.** The San Benito County Board of Supervisors adopted an inclusionary housing ordinance on September 13, 2016 (Chapter 21.03 of the San Benito County Code). The ordinance requires that residential developments greater than 40 units provide 15 percent of the units as inclusionary, 5 percent of the units for moderate income, 5 percent of the units for low income, and 5 percent of the units for very low income. If not developed on the project site, a developer may provide 20 percent of the units off-site as a mix of 8 percent moderate income, 6 percent low income, and 6 percent very low income. Instead of developing the units on- or off-site, applicants may elect to pay an in lieu fee, if it is demonstrated that the site is unsuitable for households at the required income levels. The project would not provide on-site affordable housing, but would be required to comply with the County's inclusionary housing ordinance (Chapter 21.03 of the San Benito County Code). The project would provide new housing in the county, and therefore contribute to the

[24] The 2014-2023 Housing Element was adopted on April 12, 2016.

2035 General Plan Policy	Consistency Discussion
	provision of a balance of housing types, locations, and price ranges. The project would not interfere with the County's efforts to promote affordable housing.
HOU-2A The County shall encourage and assist the construction of a variety of housing types with varying densities and prices, for both sales and rental that are affordable to all income groups, particularly very low income and special needs groups.	**Consistent.** Refer to Housing Element Policy 1A consistency discussions above.
HOU-2C The County shall assure that new housing efficiently uses land and causes minimum environmental impact.	**Consistent.** The project would provide housing at a density of 1.8 dwellings per gross acre. While the R1 zoning allows for densities up to 9 units per acre, it does not include a minimum density level. Furthermore the project has been designed to be compatible with the adjacent Ridgemark development, such that the project could be incorporated into that existing development, as appropriate. The project site is located approximately 0.7 mile south of the City of Hollister in the unincorporated county within an area where infrastructure and public services are available or can be extended to meet the needs of the proposed project The potential environmental impacts caused by the project have been addressed in this EIR and mitigated to the extent feasible.
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.	**Consistent.** Refer to Housing Element Policy 1A consistency discussions above. A design with a range of lot sizes, including higher density (smaller lot sizes) would result in a range of housing at lower prices than as proposed.
HOU-2M The County shall disperse lower, moderate and higher cost housing throughout the County, each planning area and each subdivision where feasible due to the availability of land and adequate service facilities.	**Consistent.** Refer to Housing Element Policy 1A and 2L consistency discussions above.
HOU-2R The County shall use land efficiently to encourage a diversity of housing types and to implement "smart" and sustainable development principles.	**Consistent.** Refer to Housing Element Policy 2C and 2L consistency discussions above. Refer also to Land Use Element Policy 2-1 consistency discussion above.
HOU-5A The County shall require energy-conserving construction, as required by State law.	**Consistent.** The proposed project would exceed adopted Title 24 energy requirements and thus would entail energy-conserving construction consistent with this policy. Refer also to Land Use Element Policy 2-1 consistency discussion above.
HOU-5B The County shall encourage innovative site designs and orientation techniques, which incorporate passive and active solar designs and natural cooling techniques.	**Consistent.** The project's building design and siting would take advantage of solar orientation and natural lighting. An optional solar voltaic package would be offered to homeowners/buyers. Homes would be designed with ample and large windows for natural lighting and the windows would be tented to keep the buildings cool. Refer also to Land Use Element Policy 2-1 consistency discussion above

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HOU-5E The County shall promote energy efficient land use planning by incorporating energy conservation as a major criterion for future decision making.	**Consistent.** Refer to Housing Element Policies 2C and 5A. Refer also to Land Use Element Policy 2-1 consistency discussion above
HOU-5G The County shall require solar access to be considered in environmental review and/or decision-making for all subdivisions.	**Consistent.** An optional solar voltaic package would be offered to homeowners/buyers. Refer also to Land Use Element Policy 2-1 consistency discussion above
Circulation Element	
C-1.2 Complete Streets To promote a road and street network that accommodates cars without requiring car-dependence, the County shall plan for use of roadways by all vehicle types and users, including automobiles, trucks, alternative energy vehicles, agricultural equipment, transit, bicyclists, and pedestrians, when constructing or modifying roadways. Additionally, the County shall plan its road and street network to reflect a context sensitive approach to the design of thoroughfare assemblies, where the allocation of right-of-way and the facilities provided are based on the intended character, whether urban or rural, of a particular location (urban context). Roads and streets within communities shall be designed to support and encourage walkability as a response to their context, whereas roads in open areas of the County shall be designed primarily for vehicular circulation. As such, thoroughfares that serve both open areas and communities in the County shall change as the surrounding urban context varies.	**Consistent.** The proposed circulation system for the project is designed to accommodate the residential development, and would include a pedestrian/bicycle path throughout the development that would enhance connectivity on-site as well as with adjacent and nearby uses. Given the residential nature of the project and its streets, features such as traffic calming and multi-modal connections would not be applicable to the project.
C-1.3 Roadway Improvement Aesthetics The County shall require roadway improvements such as roadway alignment and grading, landscaping, and/or other treatments, to reflect a context sensitive approach and be based on the intended character, whether urban or rural, of a particular location to be designed to conform to existing landforms and to include landscaping and/or other treatments to ensure that aesthetics are preserved, including the county's rural character.	**Consistent.** The portion of the project site that would be developed with the proposed residential uses and related improvements is relatively flat and proposed project roadways would naturally conform to the existing landform. The project would be required to include landscaping in common areas, including along the proposed streets. The proposed emergency vehicle access road would be built on an existing dirt road that follows the contour of the sloped portion of the property from Southside Road to the top of the bluff (southwest corner of the site).
C-1.5 Mitigating Transportation Impact 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.	**Consistent.** The project would be required to pay the applicable Regional Traffic Impact Mitigation Fee (TIMF) to San Benito County pursuant to Mitigation Measure T-1, consistent with this policy, as well as construct identified transportation improvements (as described more fully in Section 2.0, Project Description, and Section 4.13, Transportation and Circulation.
C-1.10 Street Network Plans The County shall require project applicants to prepare a street network plan for any subdivision proposal located near existing, approved, or proposed development (county or city). The plan shall illustrate how adjoining properties will inter-connect over the long-term and how	**Consistent.** The project's conceptual site plan illustrates project site roadways and proposed pedestrian/bicycle network and connectivity with existing nearby development, as well as project access from Ridgemark Drive and emergency vehicle access from Southside Road.

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the plan will improve pedestrian and bicycle connectivity. The plan shall include an interim access plan and a long-term plan that consolidates vehicular access onto arterials/collectors (via street network design, or some other method).	
C-1.11 Discourage Cul-de-Sacs The County shall encourage developers to minimize the use of cul-de-sac streets in new development. Cul-de-sac streets shall not exceed 800 feet in length and no portion of the cul-de-sac street shall be more than 400 feet from an intersecting street or public accessway unless physical constraints make it unfeasible.	**Consistent.** As shown in Figure 6 in Section 2.0, Project Description, the project site would include two cul-de-sacs, which would not exceed 800 feet in length or be more than 400 feet from the nearest intersecting street.
C-1.12 Level of Service (LOS) Standard The County shall endeavor to maintain a General Plan target goal of LOS D at all locations. If a transportation facility is already operating at an LOS D or E, the existing LOS should be maintained. Exceptions should be considered where achievement of these levels of service would cause unacceptable impacts to other modes of transportation, the environment, or private property.	**Consistent.** The Transportation Impact Study for the project, as summarized in Section 4.13, Transportation and Circulation, includes an analysis of the proposed project against the LOS D standard. The majority of study intersections would adhere to this LOS standard. However, one study intersection would exceed the applicable LOS standard under Existing plus Project Conditions; two study intersections would exceed the applicable LOS standard under Background plus Project Conditions; and three study intersections would exceed the applicable LOS standard under Cumulative plus Project Conditions. Mitigation Measure T-1 would require the applicant to pay the TIMF as fair-share contribution toward future projects including: widening of Union Road to four lanes between San Benito Street and SR 25, signalizing the intersection of SR 25/Enterprise Road, and signalizing the intersection of Fairview Road/Hillcrest Road which would mitigate the impact to a less than significant level.
C-1.14 Driveway Siting The County shall encourage driveways to be located on adjacent collector streets rather than on arterial streets.	**Consistent.** Residential driveways would be located on internal local roadways. No driveways would be located on arterial streets.
C-1.15 Street Networks that Enhance Neighborhood Character The County shall encourage traditional interconnected street networks that provide alternate routes between neighborhoods and other measures that slow neighborhood traffic and enhance neighborhood character, such as those associated with Complete Streets.	**Consistent.** Refer to Circulation Policy 1.2 consistency discussion. The project would be consistent with this policy.
C-1.16 Roads on Hillsides The County shall require that new public and private roads on hillsides minimize visual impact by blending with natural landforms and by following the natural contours of the land as much as possible and that driveway access in hillside areas be consolidated where possible and limited to areas where adequate sight distance is available for all approaches.	**Consistent.** The proposed emergency vehicle access road would be built on an existing dirt road that follows the contour of the sloped portion of the project site from Southside Road to the top of the bluff. All other roads would be constructed on non-hillside areas.
C-1.17 Grades on Hillsides The County shall require that new roads on hillsides do not exceed a 15 percent grade. The County may allow grades on hillsides of up to 20 percent for distances of up to 400	**Consistent.** The proposed emergency vehicle /restricted access road would be constructed on the sloped portion of the project site extending for approximately 617 feet southwest from the southern edge of the blufftop site to Southside Road. This access would be approximately 20

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feet. Grades over 15 percent must have all weather surfaces, such as asphalt or concrete.	feet wide and have a decline of approximately 16.7 percent. All other roads would be constructed on non-hillside areas
C-2.1 Bicycle, Pedestrian, and Equestrian Systems The County shall encourage complete, safe, and interconnected bicycle, pedestrian, and equestrian systems, as appropriate to the context, that serve both commuter travel and recreational use, and provide access to major destinations in the county.	**Consistent.** Refer to the Circulation Policy 1.2 consistency discussion. Equestrian systems would not be appropriate in this context, given the more urbanized nature of the project vicinity.
C-2.2 Pedestrian and Bike Path Construction The County shall plan, design, and construct pedestrian routes and bikeways consistent with the 2009 County Bikeway and Pedestrian Master Plan or its succeeding plan. Priority shall be given to bicycle commuting routes, routes to schools, bike lanes on all new streets classified as arterials or collectors, and bike lanes on or adjacent to existing heavily traveled roads.	**Consistent.** The proposed project would include a pedestrian/bicycle path throughout the development to facilitate connectivity and encourage alternative modes of transportation.
C-2.8 Sidewalks or Pedestrian Paths in Subdivisions The County shall encourage project applicants to provide sidewalks or pedestrian paths, or other safe and convenient accommodations for pedestrians (e.g., shared-space streets) on all new roads or modifications to existing roads, as appropriate to the context, in accordance with County road-way design standards.	**Consistent.** Refer to Circulation Element Policy 2.2 for consistency discussion.
C-2.11 Curb Ramps The County shall require developments to include curb ramps at new intersections, consistent with ADA requirements.	**Consistent.** Curb ramps would be constructed at new intersections within the project site consistent with ADA requirements.
C-3.9 Consistency with RTP The County shall require all new development proposals to be consistent with and implement the San Benito County Regional Transportation Plan transit policies.	**Consistency.** The most recent San Benito County Regional Transportation Plan (RTP) was adopted on June 19, 2014. The project is consistent with and helps to implement the RTP. For example, under the goal of Access and Mobility, the RTP has the policy objective of providing "convenient, accessible, and reliable travel options while maximizing productivity for all people and goods in the region." The project would provide internal circulation for vehicles and pedestrians, and would be required to provide applicable funding for transit 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.	**Consistent.** Refer to Land Use Element Policy 1.1 consistency discussion. The project site is located approximately 0.7 mile south of the City of Hollister in the county within an area where infrastructure and public services are available or can be logically extended to meet the needs of the proposed project. Further, as described in Section 4.12, Public Services and Recreation, Section 4.13, Transportation and Circulation, and Section 4.15, Utilities and Service Systems, adequate public services and facilities would be available to the project.

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PFS-1.2 Facilities and Services Deficiencies The County shall coordinate with other public facility and service providers, such as CAL FIRE and water districts, to identify and find solutions to key infrastructure deficiencies in the county.	**Consistent.** Refer to Public Facilities and Services Element Policy 1.1 consistency discussion.
PFS-1.4 Level of Service The County shall preserve, improve, and replace public facilities as necessary to maintain adequate levels of service for existing and future development. Where public facilities and services are provided by other agencies, the County shall encourage similar service level goals.	**Consistent.** Refer to Land Use Element Policy 1.1 and Public Facilities and Services Policy 1.1 consistency discussions.
PFS-1.9 Development Review The County shall evaluate facility capacity, levels of service, and/or funding needs during the development review process to ensure adequate levels of service and facilities are provided and maintained.	**Consistent.** Refer to Land Use Element Policy 1.1 and Public Facilities and Services Policy 1.1 consistency discussions. Sections 4.12, Public Services and Recreation, 4.13, Transportation and Circulation, and 4.15, Utilities and Service Systems, include a review of facility capacity, levels of service, and/or funding needs for provision of public services and facilities to the site, and demonstrate that adequate levels of service would be provided and maintained.
PFS-1.10 Maximize Use of Existing Facilities The County shall require new development projects to be designed and sited to use existing facilities and services to the extent practical and to the extent that such a design and site choice would be consistent with good design principles.	**Consistent.** The project has been designed and sited to use existing facilities and services where practical. For example, water service would be provided by SSCWD and wastewater would be treated at the SSCWD's Sequential Batch Reactor Wastewater Treatment Plant, an existing facility.
PFS-1.11 Pay Fair Share The County shall require new development to pay its fair share of public facility and service costs.	**Consistent.** As discussed in Sections 4.12, Public Services and Recreation, and 4.13, Transportation and Circulation, the proposed project would be required to pay applicable public facility and service fees. Refer also to Public Facilities and Services Policy 1.2 consistency discussion.
PFS-1.12 New Development Requirements The County shall require new development, in compliance with local, State, and federal law, to mitigate project impacts associated with public facilities and services, including, but not limited to, fire, law enforcement, water, wastewater, schools, infrastructure, roads, and pedestrian and bicycle facilities through the use of annexation fees, connection fees, facility construction/expansion requirements, or other appropriate methods.	**Consistent.** Refer to Land Use Element Policy 1.3 consistency discussion. As noted therein, impacts to police protection, fire protection and ambulance services, schools, parks and recreational facilities, and library services and facilities would be less than significant and the project applicant would be required to pay applicable development impact fees. In addition, as described in Section 4.13, Transportation and Circulation, and 4.15, Utilities and Service Systems, proposed on-site water, wastewater, and circulation infrastructure would be adequate to serve the proposed project, and adequate wastewater capacity exists at the SSCWD Sequential Batch Reactor Wastewater Treatment Plant to serve the project. Similarly, adequate landfill capacity is available to serve the project.
PFS-1.13 Service Agency Notification The County shall notify the appropriate agencies (e.g., cities, special districts, school districts, emergency service providers) of new development applications within their service areas early in review process to allow sufficient time to assess impacts on facilities and services.	**Consistent.** Service agencies have been contacted during preparation of this EIR, and have been notified of the availability of the Draft EIR public review period. Therefore, the project would be consistent with this policy.

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PFS-3.1 Water District Support The County shall support efforts of the San Benito County Water District to ensure that adequate high-quality water supplies are available to support current residents and businesses and future development projects.	**Consistent.** Water service to the site would be provided by the SSCWD. As described in Section 4.15, Utilities and Service Systems, sufficient water supplies would be available to serve the proposed project. This conclusion is based, in part, on the Hollister Urban Area's 2015 Urban Water Management Plan (SBCWD, et al. 2016). Further detail is provided in Impact UTIL-1 in Section 4.15, Utilities and Service Systems.
PFS-3.9 Sufficient Water Supply for New Development The County shall require new development to prepare a source water sufficiency study and water supply analysis for use in preparing, where required, a Water Supply Assessment per SB 610 and a Source Water Assessment per Title 22. This shall include studying the effect of new development on the water supply of existing users. The County encourages the development of integrated regional water management plans or similar plans.	**Consistent.** Refer to Public Facilities and Services Element Policy 3.1 consistency discussion. A formal Water Supply Assessment per SB 610 is not required for this project, even the project's overall size and unit count. However, water supply needs are evaluated in Section 4.15, Utilities and Service Systems.
PFS-4.1 Adequate Water Treatment and Delivery Facilities The County shall ensure, through the development review process, 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. Such needs shall include capacities necessary to comply with water quality and public safety requirements.	**Consistent.** Water service to the site would be provided by SSCWD. As described in Section 4.15, Utilities and Service Systems, sufficient water supplies would be available to serve the proposed project. In addition, SSCWD facilities are adequate to serve the project.
PFS-4.2 Water Facility Infrastructure Fees As a condition of approval for discretionary developments, the County shall not issue approval for a final map until verification of adequate water and wastewater services has been provided, which may include verification of payment of fees imposed for water and wastewater infrastructure capacity per the fee payment schedule from the water and wastewater provider.	**Consistent.** County approval for the proposed project's final map would not occur until verification of water and wastewater services has been provided, as required by the County, with this requirement being imposed as a conditioned of approval of the vesting tentative map. The availability of both water and wastewater services has also been analyzed in Section 4.15, Utilities and Service Systems. As noted therein, adequate water and wastewater capacity is available to serve the project.
PFS-4.7 Consistent Fire Protection Standards for New Development The County, in coordination with public and private water purveyors and fire protection agencies, shall ensure consistent and adequate standards for fire flows and fire protection for new development, with the protection of human life and property as the primary objectives.	**Consistent.** As part of the project's design, all road widths and circulation, as well as the placement of fire hydrants, fire flow considerations, and installation of automatic sprinkler systems, would be designed with the guidance of, and pursuant to the relevant standards of the San Benito County Fire District. In addition, as discussed in Section 4.12, Public Services and Recreation, the project would result in less than significant impacts to fire protection services.
PFS-5.3 Adequate Water Treatment and Disposal The County shall ensure through the development review process that wastewater collection, treatment, and disposal facilities are sufficient to serve existing and new development, and are able to be expanded to meet capacity demands when needed.	**Consistent.** As discussed in Section 4.15, Utilities and Service Systems, wastewater would be processed at the SSCWD Sequential Batch Reactor Wastewater Treatment Plant, which has sufficient capacity to serve the site.
PFS-5.4 Developer Requirements The County shall require that new development meet all County requirements for adequate wastewater collection,	**Consistent.** Refer to Public Facilities and Services Element Policy 4.2 and 5.3 consistency discussion. Adequate wastewater collection, treatment, and disposal capacity is available to serve the project, and County approval for the

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treatment, and disposal prior to project approval.	proposed project's final map would not occur until verification of wastewater services has been provided.
PFS-6.1 Adequate Stormwater Facilities The County shall require that stormwater drainage facilities are properly designed, sited, constructed, and maintained to efficiently capture and dispose of runoff and minimize impacts to water quality.	**Consistent.** The proposed project would include a retention basin and related storm drainage facilities, which would be sized in accordance with applicable requirements and standards to store the 100-year post-development storm and release (at most) only a 10-year storm at pre-development levels.
PFS-6.2 Best Management Practices The County shall require best management practices in the development, upgrading, and maintenance of stormwater facilities and services to reduce pollutants from entering natural water bodies while allowing stormwater reuse and groundwater recharge.	**Consistent.** As discussed in Section 4.9, Hydrology and Water Quality, construction activity on project sites that disturb one or more acres of soil (such as the proposed project) are required to comply with the NPDES program through preparation of a SWPPP, which outlines Best Management Practices that would address post-construction runoff.
PFS-6.3 Natural Drainage Systems The County shall encourage the use of natural stormwater drainage systems (e.g. swales, streams) to preserve and enhance the environment and facilitate groundwater recharge.	**Consistent.** Refer to Public Facilities and Services Element Policy 6.1 consistency discussion.
PFS-6.4 Development Requirements The County shall require project designs that minimize stormwater drainage concentrations and impervious surfaces, complement groundwater recharge, avoid floodplain areas, and use natural watercourses in ways that maintain natural watershed functions and provide wildlife habitat.	**Consistent.** Refer to Public Facilities and Services Element Policy 6.1 consistency discussion.
PFS-6.5 Stormwater Detention Facilities Where necessary, the County shall require on-site detention/retention facilities and/or velocity reducers to maintain pre-development runoff flows and velocities in natural drainage systems.	**Consistent.** As discussed in Section 4.9, Hydrology and Water Quality, the proposed retention basin and related storm drainage faculties would be designed to store and attenuate runoff from impervious surfaces and rooftops and would be sized in accordance with applicable standards and requirements to store the 100-year post-development storm and release (at most) only a 10-year storm at pre-development levels.
PFS-6.6 Stormwater Detention Basin Design The County shall require stormwater detention basins be designed to ensure public safety, be visually unobtrusive, provide temporary or permanent wildlife habitat, and where feasible, provide recreation opportunities.	**Consistent.** The project would include an on-site retention basin. The basin would be located in the northwestern portion of the blufftop site. The retention basin would not be visible from Southside Road, and would be incorporated into the park landscaping, as shown in Figure 8. The proposed basin would therefore be visually unobtrusive and provide habitat, consistent with this policy.
PFS-6.7 Runoff Water Quality The County shall require all drainage systems in new development and redevelopment to comply with applicable State and federal non-point source pollutant discharge requirements.	**Consistent.** Refer to Public Facilities and Services Element Policy 6.5 consistency discussion.
PFS-6.8 Reduce Erosion and Sedimentation The County shall ensure that drainage systems are designed and maintained to minimize soil erosion and sedimentation and maintain natural watershed functions.	**Consistent.** As described in Impact HWQ-1 in Section 4.9, Hydrology and Water Quality, erosion and sedimentation from construction activities would be minimized through application of required Best Management Practices and compliance with Chapter 19.17 of the San Benito County

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	Code. Pursuant to compliance with these existing requirements, impacts would be less than significant.
PFS-7.1 Adequate Capacity The County shall ensure that there is adequate capacity within the solid waste system for the collection, transportation, processing, recycling, and disposal of solid waste to meet the needs of existing and projected development.	**Consistent.** Solid waste from the project site would be disposed at the John Smith Road Landfill, a Class III landfill with a maximum permitted throughput of 1,000 tons per day and an average daily disposal rate of 675 tons per day. As described in Section 4.15, Utilities and Service Systems, the landfill would have adequate capacity to receive solid waste from the proposed project.
PFS-7.6 Construction Materials Recycling The County shall encourage recycling and reuse of construction waste, including recycling materials generated by the demolition of buildings, with the objective of diverting 50 percent to a certified recycling processor. The County shall encourage salvaged and recycled materials for use in new construction.	**Consistent.** The analysis of solid waste impacts in Section 4.15, Utilities and Service Systems, assumes that the project would have an approximately 51 percent reduction in solid waste generation for most on-site uses, consistent with the latest reported San Benito County diversion rate.
PFS-8.5 Undergrounding of Utility Lines The County shall require utility lines in subdivisions to be placed underground. During roadway construction or as other opportunities are presented, the County shall encourage utility providers to underground existing utility lines.	**Consistent.** All new on-site utility lines would be placed underground.
PFS-9.7 Subdivision Improvement Requirements The County shall require new residential and commercial development projects to include the facility components necessary to support modern telecommunication technologies, such as conduit space within joint utility trenches.	**Consistent.** Telecommunications services would be provided by AT&T and Charter Communications. These utilities currently serve the existing area and would be extended to the project site via joint trench.
PFS-10.3 New School Location The County shall encourage school districts to site new schools in locations that are consistent with current and future land uses. The County shall also encourage the siting of new schools near residential areas with safe access for students to walk or bicycle to and from their homes.	**Consistent.** The proposed project would generate an estimated total of 51 elementary, middle, and high school students (refer to Impact PS-3 in Section 4.12, Public Services and Recreation). The estimated 51 students could be accommodated at existing school facilities. Furthermore, the project would be required to pay applicable SB 50 fees, which could be used to facilitate the siting and construction of new school(s) as may be determined in the future to be appropriate by the school district.
PFS-10.5 School Impact Fees The County shall support the efforts of school districts to obtain necessary funding, including school impact fees.	**Consistent.** The project developer would be required to pay the applicable SB 50 school impact fee.
PFS-12.2 Sheriff Department Response Time Standards The County shall strive to achieve and maintain appropriate Sheriff Department response times for all call priority levels to provide adequate law enforcement services for all County residents.	**Consistent.** The San Benito County Sheriff's Department provides police service for the project site. As described in Section 4.12, Public Services and Recreation, the proposed project would generate approximately 290 residents. The County Sherriff Department staff has indicated that implementation of the proposed project would not require additional police facilities, given the relatively small size of the project and as service levels could be maintained via more staffing or other operational changes that would not trigger the need for new or expanded facilities and therefore would not physically impact the environment. The required payment of public facility fees

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	would provide additional funding that would help maintain the existing service level with the increase in service population.
PFS-12.4 Fair Share The County shall require new development to pay its fair share of the costs for providing law enforcement service facilities and equipment to new residents.	**Consistent.** Refer to Public Facilities and Services Element Policy 12.2 consistency discussion.
PFS-13.1 Fire Staffing and Response Time Standards The County shall strive to maintain fire department staffing levels and response times consistent with National Fire Protection Association standards.	**Consistent.** As described in Section 4.12, Public Services and Recreation, based on the project's estimated population of 290 new residents, the current response times, and the distance between the project site and existing fire stations, the proposed project would not trigger the need to construct a new fire station or to expand existing fire stations in order to maintain acceptable performance standards or levels of service.
PFS-13.5 Water Service Standards The County shall require all development within unincorporated communities to have adequate water supply, pressure, and capacity for fire protection.	**Consistent.** Refer to Public Facilities and Services Element Policy 4.7 consistency discussion. As described previously, adequate water supply is available to serve the project. In addition, the Project's water system would be designed to maintain minimum fire flow standards.
PFS-13.6 Visible Signage The County shall require that all roads and buildings are properly identified by name or number with clearly visible signs in order to promote faster response times.	**Consistent.** The proposed project would be required to include clearly marked address numbers on each residence.
PFS-13.7 Fire Facility Fees The County shall require new development to pay its fair share of fees for new fire station facilities, equipment, and staffing necessary to maintain the County's service standards in that area. New development may also be required to create or join a special assessment district or other funding mechanism, to pay the costs associated with the operation of a fire station.	**Consistent.** The project would be required to pay the applicable development impact fee, which would be used to pay for capital expenditures and equipment.
PFS-13.9 Fire Safety Compliance The County shall ensure that all proposed developments are reviewed for compliance with the California Fire Code and other applicable State laws.	**Consistent.** As part of final project approval, the County would review the application for the project's compliance with applicable codes and laws per the intent of this policy.
Natural and Cultural Resources	
NCR-1.1 Maintenance of Open Space The County shall support and encourage the maintenance of open space lands that support natural resources, agricultural resources, recreation, tribal resources, wildlife habitat, water management, scenic quality, and other beneficial uses.	**Consistent.** Although the project is located on an approximately 49.6-acre site that is currently comprised of agricultural open space, the proposed project would only develop approximately 37.1 acres within the blufftop site as well as the approximately 0.3-acre adjacent area that would house the proposed emergency vehicle access road. The remaining 12.1-acres of the blufftop site are comprised of steep slopes that would remain as open space. This open space area would support natural resources, wildlife habitat, scenic quality, and other benefits. See also discussion in Section 4.4, Biological Resources.
NCR-2.2 Habitat Protection The County shall require major subdivisions within potential habitat of federal- or State-listed rare,	**Consistent.** As discussed in Section 4.4, Biological Resources, all impacts to sensitive habitat and special status species would be mitigated to a less than significant

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threatened, or endangered plant or animal species to mitigate the effects of development. Mitigation for impacts to species may be accomplished on land preserved for open space, agricultural, or natural resource protection purposes.	level.
NCR-2.4 Maintain Corridors for Habitat The County shall protect and enhance wildlife migration and movement corridors to ensure the health and long-term survival of local animal and plant populations, in particular contiguous habitat areas, in order to increase habitat value and lower land management costs. As part of this effort, the County shall require road and development sites in rural areas to: a. Be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas; and b. Incorporate measures to maintain the long-term health of the plant and animal communities in the area, such as buffers, consolidation of/or rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors.	**Consistent.** As noted in Section 4.4, Biological Resources, no Essential Habitat Connectivity Areas or Linkages are mapped within the project site or project vicinity. With respect to other biological resources, any significant impacts have been identified and would be adequately mitigated to ensure less than significant impacts.
NCR-2.5 Mitigation for Wetland Disturbance or Removal The County shall encourage the protection of the habitat value and biological functions of oak woodlands, native grasslands, riparian and aquatic resources, and vernal pools and wetlands. The County shall further require mitigation for any development proposals that have the potential to reduce these habitats. Recreational trails and other features established within natural wetlands and aquatic and riparian buffer areas shall be, as long as such areas are not required to meet the Americans with Disabilities Act, located along the outside of the sensitive habitat whenever possible to minimize intrusions and maintain integrity of the habitat. Exceptions to this action include irrigation pumps, roads and bridges, levees, docks, public boat ramps, and similar uses. In all cases where intrusions into these buffers are made, only the minimum amount of vegetation necessary to construct the feature shall be removed.	**Consistent.** As noted in Section 4.4, Biological Resource, the project site does not contain oak woodlands, native grasslands, riparian resources, aquatic resources, vernal pools or wetlands. With respect to other biological resources, any significant impacts have been identified and would be adequately mitigated to ensure less than significant impacts
NCR-2.8. Pre-Development Biological Resource Assessment The County shall require the preparation of biological resource assessments for new development proposals as appropriate. The assessment shall include the following: a biological resource inventory based on a reconnaissance-level site survey, and an analysis of anticipated project impacts to: potentially occurring special-status species (which may require focused special-status plant and/or animal surveys); an analysis of sensitive natural communities; wildlife movement corridors and nursery sites on or adjacent to the project site; potentially jurisdictional wetlands/waterways; and locally protected biological resources such as trees. The assessment shall contain suggested avoidance, minimization, and/or mitigation measures for significant impacts to biological	**Consistent.** Section 4.4, Biological Resources, includes the biological resource assessment prepared for the proposed project, including suggested avoidance, minimization, and/or mitigation measures, consistent with this policy.

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resources.	
NCR-2.9. Mitigation Funding and Site Protection The County shall require that project applicants demonstrate that adequate funding can be provided to implement all required biological mitigation and monitoring activities. Habitat preserved as part of any mitigation and monitoring plan shall be preserved through a conservation easement, deed restriction, and other method to ensure that habitat remains protected.	**Consistent.** County approval of the proposed project's final map would not occur until verification of adequate funding for biological mitigation and monitoring activities is provided by the project applicant.
NCR-2.10. Invasive Species The County shall require that new developments avoid the introduction or spread of invasive plant species during construction by minimizing surface disturbance, seeding and mulching disturbed areas with certified weed-free native mixes, and using native or noninvasive species in erosion control plantings.	**Consistent.** The proposed project would use only native species in erosion control to the extent feasible, and would not include any invasive species.
NCR-3.1 Comprehensive Park System The County shall continue to acquire, develop, operate, and maintain a comprehensive system of parkland and recreational facilities that include active and passive recreation for a wide range of users.	**Consistent.** As discussed in Impact PS-5 in Section 4.12, Public Services and Recreation, the proposed project includes the establishment of approximately 3.2 acres of private parkland, which would be available to project residents and guests and would thereby help minimize project impacts on other county parks and recreational facilities. Additionally the project applicant would be required to pay an in-lieu fee equivalent to 1.45 acres of parkland.
NCR-3.2 Park Ratio Standard The County shall encourage and support the development of recreational facilities to serve unincorporated communities at a ratio of five acres of recreation area per 1,000 persons.	**Consistent.** Refer to Natural and Cultural Resources Element Policy 3.1 consistency discussion.
NCR-3.7 On-Site Recreation The County shall require new major subdivisions to include on-site recreation facilities, with design and features appropriate to the size, type, and setting of each subdivision and with financing for long-term maintenance.	**Consistent.** Refer to Natural and Cultural Resources Element Policy 3.1 consistency discussion.
NCR-3.9 Evaluation of New Development The County shall require an evaluation of new development within existing communities to include an analysis of the individual and cumulative effect of the development on the recreational needs of the community and county.	**Consistent.** The evaluation of the project's individual and cumulative effect on parks and recreation facilities is provided in Section 4.12, Public Services and Recreation. As noted therein, the project would provide approximately 3.2 acres of private parkland to serve the residents and guests of the proposed project and would pay an in-lieu fee equivalent to 1.45 acres of parkland to the County.
NCR-4.1 Mitigation for Wetland Disturbance or Removal The County shall consider implementing Regional Water Quality Control Board Basin Plan policies to improve areas of low water quality, maintain water quality on all drainage, and protect and enhance habitat for fish and other wildlife on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and the Silver Creek watershed.	**Consistent.** As described in Section 4.9, Hydrology and Water Quality, the project would include a new retention basin and related storm drainage facilities (which have water quality as well as drainage features), which would serve to ensure that the project does not significantly impair local water quality consistent with the Basin Plan. The project site is not located near the San Benito River, Pacheco Creek, or Silver Creek.

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NCR-4.4 Open Space Conservation The County shall encourage conservation and, where feasible, creation or restoration of open space areas that serve to protect water quality such as riparian corridors, buffer zones, wetlands, undeveloped open space areas, and drainage canals.	**Consistent.** The project site comprises approximately 49.6 acres that are currently comprised of agricultural open space. However, the project would only develop approximately 37.1 acres within the blufftop site as well as the approximately 0.3-acre adjacent area that would house the proposed emergency vehicle access road. The remaining approximately 12.1 acres of the blufftop site are comprised of steep slopes that would remain as open space. This open space area would support natural resources, wildlife habitat, scenic quality, and other benefits.
NCR-4.5 Groundwater Recharge The County shall encourage new development to preserve, where feasible, areas that provide important groundwater recharge and stormwater management benefits such as undeveloped open spaces, natural habitat, riparian corridors, wetlands, and natural drainage areas.	**Consistent.** As described in Section 4.9, Hydrology and Water Quality, the proposed project would not significantly deplete groundwater, and stormwater runoff from the site would be captured in a retention basin, which would allow for some groundwater recharge. Therefore, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table level.
NCR-4.6 Groundwater Studies for New Development To ensure an adequate water supply, large-scale development projects that meet the criteria in California Water Code section 10912 shall prepare an analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project in accordance with SB 610.	**Consistent.** Refer to Public Facilities and Services Element Policy 3.9 consistency discussion. A Water Supply Assessment is not required for this project because of its size. However, water supply was evaluated in Section 4.15, Utilities and Service Systems. The evaluation demonstrates that water is available to serve the project.
NCR-4.7 Best Management Practices The County shall encourage new development to avoid significant water quality impacts and protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, and best management practices (BMPs).	**Consistent.** Refer to Public Facilities and Services Element Policy 6.1 and 6.2 consistency discussions.
NCR-4.10 Water Efficient Landscape Ordinance The County shall develop, maintain, and implement a Water Efficient Landscape Ordinance, consistent with the Model Water Efficient Landscape Ordinance prepared by the California Department of Water Resources, to require greater use of regionally native drought-tolerant vegetation, limitations on the amount of turf in residential development, and other measures as appropriate.	**Consistent.** Mitigation Measure AES-1(b) in Section 4.1, Aesthetics, requires that landscaping consist of drought-tolerant native species and other appropriate non-invasive species. Furthermore, the project would be required to adhere to the County's Landscape Ordinance and would otherwise be required to incorporate water conservation measures pursuant to applicable standards.
NCR-4.11. Reclaimed Water The County shall require, where feasible, the use of reclaimed water irrigation systems in new development wherever possible.	**Consistent.** SSCWD has no plans to provide recycled water for irrigation in the next five years. In the past, SSCWD had planned to provide recycled water for Ridgemark Golf Course but this would require additional upgrades to its WWTP (San Benito County 2016c).
NCR-4.12 Rainwater Catchment The County shall encourage homeowners to install roof catchment systems and use rainwater for non-potable uses in order to reduce the need for groundwater.	**Consistent.** Although not proposed as part of the project, future homeowners would be free to install roof catchment systems, consistent with this policy.

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NCR-4.16 Develop in Existing Areas The County shall encourage development to occur in or near existing developed areas in order to reduce the use of individual septic systems in favor of domestic wastewater treatment in an effort to protect groundwater quality.	**Consistent.** The project site is located adjacent to existing residential development (located immediately north and east of the site), and wastewater generated from the project would be collected and conveyed via a sanitary sewer force main to the SSCWD Sequential Batch Reactor Wastewater Treatment Plant for processing.
NCR-6.1 Local Renewable Energy The County shall strive to increase the supply of locally-produced, renewable energy (e.g., solar, wind, geothermal, and biomass) in order to promote energy independence and efficiency.	**Consistent.** Building design and siting would take advantage of solar orientation and natural lighting to the extent feasible. An optional solar voltaic package would be offered to homeowners/buyers. Homes would be designed with ample and large windows for natural lighting and the windows would be tinted to keep the buildings cool, and would otherwise be designed to incorporate various measures to conserve energy, water and other resources.
NCR-8.1 Protect Scenic Corridors The County shall endeavor to protect the visual characteristics of certain transportation corridors that are officially designated as having unique or outstanding scenic qualities.	**Consistent.** The project would be directly visible from Southside Road and Ridgemark Drive, neither of which is designated by the County as a scenic corridor. Although the project would result in significant but mitigable impacts on scenic viewsheds from these roadways (refer to Impact AES-1 in Section 4.1, Aesthetics), because these roadways are not officially designated as having unique or outstanding scenic qualities, the project would be potentially consistent with this policy. See also discussion in Section 4.1, Aesthetics.
NCR-8.4 Review Architectural Massing The County shall review development proposals to ensure that the obstruction of views is minimized through architectural building massing and location that is compatible with scenic areas.	**Consistent.** Refer to the Natural and Cultural Resources Policy 8.1 consistency discussion. As described in Section 4.1, Aesthetics, impacts to scenic vistas would be less than significant with mitigation. Mitigation Measures AES-1(a) and AES-1(b) would help ensure development of a thoughtful, cohesive, and well-designed community, and would minimize, to the extent feasible, the obstruction of views.
NCR-8.5 Review Site Planning The County shall review development proposals to ensure a reasonable and attractive appearance from the highway concurrent with a harmonious relationship with the existing landscape and shall require development that determined not to be in harmonious relationship with the existing landscape to be screened from view through planting or other forms of visual buffers.	**Consistent.** The project would not be visible from a highway. SR 25 is the nearest highway to the project site. However, as described in Section 4.1, Aesthetics, the project site is not within the SR 25 viewshed. See also discussion in Section 4.1, Aesthetics.
NCR-8.6 Regulate Building Height and Setback The County shall regulate building height and setbacks to protect the field of vision within an officially designated Scenic Corridor. The County shall approve neither building heights that exceed, nor setback requirements that are less, than those of the basic zoning district unless such variance has had the appropriate review and public comment.	**Consistent.** Height and setback requirements for the project would be consistent with the proposed R1 zoning for the site. The project is not located near an officially designated Scenic Corridor. Thus, project building heights and setback requirements would not obstruct views from a Scenic Corridor.
NCR-8.9 Hillside and Ridgeline Protection The County shall use design review for development on hillsides and within Scenic Corridors to protect the hillsides and ridgelines that are a unique scenic resource in	**Consistent.** The proposed project does not propose residential or related improvements on hillsides with 30 percent or greater slopes. The project has been designed to be constructed on the flatter portion of the site; the western and southern approximately 12.1 acres of the

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the county. The County shall prohibit development within 100 vertical feet of any ridgeline unless there are no site development alternatives.	blufftop site are undevelopable due to steep slopes and required setbacks from the slopes. Due to the setback, residences would not be located on a ridgeline.
NCR-9.1. Light Pollution Reduction The County shall continue to enforce the development lighting ordinance (SBC Code Chapter 19.13) and restrict outdoor lighting and glare from development projects in order to ensure good lighting practices, minimize nighttime light impacts, and preserve quality views of the night sky. The ordinance shall continue to recognize lighting zones and contain standards to avoid light trespass, particularly from developed uses, to sensitive uses, such as the areas surrounding Fremont Peak State Park and Pinnacles National Park.	**Consistent.** The project would adhere to the County's "Dark Skies" Ordinance, which requires outdoor lighting systems and practices be designed to reduce light pollution and glare, and to protect the nighttime visual environment by regulating outdoor lighting.
Health and Safety Element	
HS-1.11 Road Capacity The County shall require roads to be of adequate capacity for use in times of emergency.	**Consistent.** The proposed facilities would be accessed mainly from Ridgemark Drive. All new roadways would be required to comply with County and Fire District standards. A 20-foot wide emergency vehicle access road would also be constructed on the south side of the project connecting to Southside Road.
HS-1.14 Development Restrictions in High Risk Areas The County shall discourage development in areas that may be more severely impacted by climate change, including areas at high risk of wildfire or flooding, unless proper design mitigation is included in the proposed project.	**Consistent.** As described in Section 4.8, Hazards/Hazardous Materials, the project site is not located in a fire hazard severity zone, and is not in an area that would otherwise be more severely impacted by climate change. Further, access to the site is readily available from Ridgemark Drive and an emergency vehicle access road would connect the site to Southside Road. As described in Section 4.9, Hydrology and Water Quality, the project site is not within a 100-year flood zone. While climate change could potentially affect flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events), and increase the risk of wildfire hazards (refer to Section 4.7, Greenhouse Gas Emissions/Climate Change), these hazards would not be expected to increase to the extent that the project site would be significantly impacted.
HS-2.1 Minimum Flood Protection The County shall require a minimum 100-year flood protection for all new development in accordance with local, State, and federal requirements to avoid or minimize the risk of flood damage.	**Consistent.** As described in Section 4.9, Hydrology and Water Quality, the project site is not within a 100-year flood zone.
HS-2.3 Floodwater Diversion The County shall require new flood control projects or developments within areas subject to 100-year floods to be constructed in a manner that will not cause floodwaters to be diverted onto adjacent property or increase flood hazards to property downstream.	**Consistent.** As described in Section 4.9, Hydrology and Water Quality, the project site is not within a 100-year flood zone.
HS-3.2 Subsidence or Liquefaction The County shall require that all proposed structures, utilities, or public facilities within recognized near-surface subsidence or liquefaction areas be located and constructed in a manner that minimizes or eliminates	**Consistent.** As described in Section 4.6, Geology and Soils, due to the depth of groundwater on the project site, the potential for seismic-related ground failure from liquefaction of underlying soils or lateral spreading is low. In addition, no documented areas of subsidence have

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potential damage.	been identified on the project site or in San Benito County generally and the project would not include groundwater withdrawal or other activities that could result in subsidence. Furthermore, the project would be required to be built consistent with all geotechnical recommendations.
HS-3.6 Unstable Soils The County shall require and enforce all standards contained in the current California Building Code related to construction on unstable soils, and shall make a determination as to site suitability of all development projects during the building permit review process. The County shall not approve proposed development sited within areas of known or suspected instability until detailed area studies are completed that evaluate the extent and degree of instability and its impact on the overall development of the area.	**Consistent.** The project would be required to meet then current California Building Code requirements, and all geologic hazards on the site have been identified and mitigated in Section 4.6, Geology and Soils.
HS-3.7 Setback from Fault Traces The County shall require setback distances from fault traces to be determined by individual site specific surface rupture investigations.	**Consistent.** The site is not located in an Alquist-Priolo fault zone. The Alquist-Priolo Fault Zone for the Calaveras Fault and trace fault lies approximately 0.25 mile southwest of the project site where the 90 residences would be constructed. Due to this distance, the proposed development would not be located on or immediately near a fault trace.
HS-3.8 Liquefaction Studies The County shall require proposals for development in areas with high liquefaction potential to include detailed site specific liquefaction studies.	**Consistent.** Liquefaction was analyzed as part of the site-specific geotechnical investigation, and the potential for liquefaction was found to be low.
HS-4.2 Fire Protection Water Standard The County shall develop, maintain, and implement an appropriate fire protection water standard to be applied to all urban and rural development.	**Consistent.** Refer to Public Facilities and Services Element Policy 4.7 consistency discussion. As described previously, adequate water is available to serve the project. In addition, the project's water system would be designed to maintain minimum fire flow standards.
HS-4.4 Development in Fire Hazard Zones The County shall require development in high fire-hazard areas to be designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards.	**Consistent.** As described in Section 4.8, Hazards/Hazardous Materials, the project site is not located in a fire hazard severity zone.
HS-5.1 New Development The County shall use the CEQA process to ensure development projects incorporate feasible mitigation measures to reduce construction and operational air quality emissions, and consult with the Monterey Bay Unified Air Pollution Control District early in the development review process.	**Consistent.** Impacts to air quality are addressed in Section 4.3, Air Quality. As noted therein, both construction-related and operational emissions would not exceed applicable MBARD standards.
HS-5.2 Sensitive Land Use Locations The County shall ensure adequate distances between sensitive land uses and facilities or operations that may produce toxic or hazardous air pollutants or substantial odors.	**Consistent.** As described in Section 4.3, Air Quality, the project would not expose sensitive receptors to substantial amounts of dust, toxic air contaminants, or naturally occurring asbestos. In addition, the proposed project would not create objectionable odors that would affect neighboring properties and would not involve any operations that would produce TACs or HAPs or substantial odors.

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HS-5.4 PM_{10} Emissions from Construction The County shall require developers to reduce particulate matter emissions from construction (e.g., grading, excavation, and demolition) consistent with standards established by the Monterey Bay Unified Air Pollution Control District.	**Consistent.** As described in Section 4.3, Air Quality, short-term emissions of PM_{10} during the construction period would not exceed MBARD thresholds. Furthermore, the project would be required to adhere to Basic Construction Measures to further reduce construction-related emissions.
HS-5.6 New Construction Mitigation The County shall work in coordination with the Monterey Bay Unified Air Pollution Control District to minimize air emissions from construction activities associated with proposed development.	**Consistent.** Although construction emissions from the project would not exceed MBARD thresholds, the MBARD recommends the use of Best Management Practices for the control of short-term construction generated emissions, which the project would be required to incorporate.
HS-8.1 Project Design The County shall require new development to comply with the noise standards shown in Tables 9-1 and 9-2 through proper site and building design, such as building orientation, setbacks, barriers (e.g., earthen berms), and building construction practices. The County shall only consider the use of sound walls after all design-related noise mitigation measures have been evaluated or integrated into the proposed project or found infeasible.	**Consistent.** As described in Section 4.11, Noise, occupants of future on-site and existing off-site residential units would not experience noise level increases exceeding applicable thresholds as a result of project-generated traffic on Ridgemark Drive.
HS-8.2 Acoustical Analysis The County shall require an acoustical analysis to be performed prior to development approval where proposed land uses may produce or be exposed to noise levels exceeding the "normally acceptable" criteria (e.g. "conditionally acceptable", "normally unacceptable") shown in Table 9-2. Land uses should be prohibited from locating, or required to mitigate, in areas with a noise environment within the "unacceptable" range.	**Consistent.** Refer to Health and Safety Element Policy 8.1 consistency analysis, above, and Section 4.11, Noise. Vehicle traffic generated by the project would not result in potentially significant noise impacts, and noise from adjacent agricultural uses would result in a less than significant noise impact to proposed residential uses. The project itself is not considered a stationary use, and would not generate stationary noise above applicable standards.
HS-8.3 Construction Noise The County shall control the operation of construction equipment at specific sound intensities and frequencies during day time hours between 7:00 am and 6:00 pm on weekdays and 8:00 am and 5:00 pm on Saturdays. No construction shall be allowed on Sundays or federal holidays.	**Consistent.** Operation of construction equipment would be limited to weekday and weekend allowable work hours consistent with County regulations, and this policy.
HS-8.7 Acceptable Vibration Levels The County shall require construction projects anticipated to generate a significant amount of vibration to ensure acceptable inferior vibration levels at nearby noise-sensitive uses based on FTA criteria.	**Consistent.** The project is not anticipated to generate a significant amount of vibration, either during construction or operation.
HS-8.9 Interior Noise Standards Adopt the State of California Code of Regulations' (Title 24) minimum noise insulation interior performance standard of 45 dBA Ldn for all new residential construction including hotels, motels, dormitories, apartment houses, and single-family dwellings.	**Consistent.** The project would be required to adhere to all applicable noise insulation performance standards.
HS-8.10 Reduction in Noise Levels at Existing Land Uses Reduce traffic noise levels where expected to significantly impact sensitive receptors through the installation of noise control measures such as quiet pavement surfaces,	**Consistent.** Refer to the Health and Safety Policy 8.2 consistency discussion. Vehicle traffic generated by the project would not result in potentially significant noise impacts.

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noise barriers, traffic calming measures, and interior sound insulation treatments.	
HS-8.11 New Project Noise Mitigation Requirements Require new projects to include appropriate noise mitigation measures to reduce noise levels in compliance with the Table 9-1 and 9-2 standards within sensitive areas. If a project includes the creation of new non-transportation noise sources, require the noise generation of those sources to be mitigated so they do not exceed the interior and exterior noise level standards of Table 9-2 at existing noise-sensitive areas in the project vicinity, unless an exception is made by the County on a case-by-case basis. However, if a noise-generating use is proposed adjacent to lands zoned for residential uses, then the noise generating use shall be responsible for mitigating its noise generation to a state of compliance with the standards shown in Table 9-2 at the property line of the generating use in anticipation of the future residential development, unless an exception is made by the County on a case-by-case basis.	**Consistent.** As described in Section 4.11, Noise, occupants of future on-site and existing off-site residential units would not experience noise level increases exceeding applicable thresholds as a result of project-generated traffic on Ridgemark Drive. Therefore, mitigation to reduce noise levels in compliance with the Table 9-1 and 9-2 standards would not be required.
HS-8.12 Construction Noise Control Plans Require all construction projects to be constructed within 500 feet of sensitive receptors to develop and implement construction noise control plans that consider the following available controls in order to reduce construction noise levels as low as practical: ▪ Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists; ▪ Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment; ▪ Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses ▪ Locate staging areas and construction material areas as far away as possible from adjacent land uses; ▪ Prohibit all unnecessary idling of internal combustion engines; ▪ Notify all abutting land uses of the construction schedule in writing; and ▪ Designate a 'disturbance coordinator' (e.g. contractor foreman or authorized representative) who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.	**Consistent.** Refer to Section 4.11, Noise, for impact discussion and identification of feasible mitigation measures, consistent with this policy.

Policy Consistency

Consistent with the scope and purpose of this EIR, the following discussion primarily focuses on those General Plan goals and policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these policies creates a significant physical impact on the environment. Only policies relevant and applicable to the proposed project are included.

As shown in Table 21, the proposed project could be viewed as generally consistent with relevant goals and polices of the 2035 General Plan. The 2035 General Plan deliberately focuses new suburban development where it can be adequately served by municipal type services such as sewer and water. The project site was identified by the 2035 General Plan as a logical extension of the growth occurring on the southern edge of the City of Hollister. While the project would result in the conversion of agricultural land, the County considered many options during the drafting of the 2035 General Plan before crafting the balance between many competing goals and policies reflected in the adoption of the 2035 General Plan. In this case the County determined encouraging growth to occur close to existing development and services would be appropriate, thereby directing growth in a manner such that the protection of other important farmlands, open space and sensitive biological resources could be encouraged in other more sensitive parts of the County.

The determination of General Plan consistency is within the discretion of the Planning Commission for this Vesting Tentative Map Proposal. In making this determination, the applicable law requires the decision makers to view the project at issue against the General Plan as a whole, and does not permit the elevation of certain specific General Plan policies over others.

The project can be viewed as consistent with the General Plan goals and policies as shown in Table 21 pertaining to environmentally sensitive areas (wetlands, biological and cultural resources), on-site hazards (such as earthquakes, flooding, wildfires, and soil-related hazards), provision of housing, energy and water conservation, population growth, transportation, water supply, recreation, public services, tree removal, drainage, water quality, air quality, agriculture, and noise. Although the project would convert agricultural land to suburban uses, the project could be viewed as implementing General Plan policies related to economic development, urban growth, and provision of housing. The County seeks to balance the General Plan resource protection goals and policies with its goals and policies regarding economic development and accommodating expected urban growth, by directing growth to appropriate areas. The project site is located adjacent to an existing subdivision in an area near the urbanized City of Hollister and thus represents logical and orderly development. Accordingly, despite the permanent conversion of agricultural land to suburban uses, the project could be determined to be generally consistent with the overall vision and policy direction of 2035 General Plan. Therefore, impacts related to policy consistency would be *less than significant*.

As noted previously, the above discussion is intended to guide policy interpretation, but is not intended to replace or supplant County decision-makers. The final determination of consistency would be made by County decision-makers when they act on the proposed project.

Mitigation Measures

Mitigation measures identified throughout this EIR would serve to reduce identified environmental impacts and further improve consistency of the project with certain General Plan goals and policies. As a result, impacts to policy consistency would be less than significant and no mitigation measures would be required.

c. Cumulative Impacts

Land use impacts would be cumulatively considerable if the proposed project, in conjunction with other past, present and reasonably foreseeable future projects, would trigger an exceedance of the above-referenced significance thresholds. The majority of San Benito County is made up of agricultural land. Cumulative impacts associated with agricultural lands and uses are addressed in Section 4.2, Agricultural Resources, of this EIR.

The appropriate geographical scope for this analysis is the entire County. As implementation of other cumulative projects would require discretionary approval, consistent with the proposed project's review and approval process, it is reasonably assumed that these projects would be designed or otherwise conditioned to maximize consistency with adopted land use plans and ordinances. As such, cumulative land use impacts are anticipated to be less than significant.

As described in Table 21, the proposed project would be consistent with applicable land use goals and policies of the 2035 General Plan. All feasible mitigation measures to address environmental impacts of the project have been required and are detailed in Sections 4.1 to 4.9 and Sections 4.11 to 4.15 of this EIR. Given the project's general consistency with the 2035 General Plan, as well as the potential for other projects in the cumulative impact scenario to be generally consistent with the land use policy framework, overall contribution to cumulative land use impacts from this project would not be considerable. As described above, the County seeks to balance the General Plan resource protection goals and policies with its goals and policies regarding economic development and urban growth, by directing growth to appropriate areas. The project site is located adjacent to an existing subdivision and ongoing cumulative development in this area could be determined to be generally consistent with the overall vision and policy direction of the 2035 General Plan. A similar consistency analysis for other cumulative developments would also be required to occur.

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4.11 Noise

4.11.1 Setting

a. Overview of Noise

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz).

Sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dBA, and a sound that is 10 dBA less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dBA greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate at a rate of approximately 6 dBA per doubling of distance from point sources (such as industrial machinery). Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The manner in which older homes in California were constructed (approximately 30 years old or older) generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows. The exterior-to-interior reduction of newer residential units is generally 30 dBA or more (FTA 2006).

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period. Lmax is the highest RMS (root mean squared) sound pressure level within the measuring period, and Lmin is the lowest RMS sound pressure level within the measuring period.

The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the day. Community noise is usually measured using Day-Night Average Level (Ldn), which is the 24-hour average noise level with a 10-dBA penalty for noise occurring during nighttime (10 p.m. to 7 a.m.) hours, or Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a 5 dBA penalty for noise occurring from 7

p.m. to 10 p.m. and a 10 dBA penalty for noise occurring from 10 p.m. to 7 a.m. Noise levels described by Ldn and CNEL usually do not differ by more than 1 dBA.

b. Fundamentals of Groundborne Vibration

Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and, in the U.S., is referenced as vibration decibels (VdB).

The background vibration velocity level in residential areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. According to the Federal Transit Administration Transit Noise and Vibration Impact Assessment (2006), a vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

The general human response to different levels of groundborne vibration velocity levels is described in Table 22.

Table 22 Human Response to Different Levels of Groundborne Vibration

Vibration Velocity Level	Human Reaction
65 VdB	Approximate threshold of perception for many people.
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying.
85 VdB	Vibration acceptable only if there are an infrequent number of events per day.
90 VdB	Difficulty with tasks such as reading computer screens.

Source: Federal Transit Administration. Transit Noise and Vibration Impact Assessment. May 2006.

c. Regulatory Setting

Federal

The U.S. Department of Transportation (DOT) Federal Transit Administration (FTA) has recommended noise criteria related to traffic-generated noise. Recommendations contained in the May 2006 Transit Noise and Vibration Impact Assessment prepared by FTA can be used as guidance to determine whether or not a change in traffic would result in a substantial permanent increase in noise. Under the FTA standards, the allowable noise exposure increase is reduced with increasing ambient existing noise exposure, such that higher ambient noise levels have a lower allowable noise exposure increase. Table 23 shows the significance thresholds for increases in traffic-related noise

levels. These standards are applicable to project impacts on existing sensitive receptors (as defined in Section 4.11.2, Impact Analysis below).

The FTA also recommends vibration impact thresholds to determine whether groundborne vibration would be "excessive." According FTA, groundborne vibration impact criteria for residential receptors are 72 vibration decibels (VdB) for frequent events, 75 VdB for occasional events, and 80 VdB for infrequent events (FTA 2006). The FTA recommended an 80 VdB threshold for infrequent events at residences and buildings where people normally sleep; the County determined this to be an appropriate threshold based on scientific evidence and therefore it was used for this analysis. In terms of groundborne vibration impacts on structures, the FTA states that groundborne vibration levels in excess of 100 VdB would damage fragile buildings and levels in excess of 95 VdB would damage extremely fragile historic buildings. The threshold for this project is 80 VdB for infrequent events at residences and buildings where people normally sleep since there are no fragile or extremely fragile buildings in the vicinity.

Table 23 Significance of Changes in Operational Roadway Noise Exposure

Existing Noise Exposure (dBA Ldn or Leq)	Allowable Noise Exposure Increase (dBA Ldn or Leq)
45-49	7
50-54	5
55-59	3
60-64	2
65-74	1
75+	0

Source: Federal Transit Administration. Transit Noise and Vibration Impact Assessment. May 2006.

State

California Government Code section 65302 encourages each local government entity to implement a noise element as part of its general plan. In addition, the California Governor's Office of Planning and Research has developed Guidelines for the Preparation and Content of Noise Elements of the General Plan (2003). The guidelines include recommendations for evaluating the compatibility of various land uses as a function of community noise exposure. The recommendations established by the Office of Planning and Research are listed in Figure 30. These are the same standards adopted in the 2035 General Plan Health and Safety Element, as described below and shown in Table 25.

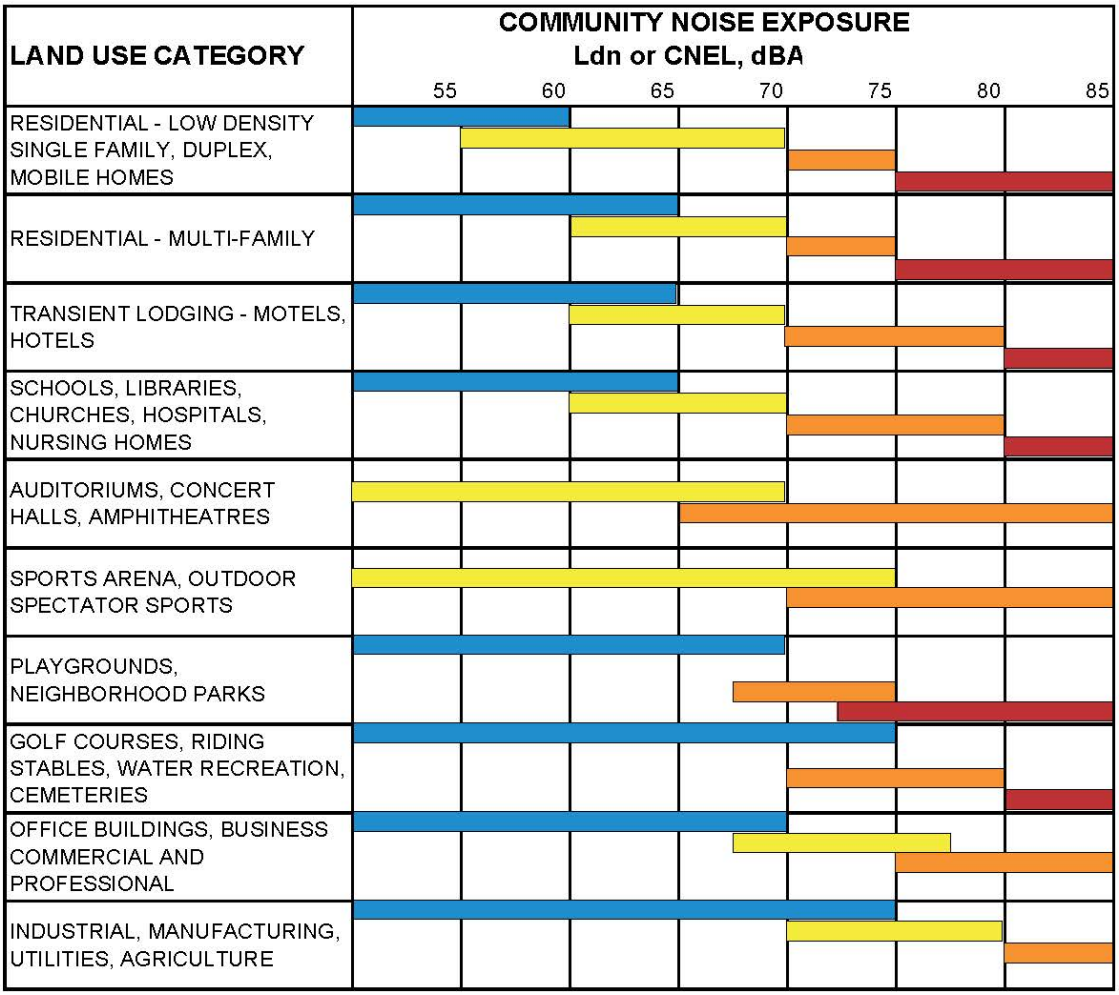
Local

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

2035 GENERAL PLAN

The 2035 General Plan Health and Safety Element includes noise standards, as shown in Table 24 and Table 25. These standards are applicable to new development proposed under the project and to the existing uses in the surrounding area. Refer to Subsection 4.11.2, Impact Analysis, below for a discussion of the applicability of these standards as thresholds of significance. Consistency with specific 2035 General Plan policies that apply to the project is evaluated in Section 4.10, Land Use and Planning.

Figure 30 Noise Matrix



NORMALLY ACCEPTABLE
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

NORMALLY UNACCEPTABLE
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design

CONDITIONALLY ACCEPTABLE
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

CLEARLY UNACCEPTABLE
New construction or development should generally not be undertaken.

Guidelines for the Preparation and Content of Noise Elements of the General Plan, California Office of Planning and Research, 2003.

The non-transportation interior performance standards shown in Table 24 require that noise at residential uses not exceed 45 dBA interior during the nighttime hours and 55 dBA interior during the daytime hours. The standards also require that noise at residential uses not exceed 65 dBA Ldn exterior (Table 25). In addition, as stated in Policy HS-8.2, "new land uses should be prohibited from locating in areas with a noise environment within the 'unacceptable' range." Therefore, the standards in Table 25 apply to residences proposed as part of the project ("new" residences), as these residences could be located in areas with an unacceptable noise environment.

Table 24 Non-Transportation Interior Noise Level Performance Standards for Noise-Sensitive Uses

Noise Level Descriptor	Daytime (7:00 a.m. – 10:00 p.m.)	Nighttime (10:00 p.m. – 7:00 a.m.)
Hourly L_{eq} dB	55	45
Maximum Level, dB	70	65

Source: San Benito County 2015a

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

Table 25 Exterior Land Use Compatibility Guidelines for Community Noise Environments

Land Use Category	Clearly Acceptable (L_{dn}/CNEL, dB)	Normally Acceptable (L_{dn}/CNEL, dB)	Normally Unacceptable (L_{dn}/CNEL, dB)	Clearly Unacceptable (L_{dn}/CNEL, dB)
Residential – Low Density Single Family, Duplex, Mobile Homes	Up to 60	60 – 65	65 – 75	75 +
Residential – Multi. Family	Up to 60	60 – 65	65 – 75	75 +
Transient Lodging – Motels, Hotels	Up to 65	65 – 70	70 – 80	80 +
Schools, Libraries, Churches, Hospitals, Nursing Homes	Up to 60	60 – 65	65 – 75	75 +
Auditoriums, Concert Halls, Amphitheaters	–	Up to 60	60 – 75	75 +
Sports Arenas, Outdoor Spectator Sports	Up to 60	60 – 65	65 – 75	75 +
Playgrounds, Neighborhood Parks	Up to 55	55 – 65	65 – 75	75 +
Golf Course, Riding Stables, Water Recreation, Cemeteries	Up to 60	60 – 70	70 – 80	80 +
Office Buildings, Business Commercial and Professional	Up to 65	65 – 75	75 – 80	80 +
Industrial, Manufacturing Utilities, Agriculture	Up to 70	70 – 80	80 +	–

Clearly Acceptable: The noise exposure is such that the activities associated with the land use may be carried out with essentially no interference from aircraft noise. (Residential areas: both indoor and outdoor noise environments are pleasant.)

Normally Acceptable: The noise exposure is great enough to be of some concern, but common building construction will make the indoor environment acceptable, even for sleeping quarters.

Normally Unacceptable: The noise exposure is significantly more sever so that unusual and costly building construction is necessary to insure adequate performance of activities, (Residential areas: barriers must be created between the site and prominent noise sources to make the outdoor environment tolerable.)

Clearly Unacceptable: The noise exposure is so severe that construction costs to make the indoor environment acceptable for performance of activities would be prohibitive. (Residential areas: the outdoor environment would be intolerable for normal residential use.)

Source: San Benito County 2015a

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

Health and Safety Element

HS-8 To protect the health, safety, and welfare of County residents through the elimination of annoying or harmful noise levels.

HS-8.1 **Project Design.** The County shall require new development to comply with the noise standards shown in Tables 9-1 and 9-2 through proper site and building design, such as building orientation, setbacks, barriers (e.g., earthen berms), and building construction practices. The County shall only consider the use of sound walls after

all design-related noise mitigation measures have been evaluated or integrated into the proposed project or found infeasible.

HS-8.2 **Acoustical Analysis.** The County shall require an acoustical analysis to be performed prior to development approval where proposed land uses may produce or be exposed to noise levels exceeding the "normally acceptable" criteria (e.g. "conditionally acceptable", "normally unacceptable") shown in Table 9-2. Land uses should be prohibited from locating, or required to mitigate, in areas with a noise environment within the "unacceptable" range.

HS-8.3 **Construction Noise.** The County shall control the operation of construction equipment at specific sound intensities and frequencies during day time hours between 7:00 am and 6:00 pm on weekdays and 8:00 am and 5:00 pm on Saturdays. No construction shall be allowed on Sundays or federal holidays.

HS-8.4 **Off-Road Recreational Vehicle Use.** The County shall limit the use of off road recreational motor vehicles to those areas specifically designated for that purpose, (i.e. Clear Creek and Hollister Hills State Vehicular Recreational Area) and shall maintain lands surrounding those areas in open space and agricultural use as a means of providing a noise buffer zone.

HS-8.7 **Acceptable Vibration Levels.** The County shall require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby noise-sensitive uses based [on] FTA criteria.

HS-8.8 **Noise Exemptions.** The County shall support the exemption of the following noise sources from the standards in this element:

a. Emergency warning devices and equipment operated in conjunction with emergency situations, such as sirens and generators which are activated during power outages. The routine testing of such warning devices and equipment shall also be exempt provided such testing occurs during the hours of 7:00 am to 10:00 pm.

b. Activities at schools, parks, or playgrounds, provided such activities occur during daytime hours.

c. Activities associated with County permitted temporary events and festivals.

HS-8.9 **Interior Noise Standards.** Adopt the State of California Code of regulations' (Title 24) minimum noise insulation interior performance standard of 45 dBA Ldn for all new residential construction including hotels, motels, dormitories, apartment houses, and single-family dwellings.

HS-8.10 **Reduction in Noise Levels at Existing Land Uses.** Reduce traffic noise levels where expected to significantly impact sensitive receptors through the installation of noise control measures such as quiet pavement surfaces, noise barriers, traffic calming measures, and interior sound insulation treatments.

HS-8.11 **New Project Noise Mitigation Requirements.** Require new projects to include appropriate noise mitigation measures to reduce noise levels in compliance with the Table 9-1 and 9-2 standards within sensitive areas. If a project includes the creation of new non-transportation noise sources, require the noise generation of those sources to be mitigated so they do not exceed the interior and exterior noise level

standards of Table 9-2 at existing noise-sensitive areas in the project vicinity, unless an exception is made by the County on a case-by-case basis. However, if a noise-generating use is proposed adjacent to lands zoned for residential uses, then the noise generating use shall be responsible for mitigating its noise generation to a state of compliance with the standards shown in Table 9-2 at the property line of the generating use in anticipation of the future residential development, unless an exception is made by the County on a case-by-case basis.

HS-8.12 **Construction Noise Control Plans.** Require all construction projects to be constructed within 500 feet of sensitive receptors to develop and implement construction noise control plans that consider the following available controls in order to reduce construction noise levels as low as practical:

- Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists;
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- Locate staging areas and construction material areas as far away as possible from adjacent land uses;
- Prohibit all unnecessary idling of internal combustion engines;
- Notify all abutting land uses of the construction schedule in writing; and

Designate a "Disturbance coordinator" (e.g., contractor foreman or authorized representative) who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

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

SAN BENITO COUNTY CODE OF ORDINANCES

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

Chapter 19.39.002(B): Noise Control Regulations

The purpose of this chapter is to establish county-wide standards regulating noise. This chapter is not intended to establish thresholds of significance for the purpose of any analysis required by the California Environmental Quality Act and no such thresholds are established.

Chapter 25.37, Article III: Noise Level Standards

This article establishes acceptable day and night exterior noise standards for compatibility of noise emanating from any source, unless otherwise exempted, as it affects surrounding property, based on land use designations. The noise level standard (one hour average) for agricultural land and rural residences is 45 dBA Leq during the day and 35 dBA Leq during the night, and for non-rural residences is 50 dBA Leq during the day and 40 dBA Leq during the night. The proposed residential uses would be considered non-rural due to the proposed density and location of the development. These noise standards identify the maximum acceptable noise emanating from any source, as it affects surrounding properties, measured at the property line of the noise-generating use. Temporary construction between the hours of 7:00 am and 7:00 pm, except Sundays and federal holidays are exempted from these noise standards; agricultural yard maintenance equipment operated during these hours is also exempted.

d. Sensitive Receptors

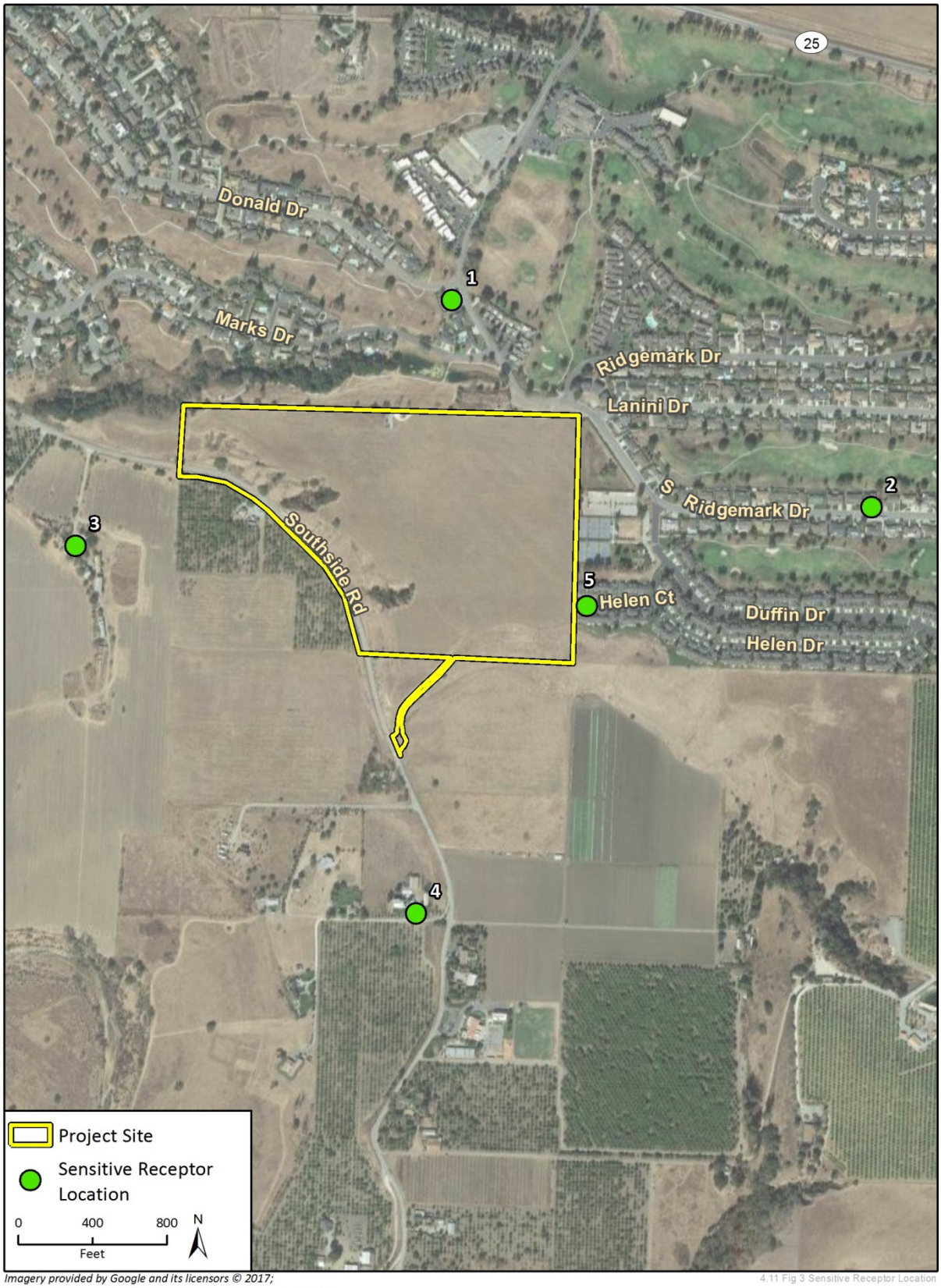
Noise exposure standards for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Residences, hospitals, schools, guest lodging, libraries, and churches are most sensitive to noise intrusion and therefore have more stringent noise exposure standards than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. As shown in Figure 31, the closest sensitive receptors to the proposed project include multi-family residences approximately 30 feet to the east (Receptor 5) and single-family residences located approximately 300 feet to the north (Receptor 1). Receptors that would be most sensitive to construction noise from the proposed project include the multi-family residences adjacent to the project site's eastern boundary on Helen Court (Receptor 5). Receptors that would be sensitive to an increase in noise due to a potential increase in traffic are single-family homes located east of the project site along Ridgemark Drive (Receptor 2), and properties located on or off Southside Road (Receptor 3 and 4).

e. Existing Noise Environment

San Benito County

Major sources of noise in the county generally include: roadways, airports, railroads, and stationary sources such as industrial plants. The predominant noise source in the county originates from motor vehicles. Motor vehicle noise is of concern because it is characterized by a high number of individual

Figure 31 Sensitive Receptor Locations



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Additional data provided by Carlson, Barbee & Gibson, April 2017.

4.11 Fig 3 Sensitive Receptor Location

events, which often create a sustained noise level. The main roadways of concern in the county from a noise generation perspective include U.S. Highway 101, SR 156, SR 129 (Chittenden Road), and SR 25 (Airline Highway). SR 156 is located 6 miles northwest of the project site and SR 25 is located 0.4 mile north of the project site. The other mentioned highways are located more than 10 miles from the project site.

Other noise sources in the county include rail line operations, which are characterized by the passage of trains at wide time intervals but with individual trains emitting a high sound level. There are two railroad lines in the county, the Gilroy-Hollister line and the Gilroy-Watsonville line, located approximately three miles north and 12 miles northwest of the project site, respectively. Therefore, given the distance of these rail road lines from the project site, existing rail noise does not affect the project site.

The Hollister Municipal Airport is located within the northern city limits of Hollister, approximately 5.6 miles north of the project site. Two private airports (i.e., Frazer Lake Airport and Christensen Airport) are located north and northeast of Hollister, respectively. Due to the distance between these airports and the project site (approximately 11.5 miles from Frazer Lake Airport and 4.5 miles from Christensen Airport), aircrafts would be sufficiently high when passing the project site such that they would not substantially contribute to the existing ambient noise conditions on the project site and vicinity.

Project Site and Vicinity

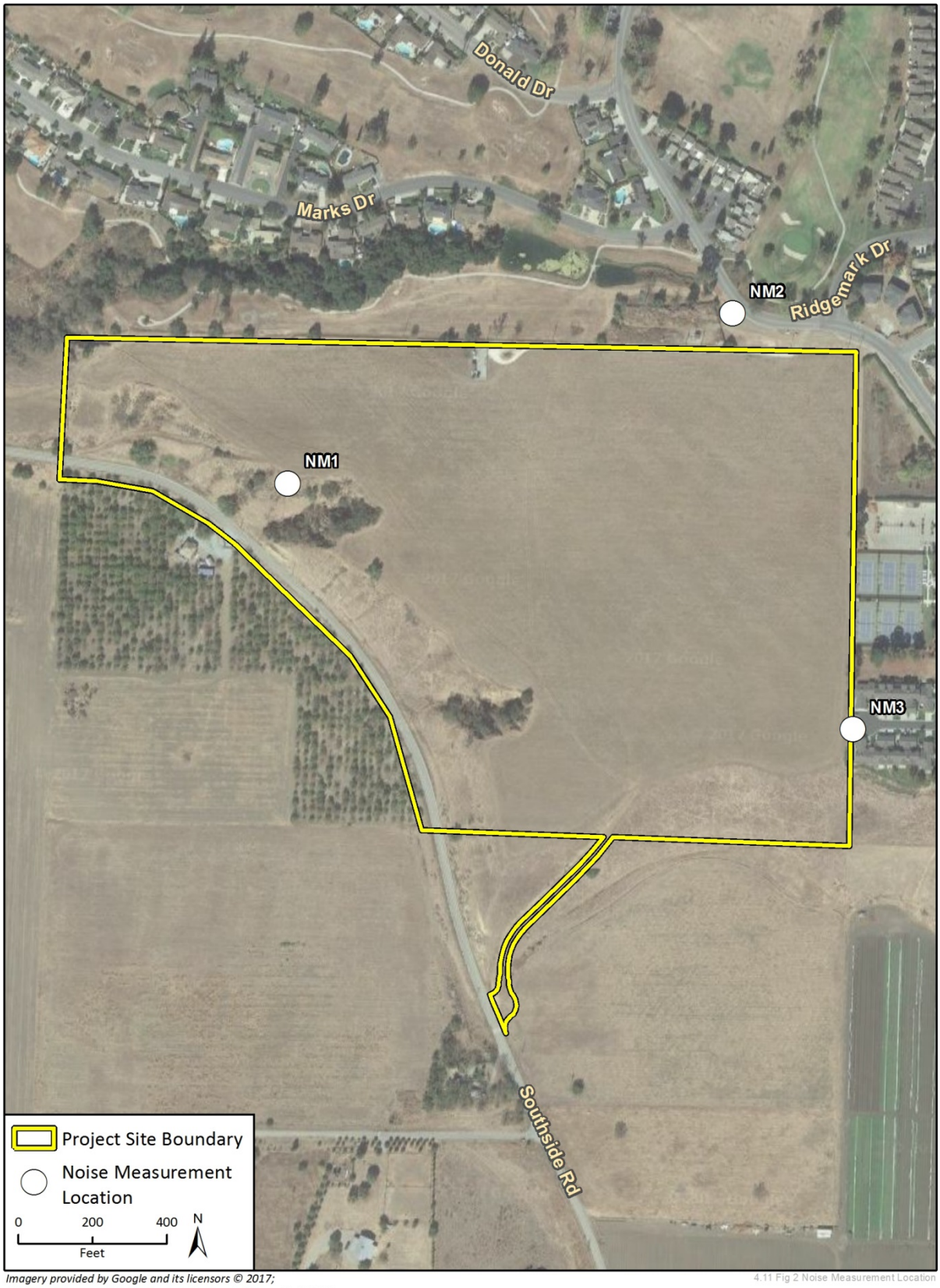
The general noise environment of the project site and the vicinity is characterized by open space, rural residential, single-family residential neighborhood, and agricultural uses with low ambient noise levels during the evening and nighttime hours. The project site is bounded to the north and east by a residential area, where the primary noise sources include local traffic within the residential neighborhood. The street closest to the project site is Ridgemark Drive. This street has a relatively low level of traffic; approximately 126 to 365 vehicles during the busiest hour of the day. The land south and west of the project site is agricultural land and primary sources of noise in these areas include periodic agricultural activity, such as the use of tractors. Southside Road bounds the project site on the western boundary and also has relatively low-levels of traffic; approximately 146 to 330 vehicles during the busiest hour of the day.

On-Site Noise Level Readings

In order to establish the existing noise conditions, noise level readings were taken by Rincon Consultants, Inc. staff at three locations on or near the project site using an ANSI Type II integrating sound level meter in accordance with standard protocols on October 18, 2016. These three sound level measurements were collected during morning peak traffic conditions (between 7:00 am and 9:00 am), and provide an estimate of the general noise environment in the project vicinity. The sound level measurement locations are shown on Figure 32. Locations were selected along the most heavily traveled roadways to represent the highest noise level associated with the roadways adjacent to the project site as well as within in the project site to capture the ambient noise levels on site. Location 3 borders the project site and is adjacent to the nearest sensitive receptors to represent the existing noise environment at those residences. Table 26 identifies the sound level measurement locations and measured sound levels.

The sound level on the western boundary of the project site on top of the approximately 85 foot bluffs looking over Southside Road (measurement #1) was 47.1 dBA Leq. Along Ridgemark Drive (measurement #2), the measured noise level was 59.8 dBA Leq. On Helen Court, where the nearest

Figure 32 Sound Measurement Locations



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Additional data provided by Carlson, Barbee & Gibson, April 2017.

4.11 Fig 2 Noise Measurement Location

sensitive receptors are located (measurement #3), the noise level was 36.9 dBA Leq. Noise from vehicles traveling along Southside Road and Ridgemark Drive were the most prominent noise sources at all three measurement locations. As shown in Table 26, the modeled noise level near measurement #2 was similar (within 1 dBA) to the noise levels that were measured. Leq was not modeled for measurement # 1 and #3 as they were not near the roadways where additional traffic and noise would be generated. Therefore, the modeled noise would not reflect the noise levels at these locations.

Table 26 Sound Level Measurement Results (dBA)

Measurement Location	Primary Noise Source	Sample Time	Leq Measured	Leq Modeled	Lmax	Lmin
#1. Along the bluffs on the west edge of the blufftop site, approximately 175 feet from Southside Road	Vehicle traffic on Southside Road	8:28 a.m.–8:43 a.m.	47.1	–	65.3	34.4
#2. Along Ridgemark Drive, approximately 300 feet north of the project site	Vehicle traffic on Ridgemark Drive	7:59 a.m.–8:14 a.m.	59.8	60.7	73.8	39.9
#3. Helen Court, adjacent to project site and location of closest sensitive receptors	Vehicle traffic on Ridgemark Drive	8:50 a.m.–9:05 a.m.	36.9	–	47.9	32.8

Source: Field visit on October 18, 2016 using ANSI Type II Integrating sound level meter. See Appendix D for sound level measurement data sheets

Leq was not modeled for measurement locations 1 and 2 as they were not near the roadways where traffic would be generated.

4.11.2 Impact Analysis

a. Methodology and Thresholds of Significance

The analysis of noise impacts considers the effects of both temporary construction-related noise, construction activities, and operational noise associated with long-term project-related activities, including project-generated traffic as well as stationary source noise. Construction noise estimates are based upon noise levels reported by the Federal Transit Administration (FTA), Office of Planning and Environment (authored by Hanson, Towers, and Meister) in the Transit Noise and Vibration Impact Assessment, and the distance to nearby sensitive receptors. Reference noise levels from the FTA document are used to estimate noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Construction noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise.

Noise levels associated with existing and future traffic along relevant area highways and roadways were calculated using the U.S. Department of Transportation, Federal Highway Administration's (FHWA) Traffic Noise Model Version 2.5 (DOT 2004) (noise model data is provided in Appendix D to this EIR). The model calculations are based on traffic data from The Bluffs at Ridgemark Residential Subdivision Transportation Impact Study prepared by Hexagon Transportation Consultants, Inc. (2017).

According to Appendix G of the State CEQA Guidelines, significant noise impacts would occur if the project would result in any of the following conditions:

1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
2) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
5) 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, expose people residing or working in the project area to excessive noise levels; and/or
6) For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The project site is not located within two miles of any airport or within an airport land use plan area or in the vicinity of a private airstrip and would therefore not expose residents or workers to excessive noise levels from airport or private airstrip operations. Further discussion regarding Thresholds 5 and 6 can be found in Section 4.16, Effects Found to Be Less Than Significant.

The quantitative standards used for each threshold are as follows:

Section 19.39.051 of the San Benito County Code exempts temporary construction, demolition, or maintenance of structures from the County noise standards. For the purposes of this analysis and consistent with standard industry protocols, it is assumed that construction lasting for more than 12 months would not be considered “temporary”. Therefore, for Thresholds 1 and 4, construction noise impacts would be potentially significant if an existing receptor would be exposed to noise levels above either of the following standards:

- Construction-related hourly average noise levels received at noise-sensitive land uses that last for more than 12 months and:
  - Exceed 55 hourly dBA Leq, and
  - Increase the without project ambient noise level by 5 dBA Leq or more.
- If noise levels are sufficiently high to interfere with speech, sleep, or other normal residential activities during the more noise-sensitive evening and nighttime hours (i.e., 7:00 pm to 7:00 am).

The standards shown in Table 24, Table 25, and General Plan Policy HS-8.9 require that residential uses not be exposed to levels of non-mobile source noise exceeding 45 dBA interior during the nighttime hours and 55 dBA interior during the daytime hours. The standards also require that residential uses not be exposed to levels of non-mobile source noise exceeding 65 dBA Ldn exterior (Table 25). As stated in Policy HS-8.2, “new land uses should be prohibited from locating in areas with a noise environment within the ‘unacceptable’ range.” Therefore, for Thresholds 1 and 4, a long-term operational noise impact would be potentially significant if an existing or proposed sensitive receptor would be exposed to non-transportation noise levels above the standards in

Table 24 and Table 25, as established by the 2035 General Plan, as a result of the surrounding environment or if an existing or proposed sensitive receptor would be exposed to such noise as a result of the project:

- 65 dBA Ldn exterior, 55 dBA 1-hour Leq interior during the daytime, or 45 dBA 1-hour Leq interior during the nighttime for residences from non-transportation noise sources

In addition, for Thresholds 1 and 4, a long-term operational noise impact would be potentially significant if an existing or proposed sensitive receptor would be exposed to permanent stationary (non-transportation related) noise levels above the following standards, as established by the County, as a result of the operations of the project:

- 45 dBA Leq during the day and 35 dBA Leq during the night for agricultural land and rural residences
- 50 dBA Leq during the day and 40 dBA Leq during the night non-rural residences
- + 5 dBA Leq increase beyond existing noise

For Threshold 2, an impact would be potentially significant if an existing or proposed receptor would be exposed to vibration levels above the following standards, as established by FTA:

- 80 VdB at residences and buildings where people normally sleep

For Threshold 3, an impact would be potentially significant if traffic-related noise would cause existing receptors to be exposed to a substantial increase in noise, as determined by the following FTA-established standards:

- + 10 dBA where the existing noise from roadways is 40-45 dBA Ldn or Leq
- + 7 dBA where the existing noise from roadways is 45-50 dBA Ldn or Leq
- + 5 dBA where the existing noise from roadways is 50-55 dBA Ldn or Leq
- + 3 dBA where the existing noise from roadways is 55-60 dBA Ldn or Leq
- + 2 dBA where the existing noise from roadways is 60-65 dBA Ldn or Leq
- + 1 dBA where the existing noise from roadways is 65-74 dBA Ldn or Leq
- + 0 dBA where the existing noise from roadways is 75+ dBA Ldn or Leq

b. Project Impacts and Mitigation Measures

Impact N-1 Noise from construction of the proposed project has the potential to adversely impact nearby residences and future on-site residences. However, construction would be temporary. This impact would be less than significant with mitigation incorporated. [Threshold numbers 1 and 4]

The main sources of noise during construction activities would include machinery used in site preparation and equipment used during building construction and paving. The project site is currently an agriculture area for hay production with no structures on site; therefore, no demolition would occur. Table 27 demonstrates the typical noise levels associated with construction equipment used for site preparation and construction. Based on the type of construction required and the topography of the site, this list of equipment is appropriate for the proposed project. As shown

therein, average noise levels associated with the use of heavy equipment at construction sites can range from about 79 to 91 dBA at 30 feet from the source, depending upon the types of equipment in operation at any given time and phase of construction.

The highest noise levels generally occur during excavation and foundation development, which involve the use of such equipment as backhoes, bulldozers, shovels, and front-end loaders. In addition, construction vehicles traveling on local roadways can generate substantial noise levels that affect adjacent receptors.

Noise levels from point sources such as construction sites typically attenuate at a rate of about 6 dBA per doubling of distance. The sensitive receptors closest to the project site are the multi-family residences (Ridgemark Country Club development) located adjacent to the projects site's eastern boundary on Helen Court. The closest sensitive receptor would be approximately 30 feet from the closest building on site (see Figure 31, Receptor 5). The next closest receptors are the residential properties approximately 300 feet north of the project site (Receptor 1). The noise levels from construction could be as high as 91 dBA at the sensitive receptors 30 feet from the project site and 71 dBA at the receptors 300 feet from the project site (see Table 27). These construction-related noise levels could also be experienced at future on-site residences, which may be adjacent to later phases of construction after these initial units are completed.

Table 27 Typical Construction Equipment Noise Levels

Equipment Onsite	Typical Level (dBA) 30 Feet from the Source (Nearest Sensitive Receptor – Receptor 5)	Typical Level (dBA) 300 Feet from the Source (Receptor 1)
Backhoe	82	62
Excavator	85	65
Grader	91	71
Backhoe	82	62
Crane	85	65
Generator	85	65
Rollers	84	64
Pavers	79	59
Bulldozer	86	66
Pavement Roller	84	64
Man Lift	79	59
Dump Truck	80	60

Source: Noise levels based on FHWA Roadway Construction Noise Model (2006) Users Guide Table 1
Noise levels based on actual maximum measured noise levels at 50 feet (Lmax)
Noise levels assume a noise attenuation rate of 6 dBA per doubling of distance.

It should be noted that, in order to provide a conservative estimate of construction noise levels, this analysis is based on line-of-sight sound attenuation, and does not account for attenuating factors, like topography or noise impeding structures or vegetation, such as the trees that are up to 65 feet tall located north of the project site between the project site and the sensitive receptors. Actual site conditions may further decrease the noise levels at sensitive receptors, in addition to noise reduction measures included in Mitigation Measures N-1(A) through N-1(G).

Based on the noise levels shown in Table 27, at 30 feet a receptor could be exposed to noise levels up to 91 dBA. Receptors located within 300 feet of the project could be exposed to noise levels exceeding 71 dBA. Based on the County noise level standard of 55 dBA Leq exterior for residential receptors, the existing residences nearest to the project site could experience unacceptable noise levels during construction. Construction noise would also result in maximum noise levels exceeding 65 dBA Ldn exterior, which is the County's standard for maximum daytime noise levels at residences. In addition, these noise levels would increase the existing noise levels by greater than 5 dBA (from between 37 and 60 dBA to 87 dBA). Given that the site is relatively flat and undeveloped, it is unlikely that grading equipment would be used near off-site sensitive receptors for a substantial duration of the construction period. Nevertheless, for purposes of a conservative analysis, it is assumed that all types of construction equipment would be located as near as 30 feet from existing residences at some point during construction; therefore, noise levels generated during on-site construction activities could result in ambient noise levels at nearby residences that would exceed 65 dBA Ldn, increase the ambient noise level by greater than 5 dBA Ldn, and last for greater than 12 months. Construction could occur over a period of a few years as new residences are built. This impact would be *less than significant with mitigation incorporated.*

Mitigation Measures

Noise-generating construction activities would be restricted by the 2035 General Plan to weekdays between 7:00 am and 6:00 pm, and on Saturday between 8:00 am and 5:00 pm. Compliance with these requirements would partially limit impacts to existing off-site and future on-site sensitive receptors. However, the following measures are required to reduce construction noise to a less than significant level.

MM N-1 (A) Construction Activity Timing Disclosure

Signs stating the restrictions regarding the hours of construction as regulated by the 2035 General Plan shall be provided by the developer and posted on-site. Signs shall be placed prior to beginning of and throughout grading and construction activities.

Prior to issuance of any grading permits, the project proponent shall submit a plan, which shall be reviewed and approved by the County, describing the location and dates on which the signs will be posted to the Planning and Building Inspection Services Department. The project proponent shall allow County Building Inspectors to access the project site to monitor compliance by spot checking these signs and the hours during which construction occurs, and to respond to noise complaints.

MM N-1 (B) Construction Equipment

Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. Whenever feasible, electrical power shall be used to run air compressors and similar power tools rather than

diesel equipment. The developer shall require all contractors, as a condition of contract, to maintain and tune-up all construction equipment to minimize noise emissions to the extent feasible.

MM N-1 (C) VEHICLE AND EQUIPMENT IDLING

Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.

MM N-1 (D) STATIONARY EQUIPMENT

Stationary construction equipment that generates noise that exceeds 55 dBA Leq at the boundaries of the nearby residential uses shall be shielded. Temporary noise barriers used during construction activity shall be made of noise-resistant material sufficient to achieve a Sound Transmission Class (STC) rating of STC 40 or greater, based on sound transmission loss data taken according to ASTM Test Method E90. Such a barrier may provide as much as a 10 dB insertion loss, provided it is positioned as close as possible to the noise source or to the receptors. To be effective, the barrier must be long and tall enough (a minimum height of eight feet) to completely block the line-of-sight between the noise source and the receptors. The gaps between adjacent panels must be filled-in to avoid having noise penetrate directly through the barrier. The recommended minimum noise barrier or sound blanket requirements would reduce construction noise levels by at least 10 dBA.

The equipment area with appropriate acoustical shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

Prior to issuance of grading permits, the project proponent shall submit building and grading plans that show the appropriate construction equipment noise reduction measures to the Planning and Building Inspection Services Department. Compliance shall be monitored by, as feasible, County Building Inspectors.

MM N-1 (E) WORKERS' RADIOS

All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity.

MM N-1 (F) CONSTRUCTION PLAN

Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the County for approval a detailed construction plan identifying the schedule for major noise-generating construction activity.

MM N-1 (G) DISTURBANCE COORDINATOR

A "noise disturbance coordinator" shall be designated by the contractor. The noise disturbance coordinator shall be responsible for responding promptly to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Significance After Mitigation

Noise barriers may reduce noise by up to 10 dBA. Although noise levels could still exceed the thresholds of 55 dBA Leq, 70 dB (maximum noise level) and a 5 dBA Ldn increase, construction would be temporary and would occur in phases over a period of more than 12 months. Mitigation Measures N-1(A) through N-1(G) would reduce construction noise impacts to the extent feasible. Given these measures and the temporary nature of construction, impacts would be reduced to a *less than significant* level.

Impact N-2 CONSTRUCTION-RELATED ACTIVITIES ASSOCIATED WITH THE PROPOSED PROJECT WOULD INTERMITTENTLY GENERATE GROUNDBORNE VIBRATION ON AND ADJACENT TO THE SITE. THIS MAY AFFECT EXISTING OFF-SITE RECEPTORS NEAR THE PROJECT SITE AND PROPOSED ON-SITE RESIDENCES. HOWEVER, CONSTRUCTION VIBRATION WOULD NOT EXCEED FTA THRESHOLDS FOR VIBRATION. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 2]

Construction activities have the potential to generate low levels of groundborne vibration. Vibration from construction activities could impact nearby noise-sensitive land uses. The primary sources of man-made vibrations are associated with grading and excavation. Because of the relatively flat topography of the site and lack of geological hazards (refer to Section 4.6, Geology and Soils), pile-driving would not be anticipated for construction of the proposed project. Therefore, the primary vibratory source during construction within the project area would likely be large bulldozers and loaded trucks. Table 28 identifies various vibration velocity levels for the types of construction equipment that would operate at the project site during construction activities. As shown, typical bulldozer or loaded truck activities generate an approximate vibration level of 77-78 VdB at a distance of 30 feet.

Nearby noise-sensitive land uses, including the residences located adjacent to the project site, approximately 30 feet from the nearest proposed building and residences located approximately 300 feet from north of the project site, could be exposed to groundborne vibrations during construction. As shown in Table 28, vibration levels could reach up to 78 VdB at receptors 30 feet away, up to VdB at receptors 300 feet away. Vibration levels would not exceed the FTA recommended 80 VdB threshold for infrequent events at residences and buildings where people normally sleep. Therefore, vibration impacts would be *less than significant*.

Table 28 Vibration Levels for Construction Equipment

Equipment	Approximate Vibration Decibels (VdB) at 30 feet from construction (Receptor 5)	Approximate Vibration Decibels (VdB) at 300 feet from construction (Receptor 1)
Large Bulldozer	82	62
Loaded Trucks	81	61
Jackhammer	74	54
Small Bulldozer	52	32

Source: FTA, Transit Noise and Vibration Assessment, May 2006.

Mitigation Measures

No mitigation is required.

Impact N-3 Occupants of proposed on-site and existing off-site residential units would not experience noise level increases exceeding applicable thresholds as a result of project-generated traffic on Ridgemark Drive. Project-generated traffic would have a less than significant impact on exterior and interior noise levels at sensitive receptors along Ridgemark Drive. [Threshold number 3]

Implementation of the proposed project would result in an increase in the average number of daily vehicle trips along the segments of Ridgemark Drive, north and east of the project site. The Transportation Impact Study prepared for the proposed project (Hexagon 2017) determined the existing traffic levels on Ridgemark Drive, as well as the traffic levels expected as a result of the proposed project. These traffic levels were used to determine existing and potential future sound levels at sensitive receptors along Ridgemark Drive. Access to Southside Road from the project site would be minimal as it would be reserved for emergency vehicles, therefore minimal project-generated traffic would occur on Southside Road. However, Southside Road was included in the analysis for reference (see Table 29). Figure 31 shows the location of the two modeled receptors along Ridgemark Drive that would experience the largest noise level increase based on the distance from the project site and the two modeled receptors along Southside Road.

Table 29 shows estimates of noise levels that are based on noise modeling using the FHWA Traffic Noise Model. The fleet mix for vehicle trips along Ridgemark Drive and Southside Road was estimated at 95 percent passenger vehicles and 5 percent light- and medium-duty trucks. This estimate is considered reasonable for these roadways based on the rural/residential location of the project site. The measurements taken by Rincon Consultants (shown in Table 26) provide a comparison between the measured sound level and the modeled noise level for peak hour traffic. The modeled noise levels are an accurate representation of the existing noise level (e.g. measurement #2 was 60.7 dBA Leq and the modeled sound level at the same location was 59.8 dBA Leq), as shown in Table 26. Variation may occur between modeled and measured noise as a result of a variation in traffic (traffic during measurements may be higher or lower than the actual peak traffic) and/or as a result of noise sources other than traffic affecting the measured noise level. It is appropriate to use the modelled noise levels to determine the expected change in noise level that would result from project-generated traffic increases because the model accounts for the calculated peak traffic, as well as site topography and receptor locations.

Table 29 Current and Current + Project Sound Levels (dBA Ldn)

Sensitive Noise Receptor	Receptor Location	Existing Conditions	Existing + Project Conditions	Change (dBA)	FTA Noise Increase Threshold[1]	FTA Threshold Exceeded?
1	Southwest corner of Ridgemark Drive and Donald Drive	49.1	49.3	0.3	7	No
2	Ridgemark Drive, west of Lanini Drive	55.8	56.6	0.8	3	No
3	4406 and 4490 Southside Road	43.9	43.9	0.0	10	No
4	Northwest corner of Southside Road and Blossom Lane	52.8	52.8	0.0	5	No

Refer to Appendix D for full noise model output.

Based on existing noise conditions; refer to Section 4.11.2(a), Methodology and Significance Thresholds, for additional detail.

As shown in Table 29, the addition of project-generated traffic would increase traffic noise levels on Ridgemark Drive adjacent to the project site by between 0.3 and 0.8 dBA Ldn. These projected noise levels would not exceed the applicable FTA noise increase threshold.

As discussed in Section 4.11.1(a), Overview of Noise above, the manner in which newer homes in California are constructed (within the last 30 years) generally provides a reduction of exterior-to-interior noise levels of about 30 dBA with closed windows (FTA 2006). Therefore, the current interior noise level at existing residences along Ridgemark Drive would be a maximum of approximately 26 dBA. Since existing interior sound levels are below 50 dBA, the applicable FTA noise increase threshold for interior noise would be 7 dBA. This threshold would not be exceeded at any of the identified receptors. Therefore, sensitive receptors along Ridgemark Drive and Southside Road would not experience a substantial increase in interior noise conditions, and project-generated traffic would be considered a *less than significant* impact for interior noise.

Based on the proximity of proposed residences to segments of Ridgemark Drive and Southside Road, which are similar to the proximity of the existing residences, the projected noise level would not exceed the 65 dBA Ldn exterior noise threshold at proposed residential uses on the project site. As discussed in Section 4.11.1(a), Overview of Noise, the exterior-to-interior reduction of newer residential units is generally 30 dBA or more (FTA 2006). Therefore, interior noise levels for proposed residences along Ridgemark Drive and Southside Road would also not exceed the County's interior noise threshold of 45 dBA for residences.

Based on the above analysis, exterior and interior noise impacts at existing sensitive receptors and proposed on-site residential units along both Ridgemark Drive and Southside Road would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact N-4 THE PROPOSED RESIDENTIAL USES WOULD BE SUBJECT TO OPERATIONAL NOISE GENERATED FROM EXISTING AGRICULTURAL USES LOCATED TO THE SOUTH AND WEST OF THE SITE. HOWEVER, NOISE GENERATED BY THE EXISTING ADJACENT AGRICULTURAL USES WOULD NOT EXCEED THE APPLICABLE STANDARDS. THE PROJECT ITSELF WOULD ALSO GENERATE ADDITIONAL NOISE FROM OPERATION OF THE PROPOSED RESIDENTIAL USES. THESE NOISE IMPACTS WOULD NOT CAUSE THE APPLICABLE STANDARDS TO BE EXCEEDED FOR ANY NEARBY EXISTING USES. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 1]

Noise generating activity near the project site is currently limited primarily to vehicles traveling along nearby roadways in the adjacent residential area and periodic agricultural equipment on adjacent properties north and east of the site. Farm equipment associated with agricultural land uses can generate substantial noise levels. However, noise generated from agricultural equipment on adjacent properties would be periodic and distributed across large areas of agricultural land, much of which is at least 300 feet from the proposed residences and at lower elevation since the residences would be on a blufftop. Noise generated from agricultural equipment and related activities on adjacent properties would be periodic, and would therefore not be expected to significantly affect the proposed land uses. Noise from the operation of agricultural equipment was not observed during the 60-minute site visit conducted by Rincon Consultants. As required by San Benito County Code Chapter 19.39 and section 25.27.035, agricultural yard maintenance equipment operated between 7:00 am and 7:00 pm is exempted from noise standards, but shall adhere to noise standards during all other hours. Furthermore, as discussed in Section 4.2, Agricultural Resources, complaints by neighbors about agricultural operations are fairly uncommon in San Benito County, which further supports the conclusion that ongoing noise levels from agricultural operations would not be anticipated to create a substantial amount of noise. Therefore, noise associated with these agricultural uses would not be expected to substantially impact the residences proposed to be located closest to the existing orchards.

The proposed project would generate non-mobile operational noise that would be typical of residential uses, including periodic instantaneous sounds such as conversations, television sets, music, animals, household power tools, general vehicular movement, and doors slamming. The 2035 General Plan or County Code does not have noise regulation for specific operational non-stationary sources. These noises produced by the project would be similar to the existing noise environment associated with the residential uses north and east of the project site and the existing noise measured adjacent to those uses during the site visited conducted by Rincon Consultants. Therefore, noise associated with operation of the proposed residential uses would not substantially impact the existing sensitive receptors along Ridgemark Drive and Southside Road. Impacts would be *less than significant.*

Mitigation Measures

No mitigation is required.

c. Cumulative Impacts

The geographic extent for the analysis of cumulative stationary noise impacts is generally limited to areas within 0.5 mile of the proposed project. This area is defined as the geographic extent of the cumulative noise impact area because noise impacts would generally be localized. Beyond this distance, impulse noise may be briefly audible and steady construction noise from the proposed project would generally dissipate such that the level of noise would reduce to below the County's maximum noise standards and/or blend in with the background noise level. Development of past, present and reasonably foreseeable future developments within 0.5 mile of the site could

cumulatively increase the potential for exposure of people to increased noise levels associated with construction and operation of the project. The project would contribute to these cumulative effects. As discussed in Impact N-2, construction would exceed the applicable noise thresholds, but would be temporary and reduced to the extent feasible through application of mitigation measures. This construction noise, in combination with construction noise associated with other future projects within one mile of the project site, could result in a significant cumulative impact if the projects are constructed concurrently. However, the project's contribution would be less than considerable. Operation of the proposed project would not generate stationary noise that would exceed any noise standards. Future projects would be assessed on a case-by-case basis to ensure that any operational noise would not exceed noise standards to the extent feasible. Therefore, cumulative impacts related to operational stationary noise would be *less than significant*.

The geographic extent for the analysis of cumulative transportation noise impacts related to noise is limited to the study area described in Section 4.13, Transportation and Circulation. This area is defined as the geographic extent of the cumulative noise impact area because project-generated traffic would be limited to this area. At greater distances, project-generated traffic would disperse to a larger number of roadways and would not create noise above any standards. The proposed project would generate an increase in the average number of trips along the segments of Ridgemark Drive between Best Road and Airline Highway. Table 30 provides estimates of cumulative noise levels that are based on noise modeling (FHWA Traffic Noise Model – DOT 2004). Sensitive receptors near the project site include residential uses located adjacent to Ridgemark Drive and Southside Road (see Figure 31 for modeled receptor locations). The proposed project would have a considerable contribution to a significant cumulative impact if the change in noise levels from future conditions to future plus project conditions exceeded the appropriate FTA thresholds.

As shown in Table 30 below, existing residences located along Ridgemark Drive and Southside Road would not experience a change in roadway noise levels that exceeds the FTA thresholds under future plus project conditions. Therefore, there would not be a significant cumulative impact. Residences included in the proposed project would be located adjacent to South Ridgemark Drive and Southside Road, similar to the existing residences shown in Table 30, and therefore would not experience noise levels greater than 65 dBA.

Table 30 Future and Future + Project Sound Levels (dBA Ldn)

Road Segment	Future Conditions	Future + Project Conditions	Change from Future to Future + Project (dBA)	FTA Noise Increase Threshold	FTA Threshold Exceeded?
Ridgemark R1	49.3	49.3	0.0	7	No
Ridgemark R2	56.6	56.7	0.1	3	No
Southside R1	43.9	43.9	0.0	10	No
Southside R2	52.8	52.8	0.0	5	No

Refer to Appendix D for full noise model output.

Future conditions are based on the estimated traffic from the proposed but not yet approved (pending) development projects (Hexagon Transportation Consultants 2017).

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4.12 Public Services

4.12.1 Setting

a. Regional and Project Site Setting

Police Protection

The San Benito County Sheriff's Department (Department) provides police protection services to an approximately 1,391 square mile area including unincorporated San Benito County (including the project site), as well as the Cities of Hollister and San Juan Bautista. The City of Hollister also has its own police department which provides emergency response services to over half of the city's population. The Department provides coroner and civil services to the entire service area, including the City of Hollister. The sheriff station nearest to the project site is located at 2301 Technology Parkway in the City of Hollister, approximately 7.5 miles northwest of the project site. Emergency response times for the Department are dependent on where the patrol vehicles are in relation to a call, as well as the nature of the call.

As of the writing of this Draft EIR, the Department is staffed with 25 full-time and part-time sworn service enforcement personnel including a sheriff and two captains. The Department is also staffed by non-sworn personnel of approximately 60 including staff and search and rescue personnel. The ratio of service enforcement personnel per thousand residents in 2015 was approximately 1.0 service enforcement personnel per 1,000 population, assuming an emergency response service population of 28,000 (Captain Tony Lamonica, personal communication, October 2015). The Department participates in a mutual aid agreement with the City of Hollister under emergency situations that warrant additional personnel (Sheriff Darren Thompson, personal communication, February 2015).

The police station located on Technology Parkway typically has approximately one sergeant and three deputies per shift (Lamonica 2015). The estimated current average response time to incidents is between 10 and 28 minutes, depending on the severity of the emergency, location of responders, and staff availability (which has been substantially constrained in the past several years because of budget cuts that have required a reduction in overall staffing). California law enforcement does not have standardized response times for rural areas, such as the proposed project location, which typically have longer response times than urban areas (Thompson 2014).

The Department mainly receives funding from the County's General Fund, which is derived from property taxes, sales tax revenue, and user fees. In addition, San Benito County Code Title 5 (Finance), Chapter 5.01 (County Fees), Article IX (Capital Improvement Impact Fees) (Sections 5.01.310.325) establishes development impact fees requiring that new development provide a fair share contribution toward the provision of capital improvements, including buildings, facilities, personnel, and/or equipment needed in order to provide effective police protection services.

Fire Protection and Ambulance Services

Fire protection services in unincorporated San Benito County (including the project site), as well as the Cities of Hollister and San Juan Bautista, are provided primarily by the City of Hollister Fire Department, which absorbed the San Benito County Fire Department in 2013. Other fire protection services in the County include the Aromas Tri-County Fire Department, San Juan Bautista Volunteer Fire Department, and CAL FIRE. The City of Hollister Fire Department has two agreements with CAL

FIRE: the automatic aid agreement provides automatic fire protection services, and the mutual aid agreement provides fire protection service upon radio request by the City of Hollister Fire Department (Leo Alvarez, Division Chief, City of Hollister Fire Department, Personal Communication, September 2014).

According to the Hollister Fire Department Scope of Services contract with San Benito County (2013), the Hollister Fire Department plans to maintain a force consisting of a total of 30 full-time staff (27 full-time fire professionals with the ranking of Fire Captain, Fire Engineer or Firefighter and 1 full time fire chief, fire training officer, and fire marshal) and 80 reserves. Four fire stations are proposed to provide countywide fire services. Station 1 is owned and operated by the City of Hollister and is located at 110 Fifth Street Hollister. Station 2, also owned and operated by the City of Hollister, is located at Union Road. Station 3 would be located at Fairview Road and Rosa Morado Road and is expected to be in operation in October 2016 (Alvarez 2015). Station 4, which is located at 4th and Polk Streets, is owned by San Juan Bautista. The San Juan Bautista Fire Station is considered a volunteer fire station which is staffed by a combination of volunteer and full-time fire staff.

The City of Hollister's Fire Station Number 2, which is located at the intersection of Union Road and SR 25 in the City of Hollister, would be the closest station available to provide fire protection services at the project site. This fire station is located less than 2 miles northeast of the project site.

The City of Hollister Fire Department maintains a goal of responding to incidents within five minutes and the industry standard is a response time of 10 to 15 minutes for first responders (Alvarez 2014). In practice, the City of Hollister Fire Department generally takes no more than seven minutes to respond from all fire stations (Alvarez 2014). Current response times to any incidents at the project site or in the vicinity average approximately four to five minutes from Fire Station Number 2, and approximately five to six minutes from Fire Station Number 1 (Alvarez 2014).

The Hollister Fire Department receives funding from various County revenue sources, under its fire services contract, including fire mitigation fees. San Benito County Code Title 5 (Finance), Chapter 5.01 (County Fees), Article VIII (Fire Mitigation Fees) (Sections 5.01.280.296) establishes development impact fees requiring that new development provide a fair share contribution toward the provision of capital improvements for fire protection facilities and equipment, which may be used to construct and purchase facilities and equipment that are needed to provide fire protection services to the residents of new developments in the unincorporated County.

Emergency medical services in San Benito County are coordinated by the County Emergency Services Department. San Benito County contracts with a private company called American Medical Response (AMR) for emergency medical services. AMR has two locations (City of San Juan Bautista and City of Hollister) that would serve the proposed project.

The expected response time by the contracted 911 ambulance provider and/or fire department would be approximately 10 minutes, as this development would be in the Urban Zone (Kris Mangano, Emergency Medical Service Coordinator, San Benito County, personal communication, October 2016). The County has established standard response times based on community type as follows: urban (ten minutes), rural (30 minutes), wilderness (90 minutes), and wilderness remote (120 minutes). In 2015, AMR responded to just under 3,000 calls with an overall compliance of 94.91 percent within this standard (Mangano 2016). Costs related to provision of emergency services are typically passed along to the end user.

Schools

The Southside School District (District) is the local school district that would serve students generated by the proposed project. Southside Elementary School is located at 4991 Southside Road. Students in grades kindergarten through eighth grade would attend this school. Southside Elementary School is located just south of the proposed project and has a current enrollment of approximately 241 students. The capacity at Southside Elementary School is approximately 290 (John Schilling, Principal/Superintendent, Southside School, personal communication, October 2016).

San Benito High School is in a separate school district. It would accommodate students generated by the proposed project, and it is located at 1220 Monterey Street, in Hollister, approximately 3.7 miles northwest of the project site. The current enrollment at San Benito High School is approximately 2,935 students. The capaCity of San Benito High School is 2,835 students (100 below current enrollment) (Roseanne Lascano, Director Finance and Operation, San Benito High School District, personal communication, October 2016).

Operating revenue provided to school districts is funded by local property tax revenue accrued at the State level and then allocated to each school district based on the average daily student attendance. However, physical improvements to accommodate new students come primarily from assessed fees on development projects since State funding for capital improvements typically lags behind enrollment growth. For Southside Elementary School, as of the writing of this EIR, the fees are currently $2.63 per square foot (sf) for residential developments (Shannon Hansen, Assistant Superintendent Business Services, San Benito County Office of Education, personal communication, October 2016). As of November 2, 2016, the fees for San Benito High School are $1.38 per square foot (sf) for residential developments and $0.54 for commercial properties (Lascano 2016).

Library Service and Facilities

The San Benito County Free Library is located on 5th Street in Hollister, approximately 4.6 miles northwest of the project site. This facility is open Monday and Wednesday from 10:00 am - 6:00 pm, Tuesday and Thursday from 12:00 pm - 8:00 pm, and Friday from 2:00 pm - 6:00 pm. In addition to materials, the Library offers 19 computers with Internet access and databases for use by the public, which includes children's computers and six specialized employment/literacy computers. The library averages approximately 50 daily computer users. This facility also provides meeting rooms and US passport services (San Benito County 2011).

The San Benito County Library Bookmobile operates three days each week, with stops scheduled at various schools, convalescent and nursing facilities, apartment facilities, the Tres Pinos Post Office, and the Visitors Center at Pinnacles National Park. The San Benito County Free Library also offers an Adult Literacy Program. The program receives major funding from the California Library Literary Services, a program of the California State Library, and is supported by a volunteer tutor staff.

The Kids' Place Program provides services geared toward children, and the Teen Space Program is designed for teenagers. These programs, available through the library's website, offer Homework Help, online activities and games, and information on local events geared to the appropriate age group. Other online resources available through the library include Career and Job Resources, and access to a wide variety of Reference Tools, including World Book Encyclopedia.

The County's one-facility (built 1960, 11,043 sf) library system has over 30,000 registered borrowers and over 132,000 visits annually despite a 40 percent cut in staffing and 38 percent reduction in operation hours compared to 2009. While the County has more than 12,200 youth population from

0-14 years of age, over 9,200 youth are registered borrowers of the library. In 2014, the library had 5.5 full-time equivalent (FTE) permanent employees and 3.5 FTE temporary staff (Nora Conte, County Librarian, email communication, October 13, 2015). The library's diversified funding sources include: approximately 80 percent from local government, approximately 15 percent from State funds (California Library Services Act, Public Library Fund), approximately five percent from federal funds (California Library Services Act, California Library Literacy Act) and local partnerships, and approximately 5 percent from internal library revenue, such as passports and test proctoring (Conte 2015).

The City of San Juan Bautista also has a library which is located at 801 Second Street, approximately 12 miles northwest of the project site. This facility is open Monday, Wednesday, and Friday from 1:00 pm - 5:00 pm, Tuesday and Thursday from 1:00 pm - 7:00 pm, and Saturday from 10:00 am - 2:00 pm. The library has nine public-use computers with Internet access available and offers interlibrary loans from Monterey County Free Library Systems (City of San Juan Bautista 2016).

Parks and Recreational Facilities

As described in Section 2.0, Project Description, the majority of the project site has historically been used for agricultural land uses such as hay production. The project site does not contain any formally designated bikeways or trails.

According to the California Department of Finance (DOF), the population of San Benito County was 56,648 on January 1, 2016 (2016a). San Benito County's 2035 General Plan Natural and Cultural Resources Element, the Parks & Recreation Facilities Master Plan, and the Subdivision Ordinance (San Benito County Code, title 23 [Subdivision Ordinance], Chapter 23.15 [Dedications, Reservations, and Development Fees], section 23.15.008 [Dedication of Parkland]) requirements specify a target ratio of five acres of parkland per 1,000 residents. Therefore, based on the DOF 2016 population, the County should have approximately 280 acres of parkland. As defined in the Parks & Recreation Facilities Master Plan, parkland includes neighborhood parks, neighborhood/school parks, community parks, trails/linear parkways, special use facilities, recreational open space and sports parks.

According to the most recent County parkland inventory, compiled as part of the County's Development Impact Fee Study completed in 2012, there are currently 89.4 acres of County improved (i.e., developed) parks and recreational facilities including Veterans' Memorial Park, County Historical Park, Hollister Ranch Estates Open Space, Spring Grove School, DeAnza Trail, and San Juan Bautista Community Center. In addition to improved parkland, unimproved parkland counts toward this standard and is converted to an equivalent amount of improved parkland based on the ratio of the cost of an improved acre of land relative to an acre of unimproved parkland. Open space also counts toward this standard and is similarly converted to an equivalent amount of improved parkland. According to the County's existing inventory, there are approximately 10.08 acres of unimproved park acreage equivalent and approximately 228.84 acres of open space park acreage equivalent within the county (Willdan 2012). Therefore, park acres total approximately 328.32, which currently exceed the required 280 acres. In addition, there are currently approximately 7,344 acres of State parks, and approximately 26,000 acres of federal parks also located within the County, although neither of these types of parkland count toward the County's local parkland standard (San Benito County 2010b).

According to the Association of Monterey Bay Area Governments (AMBAG), the population of San Benito County is expected to grow to 81,332 residents by year 2035; therefore, the County should have approximately 407 acres of parkland to accommodate the projected 2035 population (using

the 5 acres/1,000 residents standard). As described above, the County currently has approximately 328.32 acres of County parkland which counts toward the standard (Willdan 2012). Therefore, the County would need an additional 78.68 acres of parkland to meet its parkland standard in 2035.

There are several recreational facilities within a five-mile radius of the project site, as follows:

- Dunne Park: Located approximately 4.5 miles northwest of the project site, this park provides tennis courts, softball fields, playground and memorial rose garden and barbeque pits.
- Rancho San Justo Park: Located approximately 4.1 miles northwest of the project site, this park provides soccer fields, a football field, a quarter-mile track, basketball courts and sports lighting.
- Veterans Memorial Park: Located 3.2 miles northwest of the project site, this park provides picnic facilities, a skate park, tennis courts, softball fields, soccer field, and youth baseball fields.
- Valley View Park: Located approximately 1.3 miles northwest of the project site, this park provides turf, a water play area, and a playground.

In addition, the following recreational facilities are located in the project region:

- The San Benito County Historical Park: This park offers wildlife and creek views, as well as a museum, research center, picnic grounds, and a tot lot.
- Fremont Peak State Park: This park offers camping and picnic facilities, as well as an astronomical observatory with a 30-inch telescope, which is open for public programs.
- San Juan Bautista State Historic Park: This park includes several historic museums, a blacksmith shop, the historic jail, and an early American's settler's cabin.
- Hollister Hills State Vehicular Recreation Area: This area is host to campers, picnickers, motorcyclists and four-wheelers in the Gabilan Mountains.
- San Justo Reservoir: The reservoir offers recreation to anglers, boaters, windsurfers, picnickers, and mountain bikers, and can support many other activities[25].

County parks receive funding from user fees, collected under San Benito County Code Title 5 (Finance), Chapter 5.01 (County Fees), Article V (Park Visitor Entrance and User Fees) (Sections 5.01.140-146) to recover the costs of developing and maintaining the San Justo Reservoir, County Historical Park and Veteran's Memorial Park facilities. In addition, San Benito County Code Title 5 (Finance), Chapter 5.01 (County Fees), Article IV (Park and Recreation Impact Fees) (Sections 5.01.120-.126) requires that new development provide a fair share contribution toward the acquisition of park land, construction of recreational improvements, and acquisition of equipment.

[25] The San Justo Reservoir has been closed since January 2008 as the result of a Zebra Mussel infestation. It is unknown when the park will reopen.

b. Regulatory Setting

State

SENATE BILL (SB) 50 (1998)

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

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

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

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

QUIMBY ACT

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

Local

2035 GENERAL PLAN

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

Economic Development Element

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

ED-8.1 **Increased Park/Open Space Use and Connection.** Create new park space, connect existing and future parks and open space areas/corridors, and encourage public art throughout the County.

ED-8.2 **Park and Recreation Maintenance and Establishment.** Improve existing parks and recreational facilities, where feasible, in need of repair or upgrading, and acknowledge the positive impact on property values from building and maintaining high quality parks across the County. Establish, where applicable, a range of parks and open spaces, including tot lots, neighborhood parks, community parks, skate parks, sports fields and courts, organized sports complexes, plazas/greens and/or green- ways/parkways within new neighborhoods, business districts and commercial areas.

ED-8.3 **Park Financing Mechanisms.** The County shall use a variety of financing mechanisms to acquire, develop, and maintain park, recreation, and open space uses consistent with growth in County population and adopted land use policies and shall encourage the establishment of community service districts or other financing mechanisms to finance the maintenance and operation of private and public parks created in conjunction with new development.

ED-8.4 **Walking Distance to Parks.** Strive to create development patterns such that the majority of residents are within a reasonable walking distance of a park, greenway, public plaza or recreation center.

Health and Safety Element

Goal HS-4 To minimize the risk of wildland and urban fire hazards.

HS-4.2 **Fire Protection Water Standard.** The County shall develop, maintain, and implement an appropriate fire protection water standard to be applied to all urban and rural development.

Public Facilities and Services Element

Goal PFS-1 To provide residents and businesses quality, cost-effective, and sustainable public facilities and services.

PFS-1.11 **Pay Fair Share.** The County shall require new development to pay its fair share of public facility and service costs.

PFS-1.12 **New Development Requirements.** The County shall require new development, in compliance with local, State, and federal law, to mitigate project impacts associated with public facilities and services, including, but not limited to, fire, law enforcement, water, wastewater, schools, infrastructure, roads, and pedestrian and bicycle facilities through the use of annexation fees, connection fees, facility construction/expansion requirements, or other appropriate methods.

PFS-1.13 **Service Agency Notification.** The County shall notify the appropriate agencies (e.g., cities, special districts, school districts, emergency service providers) of new development applications within their service areas early in review process to allow sufficient time to assess impacts on facilities and services.

Goal PFS-12 To provide adequate law enforcement facilities and services to prevent crime, ensure the safety of residents and visitors, and protect private and public property.

PFS-12.1 **Staffing Levels.** The County shall encourage optimum staffing levels for both sworn Sheriff Deputies and civilian support staff in order to provide adequate law enforcement services for all County residents.

PFS-12.2 **Sheriff Department Response Time Standards.** The County shall strive to achieve and maintain appropriate Sheriff Department response times for all call priority levels to provide adequate law enforcement services for all County residents.

PFS-12.4 **Fair Share.** The County shall require new development to pay its fair share of the costs for providing law enforcement service facilities and equipment to new residents.

PFS-13.1 **Fire Staffing and Response Time Standards.** The County shall strive to maintain fire department staffing levels and response times consistent with National Fire Protection Association standards.

PFS-13.6 **Visible Signage.** The County shall require that all roads and buildings are properly identified by name or number with clearly visible signs in order to promote faster response times.

PFS-13.7 **Fire Facility Fees.** The County shall require new development to pay its fair share of fees for new fire station facilities, equipment, and staffing necessary to maintain the County's service standards in that area. New development may also be required to create or join a special assessment district or other funding mechanism, to pay the costs associated with the operation of a fire station.

PFS-13.9 **Fire Safety Compliance.** The County shall ensure that all proposed developments are reviewed for compliance with the California Fire Code and other applicable State laws.

SAN BENITO COUNTY CODE OF ORDINANCES

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

Chapter 5.01, Article III. Fees for County Services

The County has adopted an Emergency Medical Services fee to support emergency services including 9-1-1 response, paramedics, and ambulance services. Fees are determined based on benefit assessment units which vary by the size, type, and intensity of development.

Chapter 05.01, Article VI. School Facilities Fees and Dedications

This article requires that applicants for residential subdivisions or building permits pay a fee or dedicate land, or some combination, to defray the cost of constructing school facilities as needed to minimize impacts caused by new development. These fees are collected by the County and provided

to the applicable school district. All new development within the County is required to pay a school facilities fee that is held in an account by the County and transferred at least quarterly to the school district serving the area from which the fees were collected, or dedicate land for a school site, or a combination.

Chapter 5.01, Article VIII. Fire Mitigation Fees

The County has adopted a fire protection facilities fee requiring that applicants for building permits pay a fee to defray the cost of constructing and equipping fire protection facilities as needed to minimize level of service impacts on fire protection caused by new development. These fees are collected by the County and provided to the Fire Department. All new development within the County is required to pay a fire facility fee that is held in an account by the County and transferred at least quarterly to the fire district serving the area from which the fees were collected.

Chapter 5.01, Article IX. Capital Improvements Impact Fees

The County has adopted a capital improvements impact fee requiring that applicants for building permits pay a fee to defray the cost of constructing and equipping law enforcement facilities as needed to minimize level of service impacts to police services caused by new development. Prior to issuance of a building permit, an applicant is required to pay to the Building Department the fees prescribed.

Chapter 23.15: Dedications, Reservations, and Development Fees

Section 23.15.008 (Dedication of Parkland) requires new development to dedicate park land, or pay an in lieu fee, or a combination, for local or regional community and neighborhood parks and recreational facilities. Section 23.15.008 sets forth the standards and formulas regarding dedicated park land.

Chapter 23.27: Fire Design Standards

This chapter contains several development standards that would encourage fire safety, including: roadway width, surface, grade, turning radius, and structure standards; gate entrance standards; street and road sign standards; and emergency water supply standards. Water supply thresholds for multiple residential, commercial or industrial uses include a County requirement of 2,500 GPM at 20 PSI residual.

Chapter 23.25: Design Requirements

Section 23.25.006 (Open Space Easements) sets forth requirements for the dedication of open space easements to the County including defining acceptable uses and identifying maintenance arrangements. Section 23.25.012 (Recreational Facilities) discusses the provision of recreational facilities and sets forth maintenance arrangements and obligations for parks, recreational facilities, open space and landscaping.

SAN BENITO COUNTY PARKS AND RECREATION FACILITIES MASTER PLAN

The Parks and Recreation Facilities Master Plan (adopted July 2010) provides the following goals, policies, objectives, and standards regarding parks and recreational facilities.

Parkland Development Requirements

This section discusses the recommended County Standard of 5-park acres per 1,000 population, including what types of facilities can be counted toward the standard, and the recommendation that neighborhood parks should be located so that County residents in urban areas live within ½ mile of a neighborhood parks.

Trail Planning and Design Guidelines

This section discusses general guidelines which all short and long term trail planning and implementation should consider, and discusses the various strategies for trail acquisition.

Potential Future Trail Corridors

This section identifies some possible trail corridors within which future trail connections might be desirable.

Trail Planning Reference Documents

This section provided County, State and Regional documents to be used as a reference during trail planning.

Trails Master Plan

This section identifies items that the Trails Master Plan should address, including a list of trail priorities and summary of public input.

Classification System & Standards

This section describes the various parkland classifications including size, service area, intended service group, description and potential facilities. The classifications are included to give planners and developers a clearer understanding of the expectation of what should be included in various park facilities, and to assist County staff and officials in reviewing development proposals for consistency with established standards.

SAN BENITO COUNTY BIKEWAY AND PEDESTRIAN MASTER PLAN

The Bikeway and Pedestrian Master Plan provides the following goals, policies, objectives and standards regarding bike and pedestrian facilities:

Goal 1 Increase Bicycle and Pedestrian Access

Objective 1-2 Expand bicycle and pedestrian facilities and access in and between neighborhoods, employment centers, shopping areas, schools, and recreational sites, in pursuit of the San Benito County Council of Governments General Plan and Regional Transportation Plan policies of encouraging bicycle and pedestrian travel.

Objective 4-3 Complete a network of bikeways and walkways that are feasible, fundable, and that serve bicyclists' and pedestrians' needs, especially for travel to employment centers, schools, commercial districts, transit stations, institutions and recreational destinations.

Objective 4-6 Provide short- and long-term bicycle parking in employment and commercial areas, in multifamily housing, at schools, and at recreation and transit facilities.

Objective 4-8 Promote bicycling as a healthy transportation option that improves physical fitness.

SAN BENITO HIGH SCHOOL DISTRICT FACILITIES MASTER PLAN

The San Benito High School 2015 Facilities Master Plan calls for further developing the central hub of the existing high school campus around a new student quad adjacent to the closed section of Nash Road. The library would be relocated to the corner of Nash Road and West Street, and the existing Agriculture and Shop Building (which is housing ASB under the Measure G Master Plan) would be transformed into a new Student Union. Spaces vacated by the above relocation would be converted into classrooms. This 10-year plan would essentially complete the unification of the campus.

Should more funding become available, the 20-year plan further opens the center of campus by removing identified buildings in the center of campus, which block the line of sight for supervision and contribute to the congestion of campus. These buildings would be replaced with new construction south of Nash Road. Identified buildings for possible relocation include the PE/athletic locker facilities next to Mattson Gym, in essence making that area the main sports venue for our campus. This plan would complete the transformation of the existing school to an efficient, functional and state of the art campus. There is currently no funding identified for the 20-year plan.

4.12.2 Impact Analysis

a. Methodology and Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, impacts related to public services from the proposed project would be significant if the project would:

1) Result in substantial adverse physical impacts associated with the provision of new or physically altered government and public services facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities;

2) 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; and/or

3) Include recreational facilities or require construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Police, fire, and ambulance service providers were contacted to ascertain the current average response times and estimated response times to the project site. Impacts to these public services would be considered significant if acceptable response times could not be met, such that the construction of new or expanded facilities would be required to ensure adequate response to the proposed project, and those facilities would result in significant environmental impacts. The evaluation of school impacts is limited to those effects with the potential to result in the need for

construction of new classrooms or placement of portable classrooms. Similarly, the evaluation of impacts related to parks and recreational facilities and other public facilities focus on the potential need for the construction or expansion of recreational or library facilities which might have an adverse physical effect on the environment.

b. Project Impacts and Mitigation Measures

Impact PS-1 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD GENERATE NEW RESIDENTS THAT WOULD REQUIRE POLICE PROTECTION SERVICES FROM THE SAN BENITO COUNTY SHERIFF'S DEPARTMENT. THIS INCREASE IN SERVICE POPULATION WOULD NOT INCREASE RESPONSE TIMES BEYOND ACCEPTABLE LEVELS AND WOULD NOT REQUIRE ADDITIONAL POLICE STAFF AND VEHICLES SUCH THAT NEW OR EXPANDED POLICE FACILITIES WOULD NEED TO BE CONSTRUCTED. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 1]

Construction of the proposed project would result in 90 new single-family homes, which would generate 3.22 new residents per unit, or approximately 290 new residents (DOF 2016b). While California law enforcement does not have standardized service ratios, a decrease in the Sheriff Department's current service ratio or an increase in response time that would result in a need to construct new or expand existing facilities in order to maintain the existing service levels would result in a significant impact to police services. According to the County Sheriff, the increase in service population generated by the proposed project would not increase the current average response time to the project site and to the rest of the County (approximately 10 to 28 minutes), which is considered acceptable and consistent with applicable performance standards (Sheriff Darren Thompson, personal communication, February 2015). The County Sheriff's Department already provides police protection services to the residential development directly adjacent to the project site in the Ridgemark Country Club development. Based on this existing service, County Sheriff Department staff has indicated that implementation of the proposed project would not require additional police facilities, as service levels could be maintained via more staffing or other operational changes that would not physically impact the environment (Sheriff Darren Thompson, personal communication, October 2014). Therefore, the proposed project would not cause significant environmental impacts related to construction of new or expanded police protection facilities and this is a less than significant impact.

As a condition of approval, the project applicant would also be required to pay the applicable public facility fees ($0.38 per square foot of all covered space, as of the writing of this EIR), pursuant to the County's applicable fee schedule. These fees would be required to be paid at the time building permits are issued

Mitigation Measures

No mitigation is required.

Impact PS-2 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD INCREASE THE SERVICE POPULATION FOR THE CITY OF HOLLISTER FIRE DEPARTMENT AND AMR. HOWEVER, THE PROPOSED PROJECT WOULD NOT TRIGGER THE NEED TO CONSTRUCT NEW FIRE DEPARTMENT OR AMR FACILITIES, OR ALTER EXISTING FACILITIES TO ACCOMMODATE ADDITIONAL PERSONNEL OR EQUIPMENT TO MAINTAIN ACCEPTABLE PERFORMANCE STANDARDS AND LEVELS OF SERVICE. THEREFORE, IMPACTS RELATED TO FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 1]

San Benito County contracts with the City of Hollister to receive fire protection services in unincorporated areas. As previously described, the City of Hollister Fire Department maintains a goal of responding to incidents within five minutes and the industry standard is a response time of 10 to 15 minutes for first responders (Leo Alvarez, City of Hollister Fire Department Division Chief, Personal Communication, September 2014). In practice, the City of Hollister Fire Department generally takes no more than seven minutes to respond from all fire stations (Leo Alvarez, Personal Communication, September 2014). Current response times to any incidents at the project site or in the vicinity average approximately four to five minutes from Fire Station Number 2 (Alvarez 2014). Based on the project's estimated population of approximately 290 new residents, the current response times, and the distance between the project site and existing fire stations, the proposed project would not trigger the need to construct a new fire station or to expand existing fire stations (Alvarez 2014) in order to maintain acceptable response times, performance standards or levels of service. The City of Hollister Fire Station Number 2 currently provides fire protection services to the adjacent housing development. Implementation of the proposed project would not reduce the ability of Fire Station Number 2 to meet the response time goal of five minutes and to maintain the industry standard of ten to fifteen minutes for first responders. In addition, the Insurance Services Offices (ISO), which is a national rating for fire response times based on a scale of 1 (best) to 10 (worst), classifies the County 4 for urban areas and 5 for rural areas (Alvarez 2014), which means that the County has an average or moderate fire response time compared to other counties across the country.

As part of project design, all road widths and circulation, as well as the placement of fire hydrants, fire flow considerations, and installation of automatic sprinkler systems, would be designed with the guidance of, and pursuant to the applicable standards of, the City of Hollister Fire Department in accordance with applicable requirements and other standards. Specifically, the proposed project would comply with the following:

- All public and private roads would be all-weather surfaces with a minimum width of 18 feet, unobstructed by parking. Cul-de-sacs and turnouts would be designed to Fire Department standards. For private roads, there would be ongoing and legally binding provisions to maintain the roads to Fire Department approval.
- Structure numbers and street signs would be lighted to County standards so that emergency vehicles including police and ambulances can locate residences in the event of any emergency.
- All fire hydrants would be installed in accordance with Fire Department requirements.
- The project's water system would be designed to maintain minimum fire flow requirements in place at the time of construction.

The existing service population for both the City of Hollister Fire Department and AMR in San Benito County includes the incorporated and unincorporated county population, a total of 56,648 people (DOF 2016a). The proposed project would generate approximately 290 people, which is less than 1 percent of the existing service population. While an increase in call volumes would require a relatively nominal increase in resources to meet the demand and maintain the standard level of service, such additional ambulance and emergency response personnel could be accommodated at an existing fire station, and as such, would not require additional or expanded facilities (Alvarez 2014; Mangano 2016). Therefore, impacts related to emergency medical response would be less than significant.

Mitigation Measures

No mitigation is required.

Impact PS-3 Implementation of the proposed project would generate an estimated 51 students. Although San Benito High School is currently above capacity, payment of school impact fees would reduce impacts to a less than significant level. [Threshold number 1]

As described above, the proposed project would be located in the Southside School District and the San Benito High School District. The districts utilize a student generation factor of 0.5 per single-family detached unit for grades K-12, with 0.375 students per unit generated for grades K-8 and 0.125 students per unit generated for grades 9-12. Table 31 describes the projected student generation at these two schools due to project implementation and Table 32 compares the existing enrollment and capacity to the projected enrollment and capacity under the proposed project.

Table 31 School Generation Factors and Student Generation

School	Generation Factor	Number of Students Generated from 90 Single-Family Units
Southside Elementary	0.375	34
San Benito High	0.184	17
Total		51

Table 32 School Enrollment

School	Current Capacity	2016 Fall Enrollment	Current Excess Capacity	Project Generation	Post-Project Remaining Capacity
Southside Elementary	290	241	49	34	15
San Benito High	2,835	2,935	(100)	17	(117)

As shown in Table 31, based on Southside Elementary School and San Benito High School generation factors, approximately 34 K-8 students and approximately 17 high school students would be generated from this project. Based on correspondence with John Schilling, Principal/Superintendent of Southside Elementary School, the school has available capacity to accommodate students generated by the proposed project without constructing new or physically altering facilities (October 2016). As shown in Table 32, San Benito High School is currently over capacity, and the project would exacerbate this existing deficiency. Based on correspondence with Roseanne Lascano,

Director Finance and Operation for San Benito High School District, the high school needs new or physically altered facilities to accommodate these and other students at the High School (October 2016). These facilities are outlined in the District's 2015 Facilities Master Plan. This project, as well as any additional amount of future development, would contribute to the need for additional facilities and impose those costs on the High School District.

Although one of the schools serving the project site (San Benito High School) is currently over capacity, an existing deficiency that would be exacerbated by the project, the project developer would be required to pay school impact fees pursuant to section 65995 (3)(h) of the California Government Code. Payment of the required fees would reduce impacts to *less than significant.*

Mitigation Measures

No mitigation is required.

Impact PS-4 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD RESULT IN A NEW SERVICE POPULATION THAT MAY UTILIZE THE COUNTY LIBRARY. HOWEVER, THIS INCREASE IN POPULATION WOULD NOT TRIGGER THE NEED TO CONSTRUCT NEW LIBRARY FACILITIES OR ALTERED LIBRARY FACILITIES. THEREFORE, THIS IS A LESS THAN SIGNIFICANT IMPACT. [THRESHOLD NUMBER 1]

The County operates one main branch library in Hollister. It provides a variety of resources and programs such as the Bookmobile, which brings library services to other communities in the county. The proposed project would result in a population increase of approximately 290 people. An increase in population could place greater demands on existing library resources and programs. However, the County's library facilities are designed to accommodate use associated with buildout of the County's General Plan. In total, this would include approximately 26,063 additional residents, 7,187 additional housing units, and approximately additional 3,346 employees by the year 2035 (AMBAG, 2014). The proposed project's population would represent approximately one percent of anticipated population growth. As such, the additional service population resulting from the proposed project would be accommodated within the existing General Plan projections and would not generate significant demand for library facilities beyond that anticipated in the current adopted General Plan. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Impact PS-5 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD GENERATE ADDITIONAL DEMAND FOR PARKLAND. HOWEVER, THE PROJECT WOULD NOT SIGNIFICANTLY INCREASE THE USE OF EXISTING PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION WOULD OCCUR, NOR WOULD THE PROJECT REQUIRE CONSTRUCTION OF ADDITIONAL PARKLAND (BEYOND WHAT IS PROPOSED ON-SITE AND ANALYZED THROUGHOUT THIS EIR), THAT WOULD HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT. THEREFORE, THE PROJECT WOULD RESULT IN LESS THAN SIGNIFICANT IMPACTS RELATED TO PARK DEMAND. [THRESHOLD NUMBERS 1, 2, AND 3]

As discussed in the Regulatory Setting above, the County requires that new development provide parkland at the rate of five acres per 1,000 residents (San Benito County 2010b). Based on the County's estimated population of 3.22 people per household, the proposed project would generate approximately 290 residents. Therefore, the proposed project would be required to include approximately 1.45-acres of parkland that are open to the public and meet the minimum sizes and standards of the Classification System, as described in Chapter 9 of the Parks and Recreation

Facilities Master Plan (San Benito County 2010b). Per the County Code, final acreage calculations and fee amounts are determined at the final map stage.

As described in Section 2.0, Project Description, the proposed project would provide three private on-site parks totaling approximately 3.2 acres, which would be open only to the project's residents and guests. The park areas would be located near the project entry, near the northwest corner of the development, and in the southwest corner of the development. The project would not develop the approximately 12.1 acres of steep slopes on the western and southern edges of the blufftop site. These sloped areas would remain open space.

Pursuant to the San Benito County Code of Ordinances, section 23.15.008, Parkland Dedication Requirements, the onsite parks and retention basin would not qualify as dedicated parkland. The project applicant would therefore be required to pay an in-lieu fee equivalent to 1.45 acres of parkland. As noted in Section 4.12.1(a), Regional and Project Site Setting (Parks and Recreation Facilities), the County currently exceeds the target ratio of five acres of parkland per 1,000 residents. The proposed project would provide private parkland onsite that exceeds the target ratio to serve the population generated by the project, such that demand from the project population would be met. In addition, the in-lieu fee would help with maintenance and operation of existing, off-site county parks. Thus, the project would neither generate any significant demand such that would cause the County to exceed the target ratio, nor cause substantial physical deterioration to existing parks. Accordingly, the project's impacts in this regard would be *less than significant.*

Mitigation Measures

No mitigation is required.

c. Cumulative Impacts

Police Protection

This cumulative analysis considers the project in the context of the service area of the San Benito County Sheriff's Department, as this is the agency that would serve the project. The Department provides emergency response services to the unincorporated San Benito County and the City of San Juan Bautista and provides coroner and civil services to the unincorporated San Benito County and the Cities of San Juan Bautista and Hollister. The potential buildout of the projects listed in Table 4 in unincorporated San Benito County and the City of Hollister would result in an increase of approximately 9,675 additional residents, 3,005 additional housing units, and approximately 398,700 square feet of commercial development. The proposed project's population would represent approximately three percent of anticipated population growth within the Department's service area.

The project, in combination with other past, present and reasonably foreseeable cumulative development, would result in increases in service population. This could trigger the need to construct new or expanded police enforcement facilities to house the additional staff and equipment needed to serve this additional population, which could result in potentially significant impacts. However, this growth has been anticipated in the County's General Plan; in addition, San Benito County has adopted an impact fee that can be used to help offset the costs associated with constructing and equipping new public service facilities that are necessary to support future growth. Although not anticipated at this time, if new facilities needed to be constructed in the future, appropriate environmental review would be required under CEQA. Furthermore, the potential location of future facilities is currently unknown and therefore it would be speculative to evaluate

their environmental impacts at this time. In addition, all developments would otherwise be required to coordinate with the Sheriff's Department to identify specific service needs and ensure that adequate facilities are provided for, as contemplated in the General Plan and the County's development impact fee ordinance. Also, the County's General Plan contains a number of policies to help ensure that adequate law enforcement facilities are in place to support new development. These policies would be enforced and implemented during the individual development review process for each cumulative project.

Therefore, while cumulative development would result in a cumulative increase in demand for law enforcement services and related facilities, this anticipated increase has already been accounted for and accommodated through the County's development impact fee process and the County's General Plan. Further, while the project would contribute to this cumulative increase, it would be required to pay the applicable development impact fees to cover its proportionate fair share of any such new facilities that are needed to support future growth and as such, its contribution would not be cumulatively considerable.

Fire Protection and Ambulance Services

This cumulative analysis considers the project in the context of the service area of the Hollister Fire Department and AMR, as these are the agencies that would serve the project. The Hollister Fire Department and AMR provide fire and ambulance services to the unincorporated San Benito County, including the project site, and the Cities of Hollister and San Juan Bautista. The potential buildout of the projects listed in Table 4 in unincorporated San Benito County and the City of Hollister would result in an increase of approximately 9,675 additional residents, 3,005 additional housing units, and approximately 368,700 square feet of commercial development. The proposed project's population would represent approximately three percent of anticipated population growth within the Fire Department's and AMR's service area.

The project, in combination with other past, present and reasonably foreseeable cumulative development, would result in increases in demand for fire protection as well as increases in service population and population that could impact response times for fire protection and emergency service provision. This could trigger the need to construct new or expanded fire protection and emergency response facilities to house the additional staff and equipment needed to serve this additional demand, which could result in potentially significant impacts. However, this growth has been anticipated in the County's current adopted General Plan; in addition, San Benito County has adopted an impact fee that can be used to help offset the costs associated with constructing and equipping new fire protection and emergency response facilities that are necessary to support future growth. Although a new fire station is not anticipated at this time, if new facilities needed to be constructed in the future, appropriate environmental review would be required under CEQA, which would address cumulative impacts to fire and ambulance services. Furthermore, the exact location of future facilities is currently unknown and therefore it is not possible to evaluate their environmental impacts at this time. In addition, all developments would otherwise be required to coordinate with the City of Hollister's Fire Department to identify specific service needs and ensure that adequate facilities are provided for, as contemplated in the 2035 General Plan and the County's development impact fee ordinance. Also, the County's General Plan contains a number of policies to help ensure that adequate fire protection facilities are in place to support new development. These policies would be enforced and implemented during the individual development review process for each cumulative project.

Therefore, while cumulative development would result in a cumulative increase in demand for fire protection services and related facilities, this anticipated increase has already been accounted for and accommodated through the County's development impact fee process and the County's General Plan. Further, while the project would contribute to this cumulative increase, it would be required to pay the applicable development impact fees to cover its proportionate fair share of any such new facilities that are needed to support future growth and as such, its contribution would not be cumulatively considerable.

Schools

This cumulative analysis considers the project in the context of the service area of Southside Elementary School and San Benito High School, as these are the schools that would serve the project. Envisioned future development in accordance with buildout projections would increase enrollment at Southside Elementary School and San Benito High School. Cumulative projects may significantly impact facilities at these schools, thus triggering the need for new or expanded facilities to accommodate this additional demand. However, this cumulative development has been accounted for in the County's General Plan. With the addition of the students generated by the project, Southside Elementary School would still have excess capacity, although this would likely be exceeded at some point with additional cumulative development. Capacity for San Benito High School would be exceeded by 117 students as a result of the proposed project, which would introduce 51 new students, and cumulative development would cause a further exceedance of this capacity. However, each future development project would be required to pay applicable SB 50 fees, which would help to reduce said cumulative impacts. If such funding were to be used for the development of new facilities or the expansion of existing facilities, these future developments would undergo CEQA review as appropriate. While the proposed project would contribute incrementally to the cumulative impacts, it would be required to pay the applicable SB 50 fees, further reducing its impacts in this regard. Accordingly, the project's contribution to any cumulative impacts in this regard would not be cumulatively considerable.

Library Services and Facilities

This cumulative analysis considers the project in the context of the County's total available library facilities, as these are the facilities that would serve the proposed project. Additional service population from cumulative development would increase demands for library services and facilities, which could result in potentially significant impacts. However, this growth has been anticipated in the County's General Plan. Although not anticipated at this time, if new facilities needed to be constructed in the future, appropriate environmental review would be required under CEQA. Furthermore, the exact location of future facilities is currently unknown and therefore it is not possible to evaluate their environmental impacts at this time. In addition, all developments would otherwise be required to coordinate with the County to identify specific service needs and ensure that adequate facilities are provided for, as contemplated in the General Plan.

Furthermore, the proposed project's population would represent approximately three percent of anticipated population growth as a result of the projects listed in Table 4. As such, the additional service population resulting from the proposed project would be accommodated within the existing General Plan projections and would not generate significant demand for library facilities beyond that anticipated in the General Plan. While the proposed project would contribute incrementally to the cumulative impacts, its contribution would be nominal. Accordingly, the project's contribution to any cumulative impacts in this regard would not be cumulatively considerable.

Parks and Recreational Facilities

This cumulative analysis considers the project in the context of the County's total parkland, as this is the area that would serve the proposed project. Additional service population from cumulative development would increase demands for park and recreational facilities; as a result of this cumulative growth, the County would likely need to expand and construct additional parks and other recreational facilities to meet increased demand. As described above, the County prepared a Development Impact Fee Study in 2012, which estimates future needs for park and recreational facilities and requires project applicants to pay for their proportionate fair share through development impact fees. In addition, project applicants would be required to dedicate land or pay in-lieu fees pursuant to the County's park ordinance to maintain its park standard of 5 acres per 1,000 residents. As the County develops, new parks and recreational facilities would be provided throughout the County in accordance with the County Parks and Recreational Master Plan and other adopted County policies and standards. As noted above, the project would include 3.2 acres of on-site private parkland available to residents and guests of the project. Cumulative projects may significantly impact parklands in the County, thus triggering the need for new or expanded facilities to accommodate this additional demand. However, this cumulative development has been accounted for in the County's General Plan. As such, the project's contribution to any such cumulative impacts would not be cumulatively considerable. Therefore, less than significant cumulative parks and recreation impacts would result.

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4.13 Transportation

This section presents the key assumptions, methods, and results of analysis for the transportation and circulation impacts of the proposed project. This section is based on, among other things, The Bluffs at Ridgemark Residential Subdivision Transportation Impact Analysis (TIA; 2017) prepared by Hexagon Transportation Consultants, Inc. This report is included in Appendix E and contains the traffic counts, level of service (LOS) calculations, and a detailed description of the traffic forecasting done for the analysis.

Although it is reasonable to expect that future roadway system improvements would be provided as planned, they remain largely dependent on fees generated by the development of the various cumulative projects that would affect the roadways. The likelihood that planned developments would continue can be forecasted but not predicted with certainty. The same is true of the timing of these developments. Consequently, in order to provide a conservative evaluation, this traffic analysis evaluates development impacts under five conditions:

- **Existing (2013-2016) Conditions**. Existing conditions were represented by existing peak-hour traffic volumes on the existing roadway network. Existing traffic volumes were obtained from recent traffic counts and previously completed traffic studies.
- **Existing (2013-2016) Plus Project Conditions**. Existing plus project conditions were represented by traffic volumes, with the project, on the existing roadway network. Traffic volumes with the project were estimated by adding to existing traffic volumes that the traffic generated by the proposed project. Existing plus project conditions were evaluated relative to existing conditions in order to determine potential project impacts.
- **Background Conditions**. Background conditions were represented by adding trips from approved (but not yet constructed) development projects to existing peak-hour traffic volumes. In addition, there was one roadway improvement in the vicinity of the project study area that was assumed to be completed under Background condition: the extension of Union Road from its termination point at Calistoga Drive eastward toward Fairview Road.
- **Background Plus Project Conditions**. Background plus project conditions were represented by traffic volumes, with the project, on the existing roadway network. Traffic volumes with the project were estimated by adding the traffic generated by the project to existing traffic volumes and trips from approved (but not yet constructed) developments. Background plus project conditions were evaluated relative to background conditions in order to determine potential project impacts.
- **Cumulative Conditions.** Cumulative conditions represent future traffic volumes on the long-range future transportation network that would result from traffic growth projected to occur due to proposed but not yet approved (pending) development projects (in addition to trips that occur under the existing and background conditions). No future roadway improvements in the vicinity of the project study area were assumed, other than what was assumed under Background conditions (the extension of Union Road). The Cumulative condition is evaluated further with and without the addition of trips from the proposed project.

4.13.1 Setting

a. Existing Roadway Network

The City of Hollister (City) is located in San Benito County, approximately 30 miles northeast of Monterey amid the California Coast Range. Regional access to the project site and vicinity is provided by State Routes 25 and 156 while local access to the project site and vicinity is provided by several local streets in the study area.[26] These facilities are described below and shown on Figure 33.

- **State Route 25** (SR 25) is a two-lane highway that carries regional traffic between Gilroy and Hollister. It begins at its junction with Highway 101 in Gilroy and extends southward through Hollister towards Paicines.
- **State Route 156** (SR 156) is generally a two-lane highway that carries regional traffic between U.S. Highway 101 and State Route 152 (SR 152). SR 156 is a major roadway for trucks traveling between

U.S. Highway 101 and Interstate 5

Between Hollister and San Juan Bautista, SR 156 is a two-lane highway. Between San Juan Bautista and US 101, SR 156 is a four-lane divided highway.

- **Airline Highway** is a two- to four-lane arterial roadway that runs through Hollister. Airline Highway begins at Tres Pinos Road/Sunnyslope Road where it changes designation from McCray Street. Airline Highway is also State Highway 25 in the south part of Hollister
- **Fairview Road** is a two-lane north-south collector that is situated on the east edge of Hollister. Fairview Road provides access to Airline Highway to the south and to SR 25 and SR 156 to the north.
- **Southside Road** is a two-lane roadway that begins at Airline Highway in Tres Pinos and extends northward into Hollister where it crosses Union Road then turns 90-degrees to the west and extends to San Benito Street. Southside Road would provide direct access to the project via the proposed emergency/restricted access road.
- **Ridgemark Drive** is a two-lane local (residential) roadway that provides direct access to the project site from Airline Highway via two entrances to the Ridgemark Country Club development.

b. Truck Routes

The Circulation Element of the 2035 General Plan Update states that "The County shall designate truck routes for the transport of goods throughout the County and shall adopt regulations for designated truck routes" and "… shall encourage inter- and intra- regional truck traffic to use State and federal highways, to maintain the primary role of County roads as serving local and agricultural traffic" (San Benito County 2015a). SR 25 through San Benito County is a California Legal Advisory Truck Route.

[26] The study area for the traffic analysis includes the project site and 11 study area intersections, as shown in Figure 35.

Figure 33 Existing Roadway Network

Imagery provided by Google and its licensors © 2017;
Additional data provided by Carlson, Barbee & Gibson, April 2017.

Traffic Fig 1 - Existing Roadway Network

c. Transit Services

Transit service to the project vicinity is provided by San Benito County Express Transit System, operated by the Council of San Benito County Governments. County Express operates several fixed-route buses in Hollister and San Benito County. However, none of the routes operate on roadways that are within walking distance of the project site. The nearest bus stop to the project site is located near the intersection of Sunset Drive and Airline Highway, approximately three miles from the project site.

County Express also provides Dial-a-Ride service to Northern San Benito County, including Hollister, San Juan Bautista and Tres Pinos on weekdays from 6 am to 6 pm and weekends between 9 am and 3 pm. Two types of Dial-a-Ride service are available: general public and paratransit. General public Dial-a-Ride serves those persons whose trips begin or end in a location more than three-quarters of a mile from the fixed route. Paratransit service provides rides to persons who have been determined to be Americans with Disabilities Act (ADA) eligible through the Local Transit Authority application process. Appointments for Dial-a-Ride service can be made up to 14 days in advance or on the day of the ride. However, same day scheduling is subject to a $1.00 convenience fee and availability.

County Express' inter-county service includes service to the Gilroy Transit Center and Gavilan Community College. Shuttle service to the Gilroy Transit Center and Gavilan Community College (school year only) operates Monday through Friday from 6:55 am to 6:15 pm and connects to six trains per day operating between Gilroy and San Jose. County Express also provides service to Caltrain's station in Gilroy and to Gilroy's Greyhound station (San Benito County 2010d).

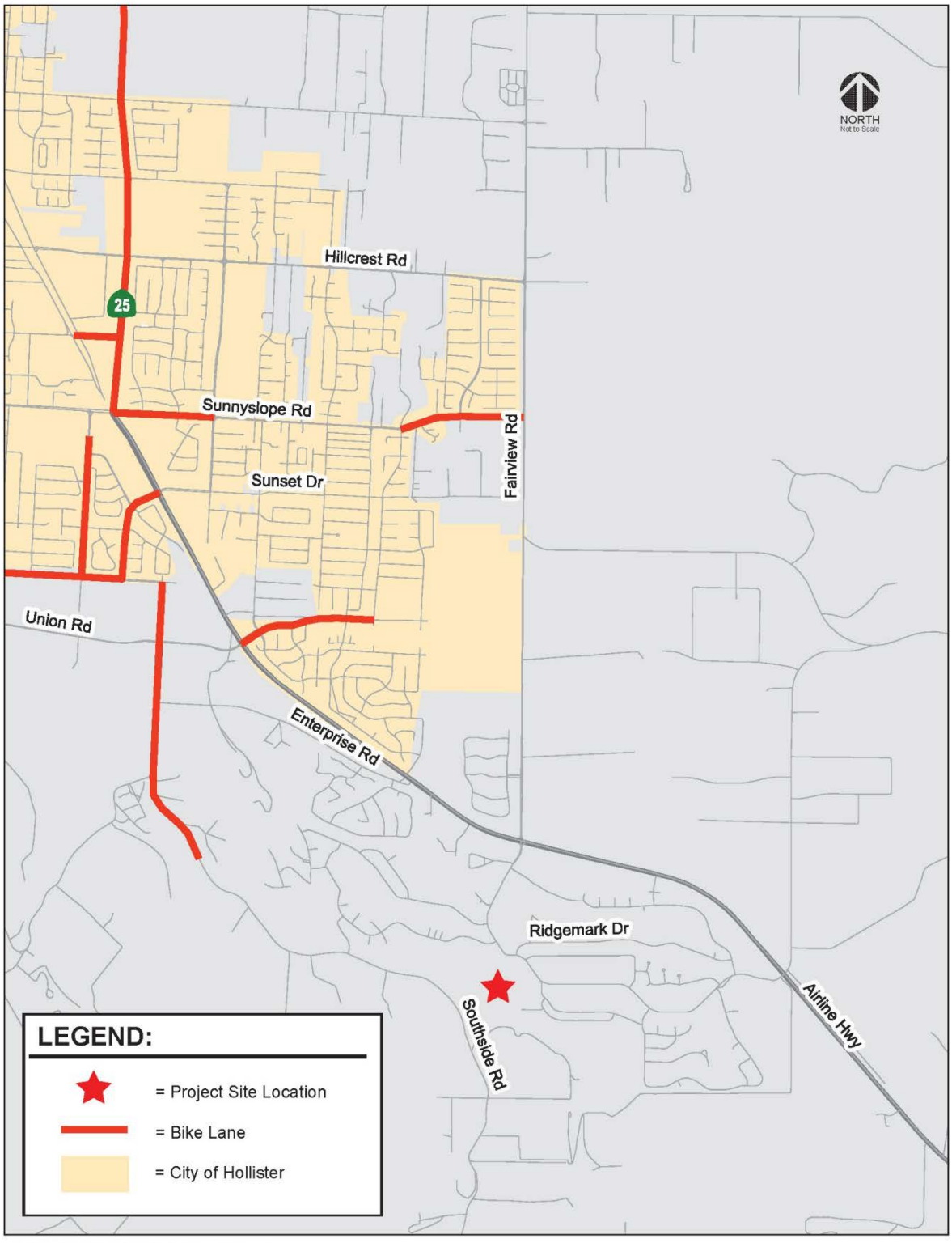
d. Pedestrian and Bicycle Facilities

Bicycle facilities are divided into three classes of relative significance. Class I bikeways are bike paths that are physically separated from motor vehicles and offer two-way bicycle travel on a separate path. Class II bikeways are striped bike lanes on roadways that are marked by signage and pavement markings. Class III bikeways are bike routes and only have signs to help guide bicyclists on recommended routes to certain locations. The locations of existing bicycle facilities are shown in Figure 34.

Currently the project site is not served directly by any bicycle facilities. However, Class II bike lanes are provided on the following roadways:

- Sunnyslope Road between SR 25 & Memorial Drive and Cerra Vista Drive & Fairview Road
- Highway 25 Bypass between San Felipe Road and Sunnyslope Road
- Southside Road from north of Union Road to just south of Hospital Road and between Sunset Drive & San Benito Street
- Union Road between SR 25 and Cerra Vista Drive
- Sunset Drive between SR 25 and Southside Road
- Ladd Lane between south of Tres Pinos Road and Southside Road
- East Park Street between SR 25 and McCray Street

Figure 34 Existing Bicycle Facilities



Hexagon Transportation Consultants, Inc., October 2016

The 2009 *San Benito County Bikeway and Pedestrian Master Plan* indicates that Class II bike lanes are planned on the following roadways:

- Fairview Road between Airline Highway and Fallon Road
- Union Road between Fairview Road and San Benito Street
- Airline Highway between Ridgemark Drive and Sunset Drive

The existing roadway network in the study area currently includes many areas with undeveloped roadway frontages that do not provide sidewalks including areas along Fairview Road, Airline Highway, Ridgemark Drive, and Southside Road. The lack of sidewalks along surrounding streets in the area does not currently support pedestrian travel between the project site and other pedestrian destinations, such as schools and transit stops.

4.13.2 Analysis Methodology

a. Level of Service Methodology

Traffic operations for this project have been quantified through the determination of "Level of Service" (LOS). Level of Service is a qualitative measure of traffic operating conditions, whereby a letter grade "A" through "F" is assigned to an intersection or roadway segment, representing progressively worsening traffic operations.

The level of service methodology for signalized study intersections is based on the 2010 Highway Capacity Manual (HCM) methodology for the evaluation of signalized intersection level of service. The HCM methodology is applied using the SYNCHRO level of service analysis software. SYNCHRO evaluates signalized intersection operations based on average control delay time for all vehicles at the intersection. Control delay is the amount of delay that is attributed to the particular traffic control device at the intersection, and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The correlation between average delay and level of service for signalized intersections is shown in Table 33.

SYNCHRO is also the software used to determine the level of service for un-signalized intersections, using the HCM methodology for un-signalized intersection analysis. This method is applicable for both two-way and all-way stop-controlled intersections. For the analysis of stop-controlled intersections, the HCM methodology evaluates intersection operations on the basis of average control delay time for all vehicles on the stop-controlled approaches. For the purpose of reporting level of service for one- and two-way stop-controlled intersections, the delay and corresponding level of service for the stop-controlled minor street approach with the highest delay is reported. For all-way stop-controlled intersections, the reported average delay and corresponding level of service is the average for all approaches at the intersection. The correlation between average control delay and level of service for un-signalized intersections is shown in Table 33.

Table 33 Level of Service Definitions and Criteria for Intersections

Level of Service	Operational Characteristics	Intersection Control Delay (seconds/vehicle)	
		Signal Control	Two-Way-Stop or All-Way Stop Control
A	Free-flow conditions with negligible to minimal delays. Excellent progression with most vehicles arriving during the green phase and not having to stop at all. Nearly all drivers find freedom of operation.	≤ 10.0	
B	Free-flow conditions with negligible to minimal delays. Excellent progression with most vehicles arriving during the green phase and not having to stop at all. Nearly all drivers find freedom of operation.	10.1 to 20.0	10.1 to 15.0
C	Relatively higher delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear. The number of vehicles stopping is significant, although many still pass through without stopping. Most drivers feel somewhat restricted.	20.1 to 35.0	15.1 to 25.0
D	Somewhat congested conditions. Longer but tolerable delays may result from unfavorable progression, long cycle lengths, and/or high volume-to-capacity ratios. Many vehicles are stopped. Individual cycle failures may be noticeable. Drivers feel restricted during short periods due to temporary back-ups.	35.1 to 55.0	25.1 to 35.0
E	Congested conditions. Significant delays result from poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures occur frequently. There are typically long queues of vehicles waiting upstream of the intersection. Driver maneuverability is very restricted.	55.1 to 80.0	35.1 to 50.0
F	Jammed or grid-lock type operating conditions. Generally considered to be unacceptable for most drivers. Zero or very poor progression, with over-saturation or high volume-to-capacity ratios. Several individual cycle failures occur. Queue spillovers from other locations restrict or prevent movement.	Greater than 80.0	Greater than 50.0

Source: Highway Capacity Manual 2010

The level of service analysis at un-signalized intersections is supplemented with an assessment of the need for signalization of the intersection. This assessment is made on the basis of signal warrant criteria adopted by Caltrans. For this study, the need for signalization is assessed on the basis of the peak-hour traffic signal warrant, Warrant #3, described in the *California Manual on Uniform Traffic Control Devices* (MUTCD). This method provides an indication of whether traffic conditions and peak-hour traffic levels are, or would be, sufficient to justify installation of a traffic signal. Other traffic signal warrants are available, however, they cannot be checked under future conditions (cumulative and background plus project) because they rely on data for which forecasts are not available (such as accidents, pedestrian volume, and four- or eight-hour vehicle volumes).

The decision to install a traffic signal should not be based purely on the warrants alone. Instead, the installation of a signal should be considered and further analysis performed when one or more of the warrants are met. Additionally, engineering judgment is exercised on a case-by-case basis to evaluate the effect a traffic signal would have on certain types of accidents and traffic conditions at the subject intersection as well as at adjacent intersections.

4.13.3 Regulatory Setting

a. Federal

AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees, among other things, that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

b. State

CALIFORNIA COMPLETE STREETS ACT OF 2008

This act requires that the circulation element of local general plans accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan.

CALIFORNIA TRANSPORTATION DEVELOPMENT ACT

The Mills-Alquist-Deddeh Act (SB 325) (also known as the Transportation Development Act [TDA]) was enacted in 1971 to improve public transportation services and encourage regional transportation coordination. This law provides funding to be allocated to transit and non-transit related purposes that comply with regional transportation plans. The TDA provides two funding sources: 1) the Local Transportation Fund (LTF), which is derived from a 0.25 cent of the general sales tax collected statewide, and 2) the State Transit Assistance fund (STA), which is derived from the statewide sales tax on diesel fuel.

c. Regional

SAN BENITO COUNTY REGIONAL TRANSPORTATION PLAN (2014)

The Regional Transportation Plan (RTP) was updated by the Council of San Benito County Governments in 2014. To further goals of improving access and mobility and promoting healthy communities, social equity, and safety, the RTP provides several policies that are relevant to the proposed project. These policies include providing convenient, accessible, and reliable travel options; fostering efficient development patterns that encourage active transportation, providing an equitable level of transportation services to all segments of the population, and ensuring safe regional transportation.

d. Local

2035 General Plan

The San Benito County 2035 General Plan Land Use Element, Circulation Element, Public Facilities and Services Element, and Health and Safety Element provide the following goals, policies and objectives regarding transportation:

Land Use Element

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-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.

Circulation Element

Goal 1 To provide an adequate road system that is safe, efficient, reliable, and within the County's ability to finance and maintain.

C-1.1 **Intermodal Connectivity.** The County shall ensure that, whenever possible, roadway, highway, public transit systems, and pedestrian and bicycle trails are inter connected with other modes of transportation.

C-1.2 **Complete Streets.** To promote a road and street network that accommodates cars without requiring car-dependence, the County shall plan for use of roadways by all vehicle types and users, including automobiles, trucks, alternative energy vehicles, agricultural equipment, transit, bicyclists, and pedestrians, when constructing or modifying roadways. Additionally, the County shall plan its road and street network to reflect a context sensitive approach to the design of thoroughfare assemblies, where the allocation of right-of-way and the facilities provided are based on the intended character, whether urban or rural, of a particular location (urban context). Roads and streets within communities shall be designed to support and encourage walkability as a response to their context, whereas roads in open areas of the County shall be designed primarily for vehicular circulation. As such, thoroughfares that serve both open areas and communities in the County shall change as the surrounding urban context varies. This includes:

a. Encouraging thoroughfare designs that are context sensitive, such as those recommended in Designing Walkable Urban Thoroughfares: A Context Sensitive Approach by the Institute of Transportation Engineers (ITE)

b. Supporting urban design principles that promote walkability within communities to include:

    i. A mix and variety of land uses designed to be relatively compact and in proximity to one another

ii. Buildings that are oriented toward streets, with appropriately narrow setbacks and functional entries directly fronting onto sidewalks

iii. Pedestrian-scaled architecture, landscape, and thoroughfares designed to provide engaging sidewalk views and comfort to pedestrians traveling at slow speeds

iv. Circulation networks that provide an interconnected system of streets and open spaces with relatively small block lengths

c. Creating multi-modal street connections in order to establish a comprehensive, integrated, and connected transportation network designed to avoid the construction of new roadways and rail lines that would cause the physical division of existing communities

d. Incorporating pedestrian and bicycle facilities, where appropriate and feasible, that promote safety and maximize access

e. Planting street trees adjacent to curbs and between the street and sidewalk or walking path to provide a buffer between the pedestrian and the automobile, where appropriate

f. Incorporating traffic calming devices such as roundabouts, bulb-outs at intersections, and traffic tables

g. Coordinating with other agencies and cities to ensure connections are made between jurisdictions

C-1.3 **Roadway Improvement Aesthetics.** The County shall require roadway improvements, such as roadway alignment and grading, landscaping, and/or other treatments, to reflect a context-sensitive approach and be based on the intended character, whether urban or rural, of a particular location to be designed to conform to existing landforms and to include landscaping and/or other treatments to ensure that aesthetics are preserved, including the County's rural character.

C-1.4 **Funding Sources.** Prior to approving new development, the County shall identify, develop, and/or maintain a variety of funding sources to implement the improvements on the Circulation Diagram or other improvements deemed necessary to accommodate the new development at applicable levels of service. These funding sources may include County capital funds as available, building and traffic impact fees for new development or designated benefit areas, developer/subdivider improvements, offers of dedication of rights-of-way, assessment/improvement districts, and gas taxes or other measures.

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.

C-1.9 **Dedicate Rights-of-Way.** The County shall require project applicants with property fronting along planned road improvements, as a condition of project approval, to dedicate right-of-way and/or construct improvements in accordance with the Circulation Diagram when (1) a nexus can be established between the proposed

project and the dedication and/or construction; and (2) the dedication and/or construction would be roughly proportional to the proposed project's impacts.

C-1.10 **Street Network Plans.** The County shall require project applicants to prepare a street network plan for any subdivision proposal located near existing, approved, or proposed development (county or city). The plan shall illustrate how adjoining properties will inter-connect over the long-term and how the plan will improve pedestrian and bicycle connectivity. The plan shall include an interim access plan and a long-term plan that consolidates vehicular access onto arterials/collectors (via street network design, or some other method).

C-1.11 **Discourage Cul-de-Sacs.** The County shall encourage developers to minimize the use of cul-de-sac streets in new development. Cul-de-sac streets shall not exceed 800 feet in length and no portion of the cul-de-sac street shall be more than 400 feet from an intersecting street or public accessway unless physical constraints make it unfeasible.

C-1.12 **Level of Service (LOS) Standard.** The County shall endeavor to maintain a General Plan target goal of LOS D at all locations. If a transportation facility is already operating at an LOS D or E, the existing LOS should be maintained. Exceptions should be considered where achievement of these levels of service would cause unacceptable impacts to other modes of transportation, the environment, or private property.

C-1.14 **Driveway Siting.** The County shall encourage driveways to be located on adjacent collector streets rather than on arterial streets.

C-1.15 **Street Networks that Enhance Neighborhood Character.** The County shall encourage traditional interconnected street networks that provide alternate routes between neighborhoods and other measures that slow neighborhood traffic and enhance neighborhood character, such as those associated with Complete Streets.

Goal 2 To provide a safe, continuous, and accessible system of facilities for bicycle and pedestrian travel in appropriate areas of the County.

C-2.1 **Bicycle, Pedestrian, and Equestrian Systems.** The County shall encourage complete, safe, and interconnected bicycle, pedestrian, and equestrian systems, as appropriate to the context, that serve both commuter travel and recreational use, and provide access to major destinations in the county.

C-2.2 **Pedestrian and Bike Path Construction.** The County shall plan, design, and construct pedestrian routes and bikeways consistent with the 2009 County Bikeway and Pedestrian Master Plan or its succeeding plan. Priority shall be given to bicycle commuting routes, routes to schools, bike lanes on all new streets classified as arterials or collectors, and bike lanes on or adjacent to existing heavily traveled roads.

C-2.6 **Development Along Planned Bikeways.** The County shall require project applicants of new developments adjacent to designated bikeways to provide the portion of the planned bikeway within the development, including rights-of-way dedication and/or construction when (1) a nexus can be established between the proposed

development and the dedication and/or construction; and (2) the dedication and/or construction would be roughly proportional to the development's impacts.

C-2.8 **Sidewalks or Pedestrian Paths in Subdivisions.** The County shall encourage project applicants to provide sidewalks or pedestrian paths, or other safe and convenient accommodations for pedestrians (e.g., shared-space streets) on all new roads or modifications to existing roads, as appropriate to the context, in accordance with County road-way design standards.

C-2.10 **Paths Through Cul-de-Sacs.** The County shall encourage developments at a density of one unit per acre or greater to include paths for bicycle and pedestrian traffic through or near the ends of loop streets and cul-de-sacs over 500 feet in length and to facilitate bicycle and pedestrian travel.

C-2.11 **Curb Ramps.** The County shall require developments to include curb ramps at new intersections, consistent with ADA requirements.

Goal 3 To promote a safe and efficient public transit system that provides a viable travel alternative to automobiles, maximizes mobility, and reduces roadway congestion and greenhouse gas emissions.

C-3.1 **Transit-Supportive Land Use.** The County shall encourage transit lines, stops, and facilities in locations where land uses and density would support transit use.

C-3.8 **Transit in New Development.** The County shall require new development at densities of one unit per acre or greater to provide funding for or construct transit stops and signs in appropriate locations and facilitate access to existing or future public transit through project design, consistent with the Local Transportation Authority Transit Design Guidelines.

C-3.9 **Consistency with RTP.** The County shall require all new development proposals to be consistent with and implement the San Benito County Regional Transportation Plan transit policies.

C-3.11 **Fixed Bus Route Efficiency.** The County shall encourage effective location and design of bus stops, transit centers, and complementary roadway projects that maximize the speed, efficiency, and passenger usability of fixed- route buses and are consistent with the Local Transportation Authority Transit Design Guide- lines.

Public Facilities & Safety Element

PFS-1.12 **New Development Requirements.** The County shall require new development, in compliance with local, State, and federal law, to mitigate project impacts associated with public facilities and services, including, but not limited to, fire, law enforcement, water, wastewater, schools, infrastructure, roads, and pedestrian and bicycle facilities through the use of annexation fees, connection fees, facility construction/expansion requirements, or other appropriate methods.

Health and Safety Element

HS-1.11 **Road Capacity.** The County shall require roads to be of adequate capacity for use in times of emergency.

SAN BENITO COUNTY BIKEWAY AND PEDESTRIAN MASTER PLAN (2009)

The Bikeway and Pedestrian Master Plan provides the following goals, policies, objectives, and standards regarding bicycle and pedestrian facilities within the County. The following goals and objectives in the Bikeway and Pedestrian Master Plan pertain to increasing access for bicyclists and pedestrians:

Goal 1 Increase Bicycle and Pedestrian Access

- **Objective 1-2** Expand bicycle and pedestrian facilities and access in and between neighborhoods, employment centers, shopping areas, schools, and recreational sites, in pursuit of the Council of San Benito County Governments General Plan and Regional Transportation Plan policies of encouraging bicycle and pedestrian travel.
- **Objective 1-3** Consider bicycle and pedestrian facilities in all projects (e.g. transportation, development, parks, etc.)
- **Objective 1-4** Increase the number of bicycle-transit trips and pedestrian access to transit.

Goal 4 Increase Bicycle and Pedestrian Trips

- **Objective 4-1** Make biking and walking an integral part of daily life in San Benito County, particularly for trips less than five miles, by implementing and maintaining a bikeway network, providing end-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer.

SAN BENITO COUNTY CODE OF ORDINANCES

Chapter 19.27: Roads and Highways

This chapter includes design standards applicable to certain improvements such as curbs, gutters, and drive ways made to or adjacent to roads and highways; setback lines for certain structures and landscaping; and permitting requirements for encroachments within rights-of-way.

Chapter 23.15: Dedications, Reservations and Development Fees

This chapter includes requirements pertaining to subdivisions regarding dedication of streets, roads, alleys, access and abutters' rights; drainage, public utility and other public easements; bicycle paths; transit facilities; and payment of development impact fees to help fund other facilities.

Chapter 23.17: Improvements

All required subdivision improvements; both on- and off-site, shall be subject to the approval of the County Engineer and shall be constructed in accordance with the standard engineering specifications and other approved standards as provided by this title and by ordinance or resolution of the Board of Supervisors.

Chapters 23.25: Design Requirements

This chapter includes design requirements and standards pertaining to subdivision roads, bicycle and pedestrian paths, parcel size, open space easements, maintenance of facilities, and grading and erosion control.

Chapter 23.27: Fire Design Standards

This chapter includes standards for defensible space in the event of fires, accessible roadways for fire service providers, and water systems for fire protection.

Chapter 23.29: Road Standards and Chapter 23.31, Article II. Roadway Design Standards.

These standards focus on the safe and standardized design of streets in subdivisions, design standards for bike lanes and separated bike paths, and the preparation of traffic studies.

4.13.4 Existing Conditions

The study included an analysis of five signalized intersections, four un-signalized intersections, two future intersections, one being signalized and one un-signalized, and two roadway segments. This study area was determined by the traffic consultant in consultation with the County of San Benito, and is based on project trip assignments, project impacts, County staff experience, and knowledge of the traffic operations in the study area. Traffic conditions were analyzed for the weekday am and pm peak hours of traffic. The weekday am peak-hour of traffic generally falls within the 7:00 am to 9:00 am period and the weekday PM peak-hour is typically in the 4:00 pm to 6:00 pm period. It is during these times that the most congested traffic conditions occur on an average day. The study intersections are listed below and shown in Figure 35.

1 SR 25 and Ridgemark Drive (East)/Best Road [CT]

2 SR 25 and Fairview Road/Ridgemark Drive (West) [CT]

3 SR 25 and Enterprise Road [CT]

4 SR 25 and Union Road [CT]

5 SR 25 and Sunset Drive [CT]

6 SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road [CT]

7 Fairview Road and Hillcrest Road [SBC]

8 Fairview Road and Sunnyslope Road [SBC]

9 Fairview Road and Union Road (future) [SBC]

10 Southside Road and Union Road [SBC]

11 Southside Road and Project Access (future) [SBC]

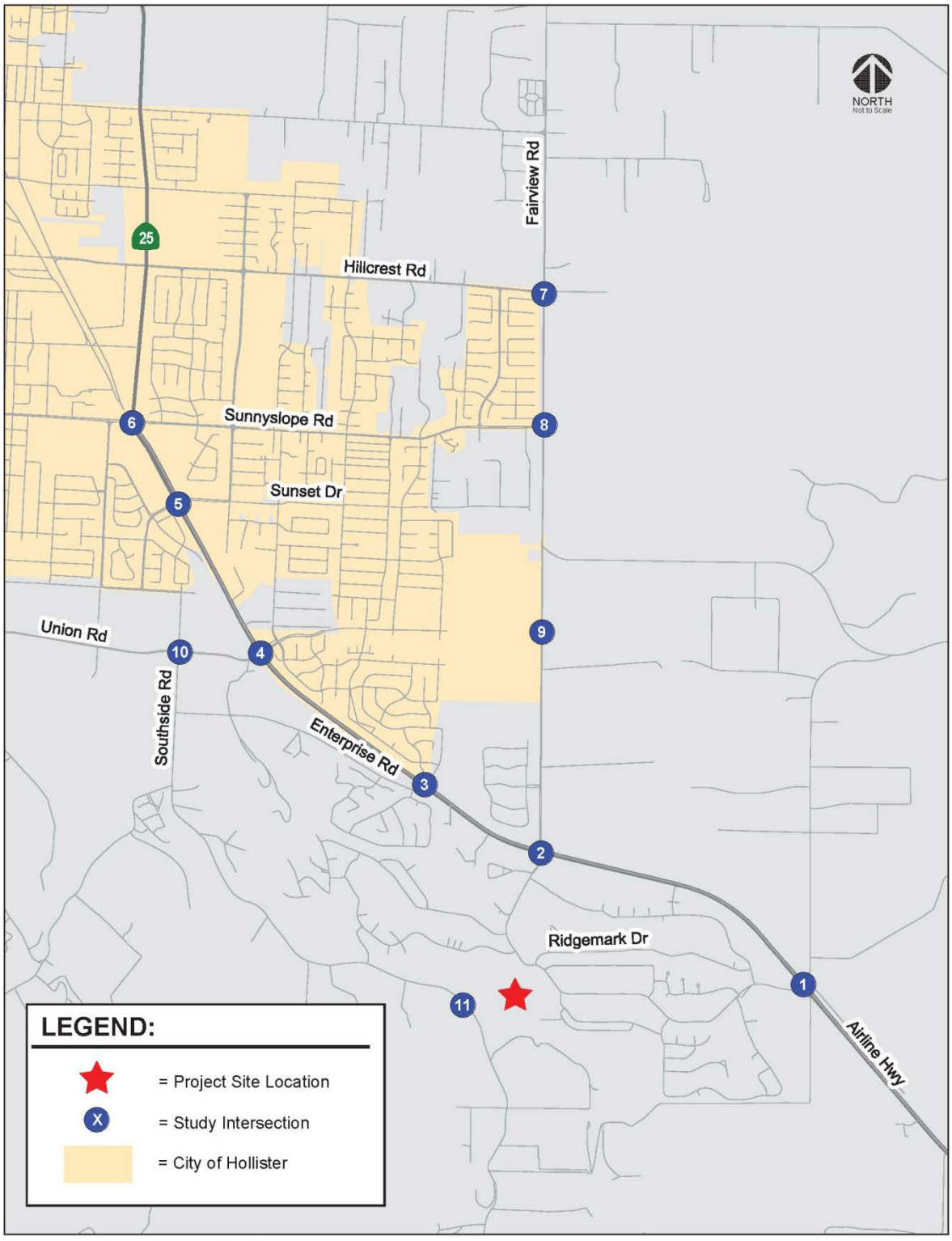
Intersections denoted with the superscript “CT” are under the jurisdiction of Caltrans. Intersections denoted with the superscript “SBC” are under the jurisdiction of San Benito County. Two future intersections (Fairview Road/Union Road and Southside Road/Project Access) are analyzed because they would be potentially impacted under some future condition.

The roadway segments studied are:

1 Ridgemark Drive, north of Donald Drive

2 Ridgemark Drive, between Sonnys Way and Freds Way

Figure 35 Study Intersections and Roadways



Hexagon Transportation Consultants, Inc., October 2016

a. Existing Traffic Volumes

Existing weekday AM and PM peak-hour traffic volumes were obtained from new intersection turning movement counts conducted in September 2016 and previously completed traffic studies. The existing peak-hour intersection volumes are shown in Figure 36.

Caltrans requires its intersections to be analyzed using peak 15-minute flow rates. Therefore, the peak one-hour traffic volumes used in this analysis for the Caltrans intersections are calculated by multiplying the peak 15-minute volumes within each peak-hour by four.

The traffic count data and peak-hour intersection turning movement volumes for all intersections and study scenarios are provided in Appendix E.

b. Intersections Operations

Table 34 presents the existing conditions at the 11 intersections studied. Under existing conditions, all of the study intersections currently operate at LOS D or better during both the am and pm peak hours. Table 34 shows that three un-signalized study intersections currently have peak hour traffic volumes that meet the thresholds that warrant signalization. These three are the SR 25 and Fairview Road/Ridgemark Drive (West) intersection, the SR 25 and Enterprise Road intersection, and the Fairview Road and Hillcrest Road intersection. However, each of the un-signalized intersections operates within applicable level of service standards. Therefore, a traffic signal is not recommended at either of the intersections identified to have traffic volumes that meet the thresholds that warrant signalization. The remaining un-signalized study intersections currently have traffic conditions that do not exceed the applicable threshold and also do not warrant signalization.

4.13.5 Existing (2013-2016) Plus Project Conditions

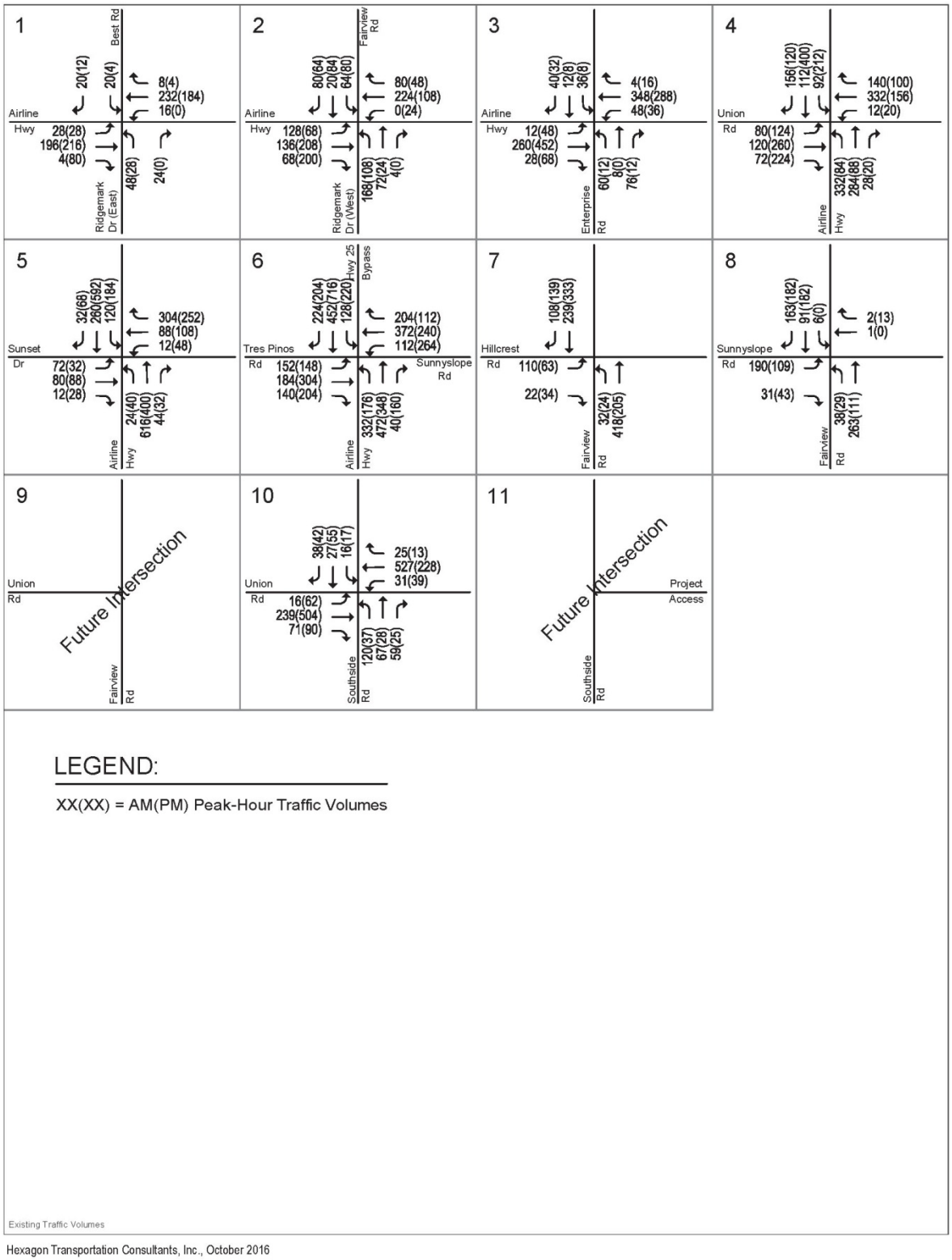
The proposed project is planned to be developed on approximately 49.6 acres in unincorporated San Benito County, approximately 0.7 mile south of the City of Hollister limits. Regional access is provided by U.S. Highway 101, SR 156, Union Road, and SR 25. Local access to the project site is currently provided by Ridgemark Drive, with Southside Road bordering the site to the west.

Future access to the project site would be provided via the two existing access points to the existing adjacent Ridgemark development along SR 25. Emergency access would be provided via a new emergency access road from the southern end of the blufftop site to Southside Road.

a. Project Trip Generation

For purposes of this analysis, the residences proposed by the project were characterized as single-family detached residential use. The following trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition were used to estimate project generated trips: Single-Family Detached Housing. For the proposed single-family dwelling unit lots, the “single-family detached housing” (Use Code 210) trip generation rate is used. ITE Trip Generation describes Single-Family Detached Housing as: “…all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.” ITE Trip Generation describes Single-Family Detached Housing as: “…all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.” Table 35 summarizes the trip generation rates used for the proposed project and Table 36 summarizes the trip generation volumes for the proposed project. As illustrated in Table 36, the proposed project is anticipated to generate a total of 885 daily trips, 70 am peak hour trips (17 inbound, 52 outbound), and 93 pm peak hour trips (59 inbound, 34

Figure 36 Existing Traffic Volumes



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outbound) under typical "annual average" traffic demand conditions.[27] These trips would be considered "new" (or incremental) trips on the City/County's immediate local circulation system, including Southside Road and SR 25.

Table 34 Existing Intersection Level of Service and Signal Warrant Analyses Summary

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	13.0	B	No	12.7	B	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	12.8	B	**Yes**	11.3	B	**Yes**
3	SR 25 and Enterprise Road	TWSC	14.9	B	**Yes**	16.4	C	No
4	SR 25 and Union Road	Signal	47.7	D	–	55.0	D	–
5	SR 25 and Sunset Drive	Signal	11.4	B	–	10.5	B	–
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	17.7	B	–	20.6	C	–
7	Fairview Road and Hillcrest Road	OWSC	16.7	C	**Yes**	12.7	B	No
8	Fairview Road and Sunnyslope Road	Signal	14.7	B	–	10.8	B	–
9	Fairview Road and Union Road	Future Signal	–	–	–	–	–	–
10	Southside Road and Union Road	Signal	12.6	B	–	11.3	B	--
11	Southside Road and Project Access[2]	Future OWSC	–	–	–	–	–	–

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Intersection 11 would only exist under an alternative in which a full access road is constructed to connect the project to Southside Road. This alternative is analyzed in Section 6.0, Alternatives.

Bold indicates unacceptable LOS/signal warrant met.

Note: All intersections are under County jurisdiction, other than those that include SR 25, which are under Caltrans jurisdiction.

Table 35 Project Trip Generation Rates

				Daily Trip	AM Peak Hour Rate/Unit			PM Peak Hour Rate/Unit		
Land Use Category	Source	ITE Code	Rate Unit	Rate/ Unit[1]	Total[1]	In %	Out %	Total	In %	Out %
Single-Family Detached Housing	ITE	210	DU	9.52	0.75	25	75	1.00	63	37

[1] The trip rates illustrated in this table are based on actual ITE Trip Generation (9th Edition) average trip rates.

[27] The TIA analyzed a prior site plan that included 93 lots. The project was later revised to 90 lots. Because the TIA analyzes a higher number of lots/units than is currently proposed, its findings, as summarized in the DEIR, represent a conservative analysis.

Table 36 Project Trip Generation Volumes

Land Use	Units	Quantity[1]	Daily Trips	AM Peak Hour Trips[2]			PM Peak Hour Trips		
				Total	In	Out	Total	In	Out
Single Family Detached Housing	DU	93	885	70	17	52	93	59	34

[1] The TIA analyzed a prior site plan that included 93 lots. The project was later revised to 90 lots. Because the TIA analyzes a higher number of lots/units than is currently proposed, its findings, as summarized in the DEIR, represent a conservative analysis.

[2] The trips illustrated in this table are based on actual ITE Trip Generation (9th Edition) average trip rates.

Table 37 summarizes the roadway segment average daily traffic volumes with the project. As illustrated in the table, the addition of the project traffic on the study roadway segments would represent a 10 to 20 percent increase in daily traffic on the segments of Ridgemark Drive.

Table 37 Roadway Segment Volume and Speed

Roadway Segment	Speed Limit (mph)	Direction	ADT without Southside Road Access			
			Existing	Project Trips	Existing Plus Project	% Volume Increase
Ridgemark Drive, north of Donald Drive	25	NB	2,151	425	2,576	20
		SB	2,284	425	2,709	19
		Both	4,435	850	5,285	19
Ridgemark Drive, between Sonnys Way and Freds Way	25	NB	184	18	202	10
		SB	137	18	155	13
		Both	321	36	357	11

Notes: "ADT" is Average Daily Traffic Volumes; "mph" is miles per hour; "NB" is northbound; "SB" is southbound

b. Project Trip Distribution and Assignment

The trip distribution pattern for the proposed project-generated traffic was estimated based on traffic patterns in the study area and on the locations of complementary land uses. The following project trip distribution was estimated for the proposed project:

- 1 percent to/from Fairview Road, south of SR 25
- 4 percent to/from SR 25, east of Fairview Road
- 17 percent to/from Union Road west of Southside Road
- 2 percent to/from Sunset Drive
- 10 percent to/from Sunnyslope Road, west of SR 25
- 51 percent to/from SR 25, north of Sunnyslope Road
- 2 percent to/from Sunnyslope Road, east of SR 25
- 2 percent to/from Hillcrest Road, east of SR 25
- 11 percent to/from Fairview Road, north of Hillcrest Road

Trip assignment included the peak-hour vehicle trips associated with the proposed project, added to the transportation network in accordance with the project trip distribution pattern discussed above. All project traffic would use the two Ridgemark Country Club development entrances along SR 25.

Figure 37 illustrates the estimated project directional trip distribution and assignment patterns projected to be generally applicable under short-term as well as long-term conditions, on an annualized average usage basis.

c. Intersection Operations

Figure 39 presents Existing (2013-2016) plus Project study intersection traffic operations under Existing (2013-2016) plus Project conditions intersection volumes.

As shown in Table 38, all but one of the study intersections are projected to operate at acceptable LOS D or better during AM and PM peak hour Existing (2013-2016) plus Project conditions. The intersection of SR 25 and Union Road would operate at a LOS E during PM peak hours.

The roadway network under Existing plus Project Conditions would be the same as described Existing Conditions. As proposed, all project traffic would use the two Ridgemark Country Club development entrances along SR 25.

Table 38 Existing (2013-2016) plus Project Conditions Intersection Level of Service and Signal Warrant Analyses Summary

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	12.9	B	No	12.6	B	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	13.7	B	**Yes**	12.0	B	**Yes**
3	SR 25 and Enterprise Road	TWSC	15.8	C	**Yes**	17.8	C	No
4	SR 25 and Union Road	Signal	50.8	D	–[2]	**61.5**	**E**	–[2]
5	SR 25 and Sunset Drive	Signal	11.4	B	–[2]	10.4	B	–[2]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	17.8	B	–[2]	20.9	C	–[2]
7	Fairview Road and Hillcrest Road	OWSC	16.8	C	**Yes**	12.8	B	No
8	Fairview Road and Sunnyslope Road	Signal	14.7	B	–[2]	10.6	B	–[2]
9	Fairview Road and Union Road	Future Signal	–[2]	–[2]	–[2]	–[2]	-[2]	–[2]
10	Southside Road and Union Road	Signal	12.6	B	–[2]	11.3	B	–[2]
11	Southside Road and Project Access[3]	Future OWSC	–[2]	–[2]	–[2]	–[2]	–[2]	–[2]

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Intersection 11 would only exist under an alternative in which a full access road is constructed to connect the project to Southside Road. This alternative is analyzed in Section 6.0, Alternatives.

Bold indicates unacceptable LOS/signal warrant met Boxed indicates significant impact.

Figure 37 Project Trip Distribution

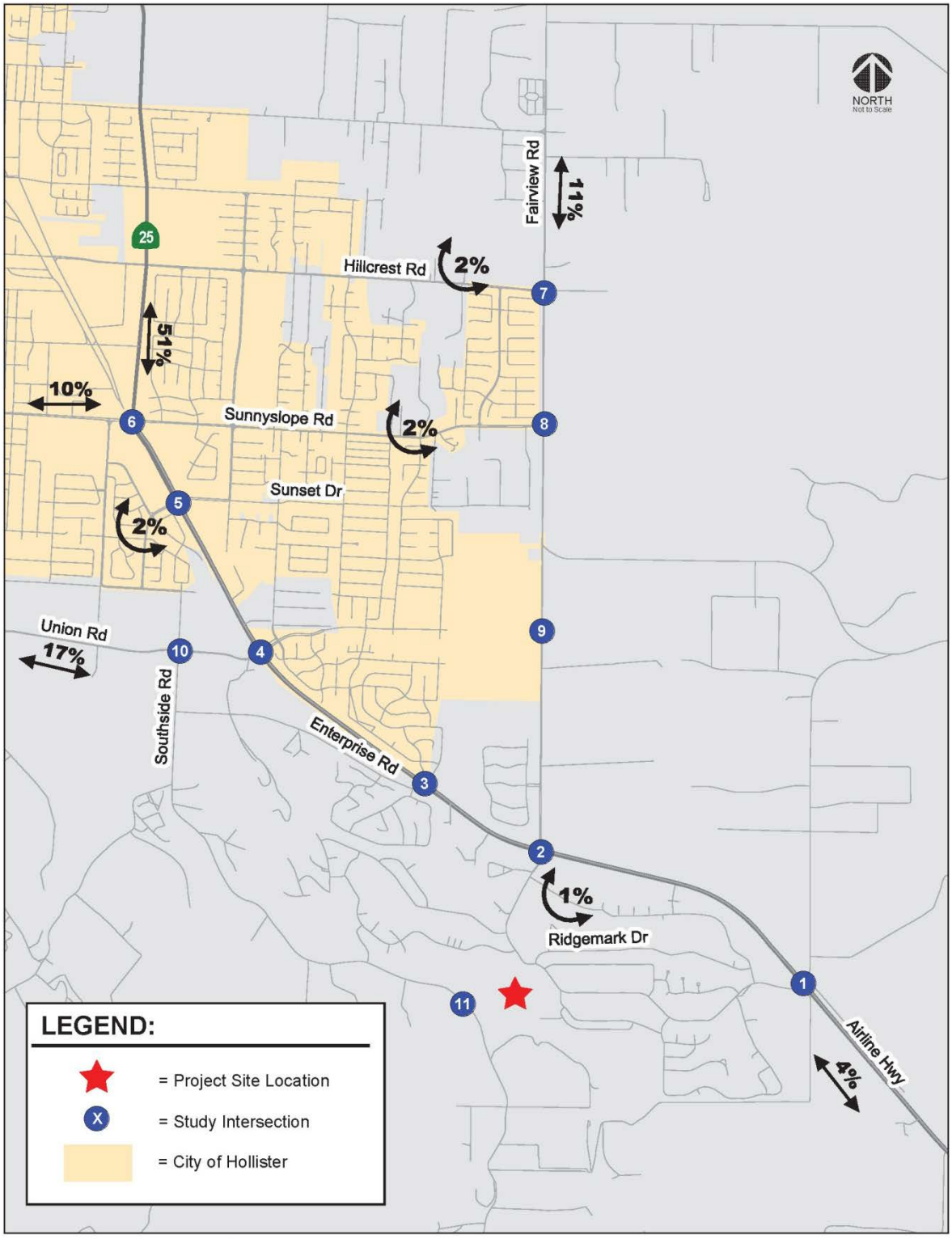

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Figure 38 Project Trip Assignment

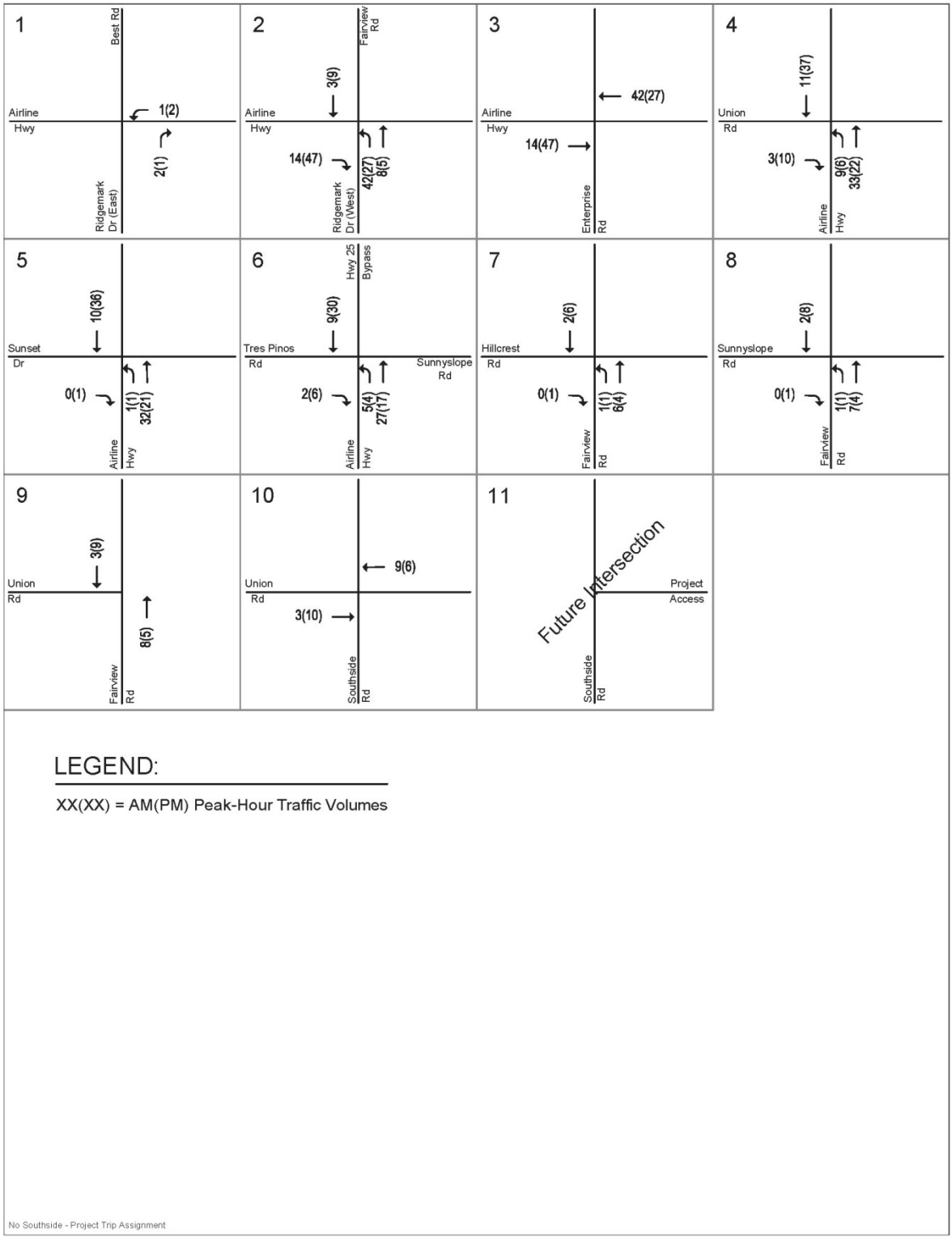

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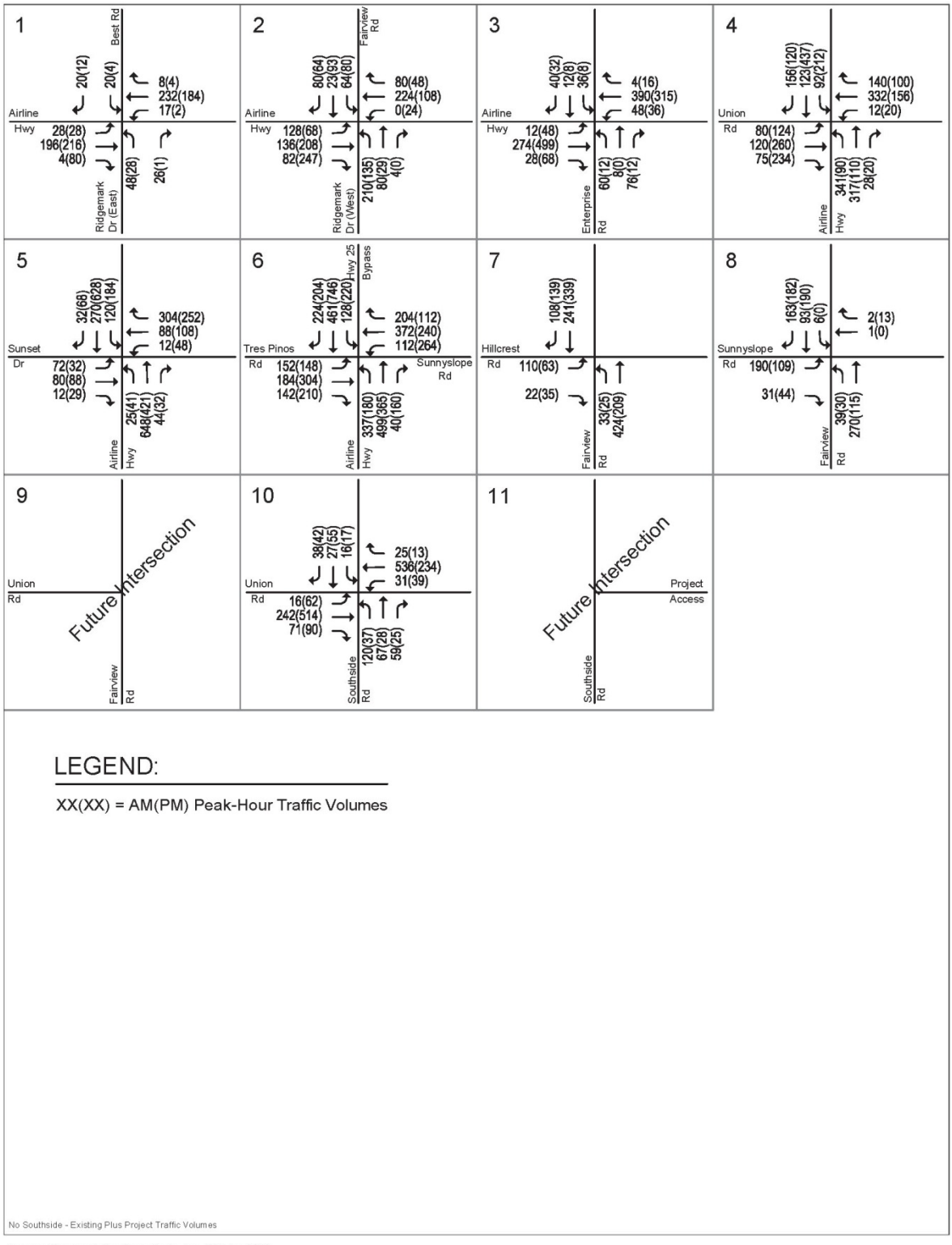
Figure 39 Existing plus Project Traffic Volumes



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4.13.6 Background Conditions

For the purpose of this analysis, Background Conditions are defined as conditions just prior to completion of the proposed project. Traffic volumes for Background Conditions comprise volumes with the Existing (2013-2016) conditions plus the addition of traffic generated by approved (but not yet constructed) projects planned for development within the project vicinity. These near-term developments are anticipated to be constructed prior to completion of the proposed project and are projected to generate traffic that would impact study intersections. Lists of approved San Benito County and City of Hollister development projects were obtained from County and City staff and are summarized in the project traffic study (Hexagon 2017: Table 6). All approved but not yet completed projects expected to generate a significant amount of traffic and which were located within the project vicinity were included as part of Background Conditions.

Background peak-hour traffic volumes were calculated by adding to existing volumes the estimated traffic from approved but not yet constructed developments. The traffic added to the study intersections from approved but not yet constructed developments was estimated by distributing and assigning trips generated by these developments to the roadway network. The process of trip generation, distribution, and assignment is described in Section 4.13.5, Existing (2013-2016) Plus Project Conditions.

As shown in Table 39, the signalized Union Road/SR 25 intersection and the un-signalized one-way-stop-controlled intersection of Fairview Road and Hillcrest Road are projected to operate at LOS F conditions during the am and pm peak hours, which is below the 2035 General Plan LOS D standard. All of the remaining study intersections are projected to operate at acceptable LOS D or better during am and pm peak hour Background Conditions. Three study intersections are projected to have peak hour traffic volumes that meet the thresholds that warrant signalization under background conditions during at least one of the peak hours; these include, Fairview Road/Ridgemark Drive (West) and SR 25, Enterprise Road and SR 25, and Fairview Road and Hillcrest Road. Of these identified intersections that would have traffic conditions that meet the thresholds that warrant signalization, only the Fairview Road and Hillcrest Road intersection is projected to also operate at unacceptable level of service standards. Therefore, the installation of traffic signal is only warranted at the intersection of Fairview Road and Hillcrest Road. The remaining un-signalized study intersections are projected to have traffic conditions that do not exceed the applicable threshold and also do not warrant signalization under background conditions.

Table 39 Background Conditions Intersection Level of Service and Signal Warrant Analyses Summary

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	15.0	C	No	15.4	C	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	15.6	C	**Yes**	14.2	B	**Yes**
3	SR 25 and Enterprise Road	TWSC	17.7	C	**Yes**	27.2	D	No
4	SR 25 and Union Road	Signal	**99.3**	**F**	**–[2]**	**116.2**	**F**	**–[2]**
5	SR 25 and Sunset Drive	Signal	12.3	B	–[2]	11.2	B	–[2]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	23.5	C	–[2]	27.4	C	–[2]
7	Fairview Road and Hillcrest Road	OWSC	**226.1**	**F**	**Yes**	**487.3**	**F**	**Yes**
8	Fairview Road and Sunnyslope Road	Signal	22.2	C	–[2]	18.8	B	–[2]
9	Fairview Road and Union Road	Future Signal	9.3	A	–[2]	10.1	B	–[2]
10	Southside Road and Union Road	Signal	13.0	B	–[2]	11.7	B	–[2]
11	Southside Road and Project Access[3]	Future OWSC	–[2]	–[2]	–[2]	–[2]	–[2]	–[2]

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Intersection 11 would only exist under an alternative in which a full access road is constructed to connect the project to Southside Road. This alternative is analyzed in Section 6.0, Alternatives.

Bold indicates unacceptable LOS/signal warrant met.

4.13.7 Background plus Project Conditions

To simulate Background plus Project conditions' traffic volumes, the project-generated traffic volumes (Figure 38) were superimposed on top of Background traffic volumes (Figure 40). Background plus Project intersection operations were quantified under Background plus Project traffic volumes and are shown in Figure 41. The resulting Background plus Project intersection LOS operations are illustrated Table 40.

As shown in Table 40, the signalized SR 25 and Union Road intersection and the un-signalized one-way-stop-controlled intersection of Fairview Road and Hillcrest Road that were projected to operate at unacceptable levels under Background Conditions would continue to operate at unacceptable levels of LOS F conditions during the am and pm peak hours, which is below 2035 General Plan LOS D standard. All of the remaining study intersections are projected to operate at acceptable LOS D or better during am and pm peak hour Background plus Project Conditions.

The peak hour signal warrant analysis indicates that the three study intersections that were projected to have peak hour traffic volumes meeting the thresholds warranting signalization under

Figure 40 Background Traffic Volumes

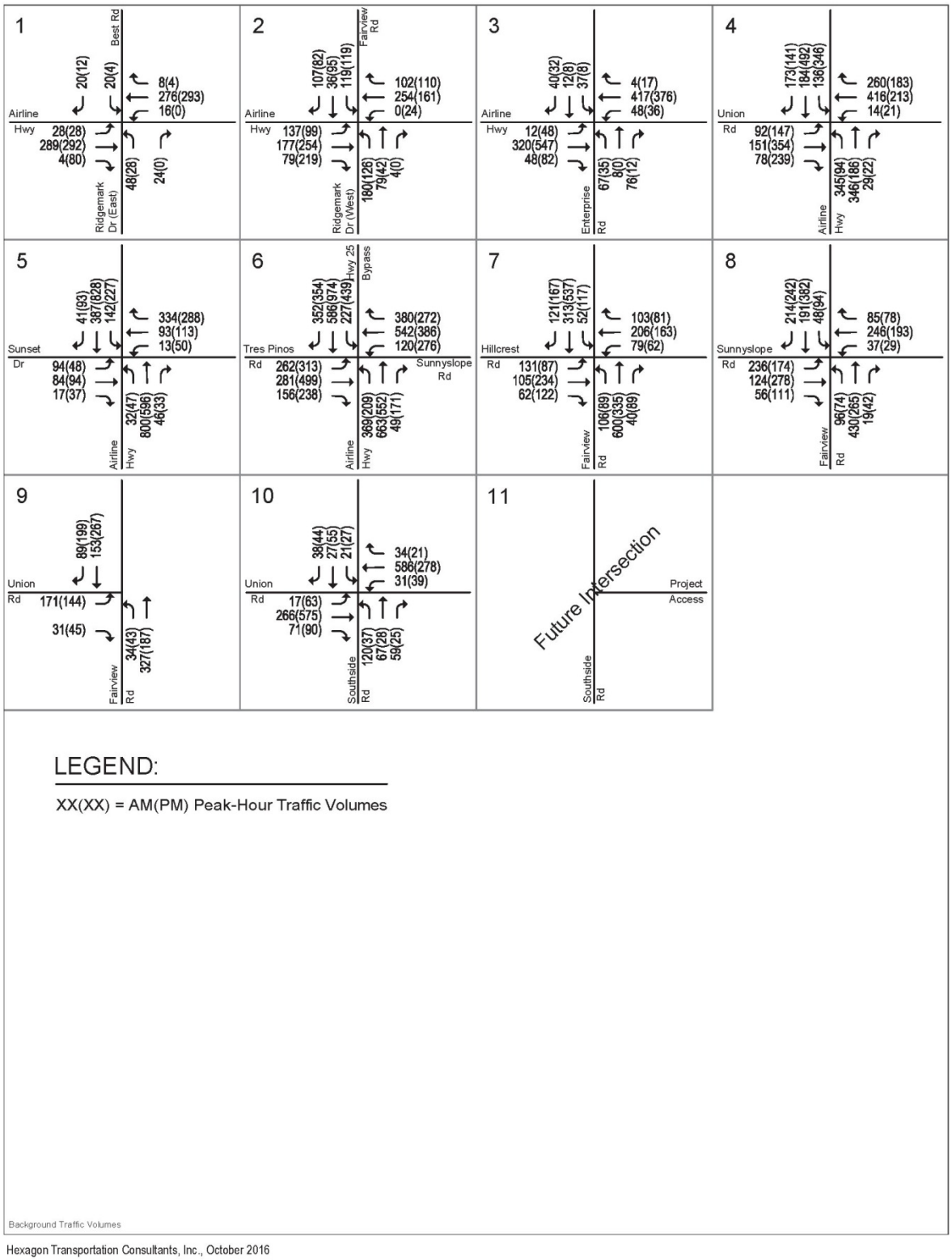

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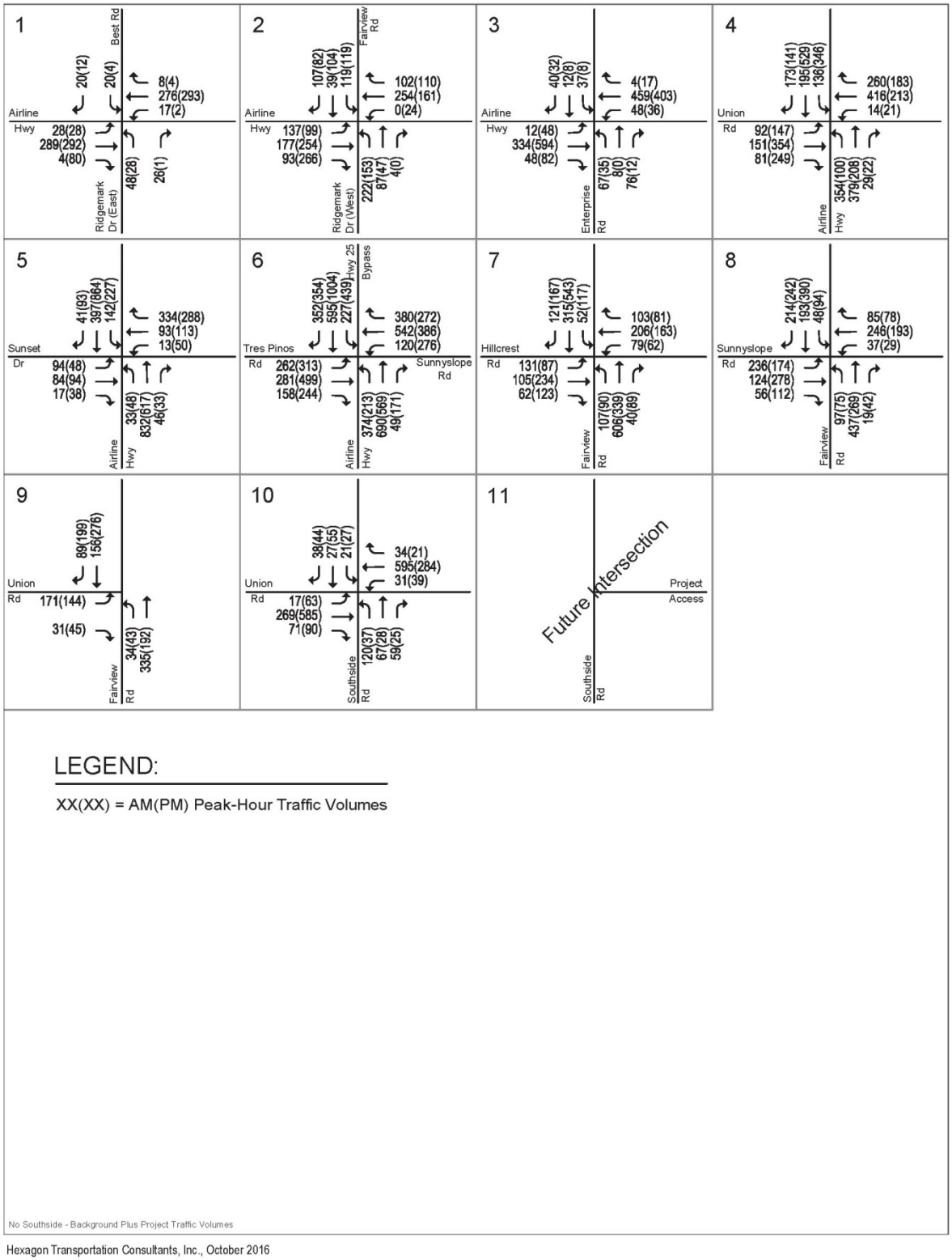
Figure 41 Background plus Project Traffic Volumes



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Background Conditions would continue to meet signal warrant thresholds under Background plus Project Conditions during at least one of the peak hours. These intersections include: SR 25 and Fairview Road/Ridgemark Drive (West), SR 25 and Enterprise Road, and Fairview Road and Hillcrest Road. Of the identified intersections that would have traffic conditions that meet the thresholds warranting signalization, only the Fairview Road and Hillcrest Road intersection is projected to also operate at unacceptable level of service standards. Therefore, the installation of traffic signals is only warranted at the intersection of Fairview Road and Hillcrest Road. The remaining un-signalized study intersections are projected to have traffic conditions that do not exceed the applicable threshold and do not warrant signalization under Background Conditions.

Table 40 Background plus Project Conditions Intersection Level of Service and Signal Warrant Analyses Summary

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	15.0	C	No	15.3	C	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	17.1	C	**Yes**	15.3	C	**Yes**
3	SR 25 and Enterprise Road	TWSC	19.1	C	**Yes**	30.7	D	No
4	SR 25 and Union Road	Signal	**103.0**	**F**	–[2]	**133.6**	**F**	–[2]
5	SR 25 and Sunset Drive	Signal	12.4	B	–[2]	11.3	B	–[2]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	23.6	C	–[2]	27.7	C	–[2]
7	Fairview Road and Hillcrest Road	OWSC	**242.4**	**F**	**Yes**	**504.7**	**F**	**Yes**
8	Fairview Road and Sunnyslope Road	Signal	22.4	C	–[2]	18.9	B	–[2]
9	Fairview Road and Union Road	Future Signal	9.2	A	–[2]	10.1	B	–[2]
10	Southside Road and Union Road	Signal	13.0	B	–[2]	11.8	B	–[2]
11	Southside Road and Project Access	Future OWSC	–[2]	–[2]	–[2]	–[2]	–[2]	–[2]

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Intersection 11 would only exist under an alternative in which a full access road is constructed to connect the project to Southside Road. This alternative is analyzed in Section 6.0, Alternatives.

Bold indicates unacceptable LOS/signal warrant met.

Boxed indicate significant impact.

4.13.8 Cumulative Base Conditions

Cumulative Conditions are defined as Background Conditions plus the addition traffic generated by pending (but not yet approved and/or constructed) projects within the project vicinity. Lists of pending San Benito County and City of Hollister development projects were obtained from County and City staff and are summarized in the traffic report (Hexagon 2017: Table 9). All pending projects expected to generate a significant amount of traffic and which were located within the project vicinity were included as a part of Cumulative Base conditions.

As discussed previously, Cumulative peak-hour traffic volumes were calculated by adding to existing volumes the estimated traffic from approved but not yet constructed developments. The traffic added to the study intersections from pending (but not yet approved and/or constructed) developments was estimated by distributing and assigning trips generated by these developments to the roadway network. The process of trip generation, distribution, and assignment is the same as with the other scenarios, as described in Section 4.13.5, Existing (2013-2016) Plus Project Conditions.

a. Intersections Operations

Cumulative Base intersection operations were quantified under Cumulative Base traffic volumes (shown in Figure 42), assuming the extension of Union Road from its termination point at Calistoga Drive eastward toward Fairview Road. Table 41 illustrates the resulting study intersection LOS operations. As shown in Table 41, the two-way stop-controlled SR 25 and Enterprise Road intersection during the PM peak hour, the signalized SR 25 and Union Road intersection during both AM and PM peak hour, and the Fairview Road and Hillcrest Road intersection during both the AM and PM peak hour are projected to operate at LOS F conditions, which is below the 2035 General Plan Update LOS D standard. All of the remaining study intersections are projected to operate at acceptable LOS C or better during am and pm peak hour Cumulative Base Conditions. Because Cumulative Base conditions assume construction of some regional traffic improvements, it is possible for Cumulative Base conditions to have a better LOS than Existing or Background conditions.

The peak hour signal warrant analysis indicates that three study intersections are projected to have peak hour traffic volumes that meet the thresholds warranting signalization under Cumulative Base Conditions. The intersections include: SR 25 and Fairview Road/Ridgemark Drive (West), SR 25 and Enterprise Road, and Fairview Road and Hillcrest Road. The intersection at SR 25 and Fairview/Ridgemark Drive (West) does not operate at an unacceptable level of service. However, the remaining two intersections identified above have traffic conditions that meet the thresholds warranting signalization also are projected to operate at unacceptable level of service standards. Therefore, the installation of traffic signals at the intersections of SR 25 and Enterprise Road, and Fairview Road and Hillcrest Road, is warranted. The remaining un-signalized study intersections currently have traffic conditions that do not exceed the applicable threshold and do not warrant signalization.

4.13.9 Cumulative plus Project Conditions

To simulate Cumulative plus Project conditions' traffic volumes, the Project Only volumes illustrated in Figure 38 were superimposed on top of Cumulative Base traffic volumes, illustrated in Table 38. The resulting Cumulative plus Project traffic volumes are presented in Figure 43.

Figure 42 Cumulative Base Traffic Volumes

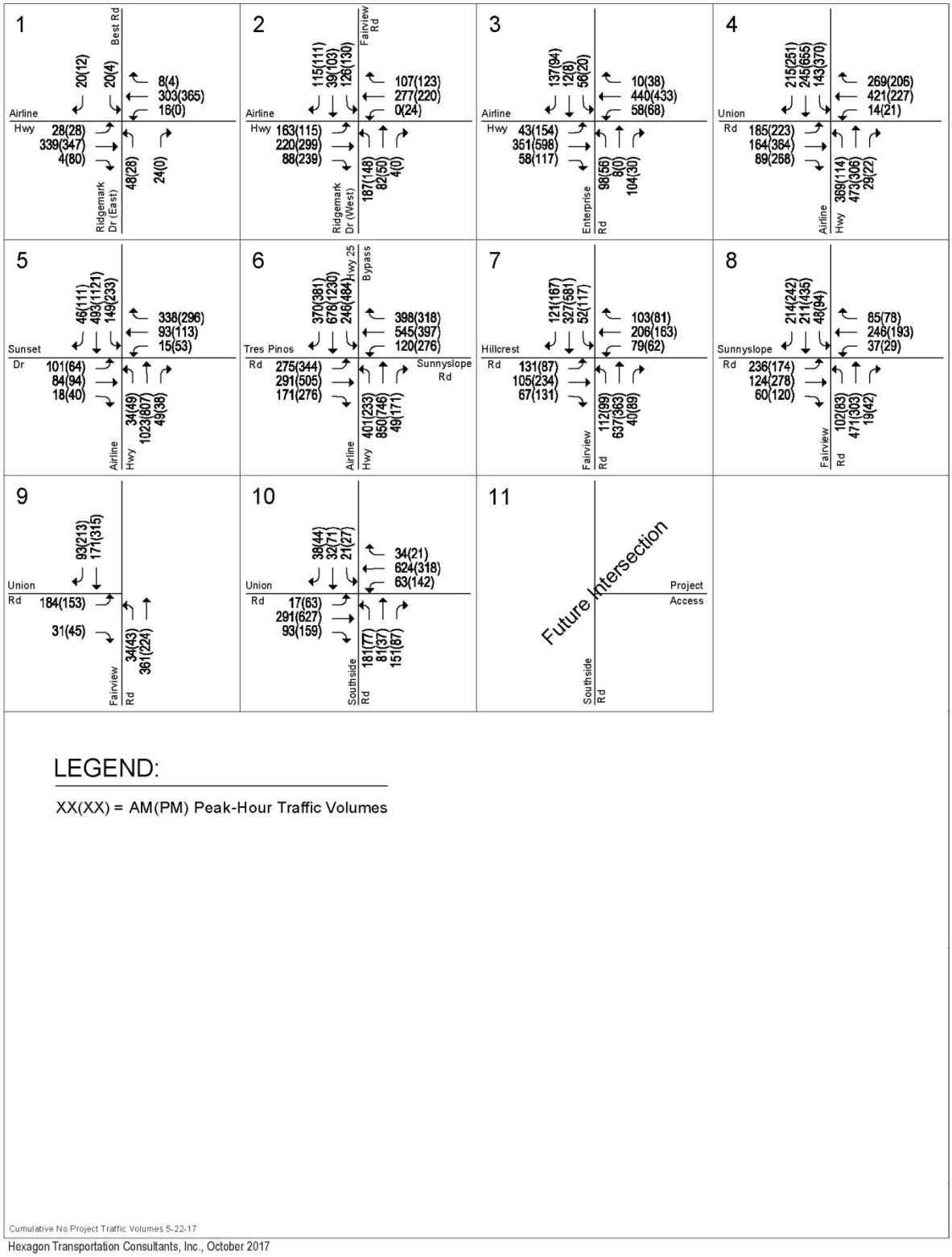

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Figure 43 Cumulative plus Project Traffic Volumes

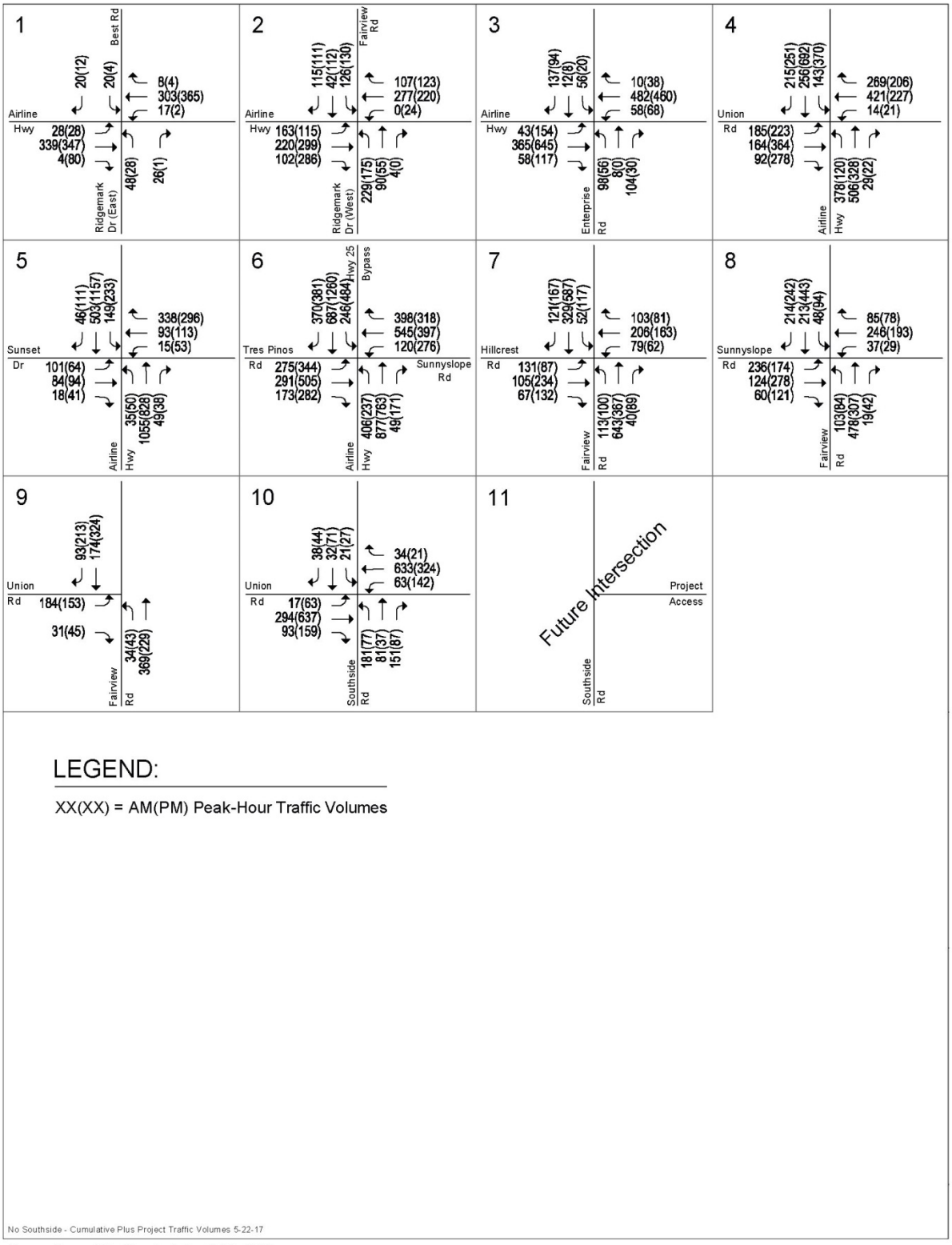

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Table 41 Cumulative Base Conditions Intersection Level of Service and Signal Warrants Analyses Summary

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	16.4	C	No	18.0	C	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	18.4	C	**Yes**	18.3	C	**Yes**
3	SR 25 and Enterprise Road	TWSC	**35.0**	**E**	**Yes**	**102.4**	**F**	**Yes**
4	SR 25 and Union Road	Signal	**137.4**	**F**	**–[2]**	**191.1**	**F**	**–[2]**
5	SR 25 and Sunset Drive	Signal	13.2	B	–[2]	12.0	B	–[2]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	25.0	C	–[2]	31.2	C	–[2]
7	Fairview Road and Hillcrest Road	OWSC	**308.0**	**F**	**Yes**	**622.2**	**F**	**Yes**
8	Fairview Road and Sunnyslope Road	Signal	23.6	C	–[2]	19.6	B	–[2]
9	Fairview Road and Union Road	Future Signal	9.2	A	–[2]	10.0	A	–[2]
10	Southside Road and Union Road	Signal	18.6	B	–[2]	20.9	C	–[2]
11	Southside Road and Project Access	Future OWSC	–[2]	–[2]	–[2]	–[2]	–[2]	–[2]

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Intersection 11 would only exist under an alternative in which a full access road is constructed to connect the project to Southside Road. This alternative is analyzed in Section 6.0, Alternatives.

Bold indicates unacceptable LOS/signal warrant met.

a. Intersections Operations

Cumulative plus Project intersection operations were quantified under Cumulative plus Project traffic volumes (shown in Figure 43) assuming the extension of Union Road from its termination point at Calistoga Drive eastward toward Fairview Road. Table 42 illustrates the resulting study intersection LOS operations.

As shown in Table 42, the two-way stop-controlled SR 25 and Enterprise Road intersection during the pm peak hour, the signalized SR 25 and Union Road intersection during both am and pm peak hour, and the Fairview Road and Hillcrest Road intersection during both the am and pm peak hour are projected to operate at LOS F conditions, which is below the 2035 General Plan LOS D standard. All of the remaining study intersections are projected to operate at acceptable LOS D or better during am and pm peak hour Cumulative plus Project Conditions.

Table 42 Cumulative plus Project Conditions Intersection Level of Service and Signal Warrants Analyses Summary

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	16.4	C	No	17.9	C	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	20.2	C	**Yes**	20.3	C	**Yes**
3	SR 25 and Enterprise Road	TWSC	**42.3**	**E**	**Yes**	**136.6**	**F**	**Yes**
4	SR 25 and Union Road	Signal	**142.7**	**F**	–[2]	**201.1**	**F**	–[2]
5	SR 25 and Sunset Drive	Signal	13.1	B	–[2]	12.1	B	–[2]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	25.3	C	–[2]	31.9	C	–[2]
7	Fairview Road and Hillcrest Road	OWSC	**324.9**	**F**	**Yes**	**637.8**	**F**	**Yes**
8	Fairview Road and Sunnyslope Road	Signal	23.8	C	–[2]	19.7	B	–[2]
9	Fairview Road and Union Road	Future Signal	9.2	A	–[2]	10.0	B	–[2]
10	Southside Road and Union Road	Signal	19.0	B	–[2]	21.4	C	–[2]
11	Southside Road and Project Access[3]	Future OWSC	–[2]	–[2]	–[2]	–[2]	–[2]	–[2]

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Intersection 11 would only exist under an alternative in which a full access road is constructed to connect the project to Southside Road. This alternative is analyzed in Section 6.0, Alternatives.

Bold indicates unacceptable LOS/signal warrant met.

Boxed indicate significant impact.

The peak hour signal warrant analysis indicates that three study intersections are projected to have peak hour traffic volumes that meet the thresholds warranting signalization under Cumulative Base Conditions. The intersections include: SR 25 and Fairview Road/Ridgemark Drive (West), SR 25 and Enterprise Road, and Fairview Road and Hillcrest Road. The intersection of SR 25 and Fairview/Ridgemark Drive (West) does not operate at an unacceptable level of service standard. However, the remaining two above referenced intersections identified to have traffic conditions that meet the thresholds warranting signalization also are projected to operate at unacceptable level of service standards. Therefore, the installation of traffic signals at the intersections of SR 25 and Enterprise Road, and Fairview Road and Hillcrest Road, is warranted. The remaining un-signalized study intersections currently have traffic conditions that fall below the thresholds warranting signalization.

4.13.10 Impact Analysis

a. Methodology and Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, impacts related to transportation and circulation from the proposed project would be significant if the project would:

1) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
2) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment);
5) Result in inadequate emergency access; and/or
6) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

As explained more fully in Section 4.16, Effects Found to Be Less Than Significant, implementation of the proposed project would not result in a change in air traffic patterns (Threshold 3) or substantially increase hazards due to a design feature or incompatible uses (Threshold 4). Therefore, no further discussion of these impacts is included in this section. Further discussion of these issues can be found in Section 4.16, Effects Found to Be Less Than Significant. Thresholds 1, 2, 5 and 6 are discussed below.

SAN BENITO COUNTY INTERSECTION CRITERIA (2035 GENERAL PLAN)

Under the 2035 General Plan, significant impacts at signalized San Benito County intersections are defined when the addition of project traffic causes one of the following to occur:

1. The level of service at the intersection degrades from an acceptable LOS D or better under baseline conditions to an unacceptable LOS E or worse under project conditions, or
2. The level of service at the intersection is an unacceptable LOS E or F under baseline conditions and the addition of project trips causes the average intersection delay to increase by four seconds.

The 2035 General Plan has also established a specific level of service standard for un-signalized intersections. It provides that a significant adverse impact on traffic conditions at the intersection would occur if for any peak hour the following conditions are met for the all-way stop and one- or two-way stop controlled intersections:

All-way Stop

1. The average overall LOS at the intersection degrades from an acceptable LOS D or better under baseline conditions to an unacceptable LOS E or F under project conditions; or
2. The average overall intersection LOS is already at an unacceptable LOS E or F under baseline conditions and the addition of project traffic causes the average overall delay to increase by more than four seconds beyond what it was without the project.

One- or Two-way Stop

1. The delay on the worst approach at a one- or two-way stop-controlled intersection degrades from an acceptable LOS D or better under baseline conditions to an unacceptable LOS E or F under project conditions and the traffic volumes at the intersection under project conditions are high enough to satisfy the peak-hour volume traffic signal warrant adopted by Caltrans; or
2. The delay on the worst approach at a one- or two-way stop-controlled intersection is already at an unacceptable LOS E or F under baseline conditions and the traffic volumes at the intersection under project conditions are high enough to satisfy the peak-hour volume traffic signal warrant adopted by Caltrans, and the addition of project traffic causes the delay on the worst stop-controlled approach to increase by more than four seconds beyond what it was without the project.

As indicated above, the analysis evaluates the project's potential impacts to intersections. The 2035 General Plan thresholds were used to assess the impacts of the traffic generated by the project.

CALTRANS

Based on the San Benito County 2035 General Plan and prior transportation impact studies prepared for San Benito County (i.e., San Juan Oaks Specific Plan, Fehr & Peers, June 2015; Sunnyside Estates, Wood Rodgers, October 2015), project impacts at signalized Caltrans intersections are determined to be significant when one of the following occurs:

1. Intersection LOS degrades from an acceptable LOS D or better under baseline ("no project") conditions to an unacceptable LOS E or worse with the addition of project trips; or
2. An intersection is operating at an unacceptable LOS E or worse under baseline ("no project") conditions and the addition of project trips causes the average intersection delay to increase by any amount.

The 2035 General Plan does not outline an impact criteria for un-signalized Caltrans intersections, thus it is assumed for the purposes of this analysis that impacts at un-signalized Caltrans intersections are defined to be significant when the addition of project traffic results in both of the following:

1. The intersection operates at an unacceptable service level (LOS "E" or worse); and
2. The MUTCD peak hour volumes signal warrant is met

b. Project Impacts and Mitigation Measures

Impact T-1 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD CAUSE OPERATIONS AT ONE STUDY AREA INTERSECTION TO EXCEED APPLICABLE LOS CRITERIA UNDER THE EXISTING (2013-2016) PLUS PROJECT CONDITIONS. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBERS 1 AND 2]

As shown above in Table 34, one intersection operates at LOS D under Existing (2013-2016) Conditions without the proposed project during am and pm peak hours, and eight of the remaining study intersections operate at LOS C or better. The two future intersections do not have an existing LOS.

The signalized intersection at SR 25 and Union Road is projected to operate at LOS D during am and LOS E during pm peak hours under the Existing (2013-2016) plus Project Conditions. This intersection is under Caltrans jurisdiction and the threshold criterion considers impacts significant when the LOS degrades from an acceptable LOS D or better under Existing Conditions to an unacceptable LOS E or worse under Existing plus Project Conditions. The intersection of SR 25 and Union Road would exceed this threshold in the pm peak hour under the Existing (2013-2016) plus Project Condition (refer to Table 38).

In addition to SR 25/Union Road, three study intersections (SR 25 and Fairview Road/Ridgemark Drive (West), SR 25 and Enterprise Road, and Fairview Road and Hillcrest Road) have peak hour traffic volumes that meet the thresholds warranting signalization under Existing Conditions. These intersections would continue to meet signal warrant thresholds under Existing plus Project Conditions. However, these three intersections are projected to operate within applicable level of service standards and therefore impacts would be less than significant.

Mitigation Measures

The widening of Union Road to four lanes between San Benito Street and SR 25 is included as part of the improvement projects of the San Benito County Regional Transportation Impact Mitigation Fee (TIMF).

MM T-1 REGIONAL TRANSPORTATION IMPACT MITIGATION FEE

The developer shall be required to pay the applicable TIMF fee as a fair-share contribution toward Union Road widening, in compliance with General Plan Policy C-1.5. The TIMF is calculated as part of the Transportation Impact Fee Nexus Study completed by the Council of San Benito County Governments (2016).

Significance After Mitigation

With the widening of Union Road to four lanes between San Benito Street and SR 25, the intersection of SR 25 and Union Road is projected to operate at an acceptable LOS under Existing plus Project Conditions. The applicant's contribution toward the TIMF, in compliance with General Plan Policy C-1.5 and Mitigation Measure T-1, would be used to fund Union Road widening and would be considered full mitigation for the project's contribution to the impact. With the payment of the County Traffic TIMF, impacts at this intersection would be less than significant per County and Caltrans standards.

Impact T-2 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD CAUSE OPERATIONS AT TWO OF THE 11 STUDY AREA INTERSECTIONS TO EXCEED APPLICABLE CRITERIA UNDER THE BACKGROUND PLUS PROJECT CONDITION. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBERS 1 AND 2]

As shown in Table 39, two of the 11 study intersections - SR 25/Union Road and Fairview Road/Hillcrest Road - operate at LOS F during am and pm peak hours under Background Conditions.

Based on San Benito County and Caltrans criteria, significant impacts at signalized intersections are defined when the addition of project traffic causes an intersection already operating at or below LOS E an average increased delay of 4 or more seconds. The intersection of SR 25 and Union Road, which is under Caltrans jurisdiction, would exceed this threshold in the pm peak hour under Background plus Project Conditions (see Table 40 for details).

The intersection of Fairview Road and Hillcrest Road is under the jurisdiction of San Benito County. The intersection is one-way stop controlled already operating at or below LOS E and traffic volumes already warrant signalization. In this case, the County considers impacts significant when project traffic increases delay on the worst approach by 4 or more seconds. The intersection of Fairview Road and Hillcrest Road would exceed this threshold in the am and pm peak hours under Background plus Project Conditions (see Table 40 for details).

While these two intersections are projected to operate at unacceptable levels without the addition of project trips, the project would exacerbate this unacceptable condition.

Mitigation Measures

The following improvements are included as part of the improvement projects in the TIMF:

- Widening of Union Road to four lanes between San Benito Street and SR 25
- Installation of a traffic signal at the Fairview Road/Hillcrest Road intersection

These improvements would cause the SR 25/Union Road and Fairview Road/Hillcrest Road intersections to operate at an acceptable LOS under Background plus Project Conditions. Mitigation Measure T-1 would require the applicant to pay the applicable TIMF, which would provide a fair-share contribution to these improvements. Significance After Mitigation

With the widening of Union Road to four lanes between San Benito Street and SR 25 and the installation of a traffic signal at the Fairview Road/Hillcrest Road intersection, the intersections of SR 25/Union Road and Fairview Road/Hillcrest Road are projected to operate at an acceptable LOS under Background plus Project Conditions. The applicant's contribution toward the TIMF, in compliance with General Plan Policy C-1.5 and Mitigation Measure T-1, would be used to fund these improvements and would be considered full mitigation for the project's contribution to these impacts. With the payment of the County Traffic TIMF, impacts at these intersections would be less than significant per County and Caltrans standards.

Significance After Mitigation

With the widening of Union Road to four lanes between San Benito Street and SR 25 and the installation of a traffic signal at the Fairview Road/Hillcrest Road intersection, the intersections of SR 25/Union Road and Fairview Road/Hillcrest Road are projected to operate at an acceptable LOS under Background plus Project Conditions. The applicant's contribution toward the TIMF, in compliance with General Plan Policy C-1.5 and Mitigation Measure T-1, would be used to fund these

improvements and would be considered full mitigation for the project's contribution to these impacts. With the payment of the County Traffic TIMF, impacts at these intersections would be less than significant per County and Caltrans standards.

Impact T-3 IMPLEMENTATION OF THE PROPOSED PROJECT WOULD CAUSE OPERATIONS AT THREE OF THE 11 STUDY AREA INTERSECTIONS TO EXCEED APPLICABLE CRITERIA UNDER THE CUMULATIVE PLUS PROJECT CONDITION. IMPACTS WOULD BE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. [THRESHOLD NUMBERS 1 AND 2]

As shown in Table 41 and Table 42, three of the 11 study intersections are projected to operate at LOS F under Cumulative Base and Cumulative plus Project Conditions.

The two-way stop-controlled (un-signalized) intersection at SR 25 and Enterprise Road is projected to operate at LOS E during am peak hour and LOS F during the pm peak hour and the signal warrant is met under Cumulative Base conditions. This intersection is under Caltrans jurisdiction, where the threshold criteria considers impacts significant when the intersection operates at an unacceptable LOS and the MUTCD peak hour volumes signal warrant is met. As shown in Table 41 and Table 42, the intersection is projected to operate at LOS E during am peak hour and LOS F during PM peak hour and the signal warrant is met under Cumulative plus Project condition.

The signalized intersection at SR 25 and Union Road is projected to operate at LOS F during am and pm peak hours under Cumulative Base conditions. This intersection is under Caltrans jurisdiction, and the threshold criteria considers impacts significant when the intersection operates at an unacceptable LOS under Cumulative Base conditions and the addition of project traffic causes the average intersection control delay to increase by four or more seconds beyond what it was without the project. As shown in Table 41 and Table 42, under Cumulative plus Project conditions the intersection is projected to operate at LOS F during AM and PM peak hours and would have a delay increase of more than four seconds during PM peak hours.

The one-way-stop-controlled (un-signalized) intersection at Fairview Road and Hillcrest Road is projected to operate at LOS F during am and pm peak hours under Cumulative Base conditions. The intersection is under San Benito County jurisdiction, where the threshold criteria considers impacts significant if the delay on the worst approach at a one- or two-way stop-controlled intersection is already at an unacceptable LOS E or F under Cumulative Base conditions and the traffic volumes at the intersection under Cumulative plus Project conditions are high enough to satisfy the peak-hour volume traffic signal warrant adopted by Caltrans, and the addition of project traffic causes the delay on the worst stop-controlled approach to increase by more than four seconds beyond what it was without the project. As shown in Table 41 and Table 42, the intersection under Cumulative plus Project conditions adds more than four seconds of delay.

Although all three of the intersections operate at LOS F without the project under Cumulative Base conditions, the project would exacerbate the delay and unacceptable conditions and the significant thresholds are met.

Mitigation Measures

The following improvements are included as part of the improvement projects in the TIMF:

- Installation of a traffic signal at the SR 25/Enterprise Road intersection
- Widening of Union Road to four lanes between San Benito Street and SR 25
- Installation of a traffic signal at the Fairview Road/Hillcrest Road intersection

These improvements would cause the SR 25/Enterprise Road, SR25/Union Road, and Fairview Road/Hillcrest Road intersections to operate at an acceptable LOS under Cumulative plus Project Conditions. Mitigation Measure T-1 would require the applicant to pay the applicable TIMF, which would provide a fair-share contribution to these improvements.

Significance After Mitigation

With widening of Union Road and installation of traffic signals at the SR 25/Enterprise Road and Fairview Road/Hillcrest Road intersections, the intersections of SR 25/Union Road, SR 25/Enterprise Road, and Fairview Road/Hillcrest Road are projected to operate at an acceptable LOS under Cumulative plus Project Conditions. The applicant's contribution toward the TIMF, in compliance with General Plan Policy C-1.5 and Mitigation Measure T-1, would be used to fund these improvements and would be considered full mitigation for the project's contribution to the impacts. With the payment of the County Traffic TIMF, impacts at these intersections would be less than significant per County and Caltrans standards.

Impact T-4 With widening of Union Road and installation of traffic signals at the SR 25/Enterprise Road and Fairview Road/Hillcrest Road intersections, the intersections of SR 25/Union Road, SR 25/Enterprise *C* to fund these improvements and would be considered full mitigation for the project's contribution to the impacts. With the payment of the County Traffic TIMF, impacts at these intersections would be less than significant per County and Caltrans standards. The proposed project would provide adequate emergency access to proposed residences. Impacts would be less than significant. [Threshold number 5]

Local access to the proposed project would have two access points. The first access point would be from the existing west entrance located at Ridgemark Drive (West)/SR 25 and the second would be from the existing east entrance located at South Ridgemark Drive/SR 25.[28] Both entrances are gated. Once inside the Ridgemark Country Club development, vehicle access to the project site would be provided via a neighborhood entry off Ridgemark Drive. A traffic circle would be installed at the intersection of Ridgemark Drive and proposed new roadway. Entry features would include decorative paving, monuments flanking the entrance, split-rail fencing and landscaping that would include flowering accent trees in the driveway median. The project entrance would not be gated.

Secondary vehicle access to the site would be provided via an emergency vehicle access road connecting the southern end of the blufftop site to Southside Road. Gates at both ends would restrict access to emergency vehicles (refer to Figure 6 in Section 2.4, Project Characteristics). Therefore, the project would have two primary access points and a secondary, emergency access point, impacts related to emergency access would be *less than significant* and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact T-5 The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the

[28] An access agreement between the project applicant and the Ridgemark HOA would need to be reached to utilize Ridgemark Country Club roadways.

PERFORMANCE OR SAFETY OF SUCH FACILITIES. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBER 6]

The project site does not contain existing public transit, bicycle, or pedestrian facilities. However, the project is located approximately 0.7 mile south of the City of Hollister and is accessible from existing transportation facilities.

The project would be required to provide applicable funding for transit facilities, consistent with policy C-3.8 in the County's 2035 General Plan *Circulation Element*. It can be assumed that with the development of the proposed project, some of the new project residents would utilize public transportation, if available. Applying an estimated three percent transit mode share, which is probably the highest that could be expected for the project, equates to approximately 3 new transit riders during the am and pm peak-hours. The estimated number of new transit riders for the proposed project could be served by the existing Dial-a-Ride service. Therefore, the additional transit demand generated by the project would not justify additional transit services in the study area based on the project demand alone.

The *San Benito County Bikeway and Pedestrian Master Plan* (2009) indicates that Class II bike lanes are planned on the following roadways located north of the project site:

- Fairview Road between SR 25 and Fallon Road
- Union Road between Fairview Road and San Benito Street
- SR 25 between Ridgemark Drive and Sunset Drive

The proposed project would include a bicycle/pedestrian path throughout the new development (see Figure 6) to facilitate connectivity and enhance opportunities to use alternative modes of transportation. Cyclists would be able to share the existing roadways throughout the Ridgemark Country Club development and two of the planned Class II bike lanes would be accessible from the Ridgemark Country Club entrance at Ridgemark Drive (west)/SR 25. However, a continuous connection from the project site to surrounding areas for pedestrians would not be provided given that surrounding roadways and streets within adjacent neighborhoods do not provide sidewalks. It is also recommended that a bike path from the project site to the planned Southside Road multi-use trail be considered.

The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, impacts would be *less than significant.*

Mitigation Measures

No mitigation measures are required.

c. SB 743 and Vehicle Miles Traveled

On September 27, 2013, the governor signed Senate Bill 743. Among other things, SB 743 creates a process to change the way transportation impacts are analyzed under CEQA. Currently, environmental review of transportation impacts focuses on the delay that vehicles experience at intersections and on roadway segments, typically utilizing LOS (as in the above analysis). SB 743 requires the Governor's Office of Planning and Research (OPR) to amend the State CEQA Guidelines to provide an alternative to level of service for evaluating transportation impacts.

In August 2014, OPR released Updating Transportation Impact Analysis in the State CEQA Guidelines: Preliminary Discussion Draft of Updates to the State CEQA Guidelines Implementing Senate Bill 743 ("Draft Guidelines") (OPR 2014). The Draft Guidelines would eliminate LOS as a CEQA impact and propose the use of vehicle miles traveled (VMT) for CEQA impact analyses. The use of VMT is intended to shift away from driver delay as an environmental impact, and instead promote a reduction of greenhouse gas emissions, development of multimodal transportation networks, and a diversity of land uses. Because the Draft State CEQA Guidelines are currently being revised by OPR and have not been adopted, a traditional LOS-based analysis has been included herein, in accordance with the current State CEQA Guidelines. However, acknowledging the anticipated shift toward VMT analysis, the following discussion is included for informational purposes only.

Projections of VMT, population, and jobs for San Benito County as presented in the San Benito County 2035 General Plan were used for the evaluation of the effects of the proposed project on VMT within the Transportation Impact Analysis (Hexagon 2017). The General Plan used the San Benito County Transportation Demand Forecasting (TDF) model to calculate daily vehicle miles traveled (VMT). The General Plan provides estimated VMT for a baseline Year 2010 and horizon Years 2020 and 2035. Therefore, estimates of Year 2015 VMT for use in this analysis were derived by extrapolating the VMT data of the General Plan. A comparison of VMT for the Year 2015 condition versus the Year 2015 with the proposed project was made to determine the effects of the proposed project on traffic patterns within the County. VMT is calculated as the number of vehicle trips multiplied by the length of the trips in miles. VMT per service population is a measure of the daily vehicle miles traveled divided by the number of residents and employees within a defined sphere of influence. VMT per service population (residents + employees) is used for the analysis as opposed to VMT per capita (residents only), since per service population more accurately captures the effects of land use on VMT. The City not only has residents that travel to and from jobs, but also attracts regional employees. VMT is calculated based on the number of vehicles multiplied by the distance traveled by each vehicle in miles. This approach focuses on the VMT generated by new population and employment growth. Table 43 summarizes the VMT analysis.

Table 43 Vehicle Miles Traveled Analysis

	2015 Existing	Project	Existing Plus Project	Increase
Daily VMT	1,422,376	4,912	1,427,287	0.35%
Population	63,161	256	63,417	
Jobs	18,064	73	18,137	
Housing Units	21,062	93	21,155	
VMT/Service Population	17.5	14.9	17.2	

1. Existing VMT was interpolated using the 2010 and 2020 VMT from the SBC GP.

2. Existing population was interpolated using the 2010 and 2035 population from the SBC GP.

3. Existing housing unit was interpolated using the 2010 and 2035 housing units from the SBC GP.

4. Project VMT was calculated based on the average trip length of 5.55 in 2015, which was interpolated using the 2010 and 2020 trip lengths from the SBC GP, and 885 daily project trips.

5. Project population was calculated based on a ratio of 2.75 residents per household, which was calculated based on 2010 unincorporated County population of 18,479 and 6,724 dwelling units.

6. Existing and project jobs were calculated from the County average of 0.286 jobs per resident from the SBC GP.

SBC GP = San Benito County General Plan; VMT = Vehicle Miles Traveled

According to this analysis, total daily VMT and VMT per service population generated by the project are estimated at approximately 4,912 miles and 14.9 miles, respectively. Since the proposed project does not contain any non-residential land uses (such as retail, commercial, or office uses), all project-generated trips are assumed to be made to external locations. As a result, there are no reductions for internalized trips or retail pass-by. The proposed project would result in only a minimal increase, less than 0.5 percent, in VMT within the County and would not result in an increase in VMT per service population when compared to estimated Year 2015 conditions.

Emissions from project-generated VMT are calculated in Section 4.7, Greenhouse Gas Emissions/Climate Change, and mitigated to the extent feasible. As noted previously, there are no adopted VMT thresholds for transportation and circulation related impacts. Therefore, no impact has been identified herein. The above discussion is for informational purposes only.

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4.14 Tribal Cultural Resources

This section evaluates potential effects on tribal cultural resources related to implementation of the proposed project.

4.14.1 Setting

The project site lies within an area traditionally occupied by the Ohlone. Section 4.5, Cultural Resources, provides a full description of the prehistoric and ethnographic setting of the project site.

4.14.2 Regulatory Setting

State

Assembly Bill 52

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and modified the California Environmental Quality Act (CEQA) by establishing opportunities for a formal consultation process for California tribes within the CEQA process. The bill specifies that any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." According to the legislative intent for AB 52, "tribes may have knowledge about land and cultural resources that should be included in the environmental analysis for projects that may have a significant impact on those resources." Section 21074 of AB 52 also defines a new category of resources under CEQA called "tribal cultural resources." Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is either listed on or eligible for the California Register of Historical Resources or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource. *See also* Public Resources Code 21074 (a)(1)(A)-(B).

Local

2035 General Plan

The 2035 General Plan Natural and Cultural Resources Element provides the following goals and policies relating to tribal cultural resources that are relevant to this analysis:

Natural and Cultural Resources Element

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

NCR-7.9 **Tribal Consultation.** The County shall consult with Native American tribes regarding proposed development projects and land use policy changes consistent with the State's Local and Tribal Intergovernmental Consultation requirements.

NCR-7.11 **Prohibit Unauthorized Grading.** The County shall prohibit unauthorized grading, collection, or degradation of Native American, tribal, archaeological, or paleontological resources or unique geological formations.

NCR-7.12 **Archaeological Artifacts.** The County shall require an archaeological report prior to the issuance of any project permit or approval in areas determined to contain significant historic or prehistoric archaeological artifacts and when the development of the project may result in the disturbance of the site. The report shall be written by a qualified cultural resource specialist and shall include information as set forth in the county's archaeological report guidelines available at the County Planning Department.

San Benito County Code of Ordinances

The following sections of the San Benito County Code relate to tribal cultural resources.

Chapter 19.05: Archaeological Site Review

The purpose 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. There exist in the county areas known and yet to be discovered which contain significant cultural and archaeological sites which contain unique, irreplaceable, or religious resources significant to the history of the county and for the cultural heritage of the citizens of the county and State. This archaeological resource is fast disappearing as a result of public and private land development. It is the policy of San Benito County to preserve the county's historic identity and integrity. This chapter establishes regulations for the protection, enhancement, and perpetuation of archaeological sites in order to promote the public welfare, and to implement General Plan policy and State law.

4.14.3 Existing Conditions

A California Historical Resources Information System (CHRIS) records search, Native American Heritage Commission (NAHC) Sacred Lands Files (SLF) search, and pedestrian survey were conducted for the project site, none of which identified tribal cultural resources on the project site. See Chapter 4.5: Cultural Resources for a more detailed discussion of the CHRIS records search and pedestrian survey. The results of the NAHC SLF search are described below.

Native American Consultation Assistance

As part of the process of identifying cultural resources issues within or near the project site, and to assist the County with Native American government-to-government consultation in accordance with AB 52, Rincon contacted the NAHC on August 24, 2016. Rincon requested a review of the SLF, a list of Native American individuals and tribal organizations that may have knowledge of cultural resources in or near the project site. Rincon received a response via email on August 31, 2016 stating that the search of the SLF came back with negative results. The NAHC additionally provided a contact list of four Native American individuals and tribal organizations that may have knowledge of cultural resources in or near the project site. Rincon prepared and mailed letters to each contact on the list. As of the date of this EIR no results/responses to these letters have been received.

The County prepared and mailed letters to Native American individuals and tribal organizations in accordance with AB 52 on October 12, 2016. As of the date of this EIR no responses have been received.

4.14.4 Impact Analysis

a. Methodology and Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, an impact to Tribal Cultural Resources from the proposed project would be significant if the project would:

1) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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:

    a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

    b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

b. Project Impacts and Mitigation Measures

Impact TCR-1 Construction of the proposed project would involve surface excavation, which has the potential to impact previously unidentified Tribal Cultural Resources. Impacts would be less than significant with mitigation incorporated. [Thresholds Numbers 1(a) and 1(b)]

No tribal cultural resources listed on or eligible for listing on the California Register of Historical Resources (CRHR) or a local register or significant tribal cultural resources were identified within the project site as a result of the cultural resources records search, SLF search, Native American scoping and pedestrian survey. However, there is always potential to uncover buried archaeological resources during ground disturbing activities, which could potentially be considered tribal cultural resources. If the resource(s) were found to be significant, impacts would be *potentially significant unless mitigation is incorporated*.

Mitigation Measures

The following mitigation measure is required:

MM TCR-1

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

Significance After Mitigation

Mitigation Measure TCR-1 would reduce potential impacts to tribal cultural resources to *less than significant with mitigation incorporated*.

c. Cumulative Impacts

The geographic scope for considering cumulative impacts to tribal cultural resources is based on the ethnographic and prehistoric period use patterns of the project site and surrounding region. For the ethnographic period, the geographic extent includes the entire traditional Ohlone territory. The geographic context for the prehistoric period includes the Central Coast region, which includes western San Benito County and nearby portions of adjacent counties.

Cumulative development based on buildout of projects listed in Table 4 would continue to disturb areas with the potential to contain tribal cultural resources. With the proposed mitigation measures identified herein, such impacts to tribal cultural resources would be less than significant. Moreover, each individual development proposal within the County is reviewed by City or County representatives and undergoes a comprehensive environmental review when it is determined that a potential for significant tribal cultural resource impacts exist. In the event that other cumulative development would result in impacts to known or unknown tribal cultural resources, impacts to such resources would be addressed on a case-by-case basis in accordance with the requirements of the County or City's General Plan and CEQA, which would help to reduce any significant impacts identified. For the above reason, the project's contribution to any cumulative impacts on tribal cultural resources would be *less than significant*.

4.15 Utilities and Service Systems

This section evaluates potential impacts to utilities and service systems associated with implementation of the proposed project. Methodologies used in this analysis are described below, in Section 4.15.2. For purposes of this EIR, utilities and service systems address the following issue areas: water supply; wastewater; and solid waste.

4.15.1 Setting

a. Regional Setting

The project site is within the geographic boundaries of the Hollister urban area (HUA), which is an approximately 20-square mile area identified in the Hollister Urban Area Water and Wastewater Master Plan (Master Plan), comprising all of the incorporated City of Hollister and portions of unincorporated suburban and agricultural County lands. The project site is also within the planning area included in the HUA Urban Water Management Plan (UWMP) (SBCWD, et al. 2016). There are two municipal water purveyors that provide water service to properties within the HUA: The City of Hollister and the Sunnyslope County Water District (SSCWD).

Like many UWMP's, the HUA UWMP derives the future demand projections from population growth and existing demand. The annual estimates for the population of the HUA were updated through 2015. Growth projections were taken from California Department of Finance growth projection tables for Hollister to estimate demand growth.

Water Supply

Water supplies in the HUA are derived from local groundwater, imported water from the Central Valley Project (CVP), and a small amount of recycled water from the Hollister wastewater treatment plant for landscape irrigation (SBCWD, et al. 2016). These sources are described below.

LOCAL GROUNDWATER

The HUA has relied historically on the San Benito County portion of the Gilroy-Hollister Valley Groundwater Basin, and overlies the Hollister East, Hollister West, and Tres Pinos subbasins. Groundwater resources in the County are managed by the San Benito County Water District (SBCWD). The SBCWD is charged with managing aquifer recharge, monitoring water levels and water quality, and annual reporting (SBCWD, et al. 2016). The SBCWD's management has resulted in a reliable groundwater resource, but current groundwater levels are reduced due to the prolonged drought and pumping.

Since the initiation of CVP importation and recent expansion of the Lessalt Water Treatment Plant (as described more fully below), the use of groundwater for municipal and industrial (M&I) uses has declined. However, groundwater remains a major source of supply. Between 2011 and 2015, groundwater accounted for approximately 73 percent of the total water supplied by the City of Hollister and SSCWD (SBCWD, et al. 2016).

CENTRAL VALLEY PROJECT WATER

The SBCWD has a 40-year CVP contract and purchases water for delivery to agricultural and M&I uses – with the latter delivered directly to the Lessalt Water Treatment Plant (WTP) where it is treated. The importation of water from the CVP is relatively new to the area. Agricultural deliveries

began in the late 1980's and the Lessalt WTP was completed in 2002, with an expansion of operational capacity completed in April 2015 (SBCWD, et al. 2016).

CVP allocations are currently being curtailed due to the recent State-wide drought conditions, with deliveries being modified on an annual basis, based on hydrologic conditions, reservoir shortage, and the environmental status of the Sacramento-San Joaquin Delta (SBCWD, et al. 2016). According to the 2015 Hollister UWMP, the amount of CVP water has historically been limited by the treatment capaCity of the Lessalt WTP. Future CVP deliveries are expected to increase for the HUA as a second water treatment plant is in development (expected to be online by the end of 2017) and unused CVP M&I allocation remains available (SBCWD, et al. 2016). However, during single- to multiple-dry years the amount would likely decrease.

RECYCLED WATER

Treated and disinfected water from the City of Hollister's wastewater treatment plant is currently being used for landscape irrigation at one site within the HUA, the Riverside Park (SBCWD, et al. 2016). The effluent streams from all treatment facilities have high levels of Total Dissolved Solids (TDS), which may prevent reuse on local agricultural lands. The county has plans to meet water quality goals to facilitate its reuse. While this water source is available to areas of the HUA, the proposed project would not be served by the City of Hollister; as noted above, the project site would be served by the SSCWD, which does not provide a recycled water supply.

WATER SUPPLY AND TREATMENT FACILITIES

SSCWD water supply facilities include five active deep water wells located throughout the lands within the district's existing service area, while water treatment facilities consist of the Lessalt WTP, which has an average capaCity of 2.0 million gallons per day (gpd) (SSCWD 2015; SBCWD *et al.* 2016). An upgrade to the Lessalt WTP was completed in January of 2015 and includes green sand filtration, carbon filtration, and micro filtration. The plant is owned by SBCWD, operated by SSCWD, and provides potable water to both the City of Hollister and SSCWD. These three agencies (City of Hollister, SBCWD, and SSCWD) have begun the construction of the new West Hills WTP, which is anticipated to be complete by the end of 2017 and will have an anticipated capaCity of 4.5 million gpd (SBCWD, et al. 2016). It is anticipated that the West Hills WTP will serve the urban areas not served by the Lessalt WTP.

WATER CONVEYANCE AND DISTRIBUTION

The City of Hollister and SSCWD both pump directly from the Gilroy-Hollister groundwater basin to meet potable water demands within their respective service areas (refer to Section 4.9, *Hydrology and Water Quality,* for additional information on the groundwater basin). SSCWD has a total of five active groundwater wells. In 2015, SSCWD pumped a total of approximately 1,348 acre-feet per year (AFY) while the City of Hollister pumped a total of 1,960 AFY (SBCWD, et al. 2016). The City of Hollister and SSCWD's collective water transmission and distribution systems consist of a wide variety of water pipe types and sizes. Pipelines in the vicinity of the project site include a SSCWD 18-inch water main beneath Ridgemark Drive, approximately 75 feet northeast of the project site.

Wastewater

There are five wastewater treatment plants that treat the domestic, commercial, and industrial wastewater flows generated within the HUA. These facilities are owned by three separate agencies: the City of Hollister, SSCWD, and San Benito County.

The domestic wastewater treatment plant serving the Ridgemark Country Club development, and which would serve the proposed project, is managed by SSCWD. A new wastewater treatment plant was constructed at the Ridgemark I facility. The new treatment plant is a sequential batch reactor facility with sludge handling facilities and four percolation ponds. The plant was completed in September 2013 and can treat 350,000 gpd. In 2016 the total treated wastewater was approximately 175,000 gpd (Hillebrecht 2016). The Ridgemark II facility was converted to a pump station to pump the wastewater to the new treatment plant constructed at the Ridgemark I facility. At the Ridgemark II site, the treatment ponds and disposal ponds are being dried out but will remain as excess facilities owned by SSCWD.

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 San Benito County. 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 San Benito County.

The JSRL is located at 2650 John Smith Road, approximately five miles southeast of downtown Hollister, in the unincorporated County. It has a maximum permitted throughput of 1,000 tons per day and, as of October 2013, a remaining capaCity of approximately 5,448,000 cubic yards or 3,267,000 tons (CCRWQCB 2013). According to available information from CCRWQCB regarding the JSRL, based on current waste disposal rates, the estimated closure date (when capacity is expected to be reached) is 2041 (CCRWQCB 2013). An expansion of the landfill onto an adjacent property has been approved and is currently underway, which has an estimated life span of an additional 40 years (Rose, pers. comm. 2014). Additionally, since 2011, the County is exploring the possible development of a Resource Recovery Park, which will operate in partnership with the landfill and provide recyclable materials and energy to nearby businesses (San Benito County 2015a).

In 2015, California's statewide disposal rate per resident was 4.7 pounds per day (CalRecycle 2016b). Based on estimated waste generation rates taken from a 2014 study, San Benito County has achieved this target with a disposal rate of 4.5 pounds per resident per day; thus, the County currently meets its disposal target (California Department of Resources Recycling and Recovery [CalRecycle] n.d.).

b. Project Site Setting

Based on an approximate 2012 SSCWD Service Area map, the SSCWD is the anticipated water and wastewater service provider for the proposed project, and also currently provides water supplies and wastewater service to the surrounding Ridgemark Country Club development (SBCWD 2012). The project site is currently outside the SSCWD service area and sphere of influence, and therefore, San Benito LAFCO approval to annex the project site into the SSCWD service area would be required.

Water Supply

The proposed project was found to be within the HUA and the approximate SSCWD service area shown in the 2015 Hollister UWMP (SBCWD, et al. 2016) and thus development of the project site was contemplated therein.

Wastewater

The SSCWD is anticipated to provide sewer services to the proposed project upon LAFCO approval of a request to amend the sphere of influence and annex the project site. Wastewater would be treated at the SSCWD's Sequential Batch Reactor Wastewater Treatment Plant (WWTP) located at 10 Georges Drive, approximately 0.5 mile northwest of the project site. The existing WWTP has the capacity to treat an average of 350,000 gpd of wastewater. In 2016, the total wastewater flows to the treatment plant were approximately 175,000 gpd (Hillebrecht 2016). The project would connect to existing SSCWD wastewater lines beneath Marks Drive, approximately 820 feet northwest of the project site.

Solid Waste

Recology San Benito County would provide solid waste services to the proposed project and would transports solid waste to the JSRL.

c. Regulatory Setting

Federal

Below are the federal laws and regulations applicable to water supply. There are no federal laws and regulations applicable to wastewater or solid waste.

CLEAN WATER ACT

The federal Water Pollution Control Act was passed in 1972, and was amended in 1977 as the CWA (33 U.S.C. 1251 1376). The CWA was reauthorized in 1981, 1987, and 2000, and establishes the basic structure for regulating discharges of pollutants into the waters of the United States and has given the USEPA the authority to implement pollution control programs. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface waters. Many pollutants are regulated under the CWA, including various toxic pollutants, total suspended solids, biological oxygen demand and pH (acidity/alkalinity measure scale). Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process, described below. The CWA generally applies to surface Waters of the United States, managed by the USACE.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

As explained more fully in Section 4.9, *Hydrology and Water Quality*, the NPDES permit program was established in the CWA to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant.

In California, the federal requirements are administered by the SWRCB, and individual NPDES permits are issued by the RWQCBs.

The Central Coast RWQCB is the local division of the SWRCB that has oversight authority over the project. The SWRCB is a State department that provides a definitive program of actions designed to preserve and enhance water quality and to protect beneficial uses of water in California. NPDES permits allow the RWQCB to collect information on where the waste is disposed, what type of waste is being disposed, and what entity is disposing of the wastes. The RWQCB is also charged with conducting inspections of permitted discharges and monitoring permit compliance.

State

Below are the State laws and regulations applicable to water supply, wastewater, and solid waste:

SENATE BILL 610

Senate Bill (SB) 610 was signed into law in 2002. This law requires cities and counties to develop water supply assessments (WSA) when considering approval of applicable development projects in order to determine whether projected water supplies can meet the project's anticipated water demand. Triggers requiring the preparation of a WSA include residential developments of more than 500 dwelling units, shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor space, commercial office buildings employing more than 1,000 persons or having more than 250,000 square feet of floor space, and projects that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project (DWR 2003). The proposed project does not require preparation of a WSA pursuant to SB 610, as less than 500 dwelling units are proposed.

SENATE BILL 221

Whereas SB 610 requires a written assessment of water supply availability, SB 221 requires lead agencies to obtain an affirmative written verification of sufficient water supply prior to approval of certain specified subdivision projects. For this purpose, water suppliers may rely on an UWMP (if the proposed project is accounted for within the HUA UWMP), a WSA prepared for the project, or other acceptable information that constitutes "substantial evidence." "Sufficient water supply" is defined in SB 221 as the total water supplies available during normal, single-dry and multiple-dry water years within the 20-year (or greater) projection period that are available to meet the projected demand associated with the proposed project, in addition to existing and planned future uses (DWR 2003).

URBAN WATER MANAGEMENT PLANNING ACT OF 1983

The Urban Water Management Planning Act (Div. 6, Part 2.6 of the Water Code sections 10610-10657) requires that an UWMP be prepared by California's urban water suppliers to support their long-term resource planning and ensure adequate water supplies are available to meet existing and future water demands (California Urban Water Management Planning Act [UWMPA] 2005). Every urban water supplier that either provides over 3,000 acre-feet of water annually or serves 3,000 or more connections is required to assess the reliability of its water sources over a 20-year planning horizon considering normal, dry and multiple dry years. This assessment is to be included in its UWMP, which must be prepared every five years and submitted to the DWR. DWR then reviews the submitted UWMP to make sure it meets the requirements of the UWMPA (UWMPA 2005). The 2015 HUA UWMP (July 2016) was prepared as a collaborative effort between the SBCWD,

Sunnyslope County Water District, and the City of Hollister, and is intended to help guide the area's future water management efforts (SBCWD *et al.* 2016). The 2015 HUA UWMP includes, among other things, a baseline daily per capita water demand, projected water demand based on estimated population and per capita daily demand, a water use reduction plan, and the development of specific water use targets to meet the 2020 goal of 20 percent water use reduction (SBCWD *et al.* 2016).

When a water agency has prepared and adopted an UWMP in compliance with DWR requirements, it may rely on the HUA UWMP in various respects in preparing a WSA for individual planning and development approvals.

WATER CONSERVATION IN LANDSCAPING ACT

The Water Conservation in Landscaping Act, enacted in 2006, required the DWR to update the Model Water Efficient Landscape Ordinance (MWELO). In 2009, the Office of Administrative Law approved the updated MWELO, which required a retail water supplier or a county to adopt the provisions of the MWELO by January 1, 2010, or enact its own provisions equal to or more restrictive than the MWELO provisions (Frame 2008). San Benito County has yet to adopt a water efficient landscaping ordinance (DWR n.d.); therefore, the proposed project would be required to comply with the requirements set forth in the State MWELO. The MWELO applies to new construction with a landscape area greater than 2,500 square feet, and requires, among other things, weather-based irrigation controllers or soil-moisture based controllers or other self-adjusting irrigation controllers for irrigation scheduling in all irrigation systems (DWR 2015).

In 2009, the governor signed SB 7, *The Water Conservation Act of 2009*, which established a statewide goal of achieving a 20 percent reduction in urban per capita water use by 2020 for urban retail water suppliers (DWR 2016).

GREEN BUILDING STANDARDS CODE

In January 2010, the California Building Standards Commission adopted the statewide mandatory Green Building Standards Code (hereafter the "CALGreen Code") that requires the installation of water-efficient indoor infrastructure for all new projects beginning after January 1, 2011 (California Building Standards Commission [CBSC] n.d.). CALGreen Code was incorporated as Part 11 into Title 24 of the California Code of Regulations. The CALGreen Code was revised in 2013 with the revisions taking effect on January 1, 2014; however, these revisions do not have substantial implications to the water use already contemplated by the 2010 CALGreen Code. The CALGreen Code applies to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure. All new development must satisfy the indoor water use infrastructure standards necessary to meet the CALGreen Code.

The CALGreen Code requires residential and nonresidential water efficiency and conservation measures for new buildings and structures that will reduce the overall potable water use inside the building by 20 percent. The 20 percent water savings can be achieved in one of the following ways: (1) installation of plumbing fixtures and fittings that meet the 20 percent reduced flow rate specified in the CALGreen Code, or (2) by demonstrating a 20 percent reduction in water use from the building "water use baseline" (CBSC 2013).

CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT

California's Integrated Waste Management Act of 1989 (State Assembly Bill [AB] 939) requires that cities and counties divert 50 percent of all solid waste from landfills as of January 1, 2000 through source reduction, recycling, and composting. AB 939 also establishes a goal for all California counties to provide at least 15 years of ongoing landfill capacity. To help achieve this goal, the Act requires that each city and county prepare a Source Reduction and Recycling Element to be submitted to (CalRecycle), a department within the California Natural Resources Agency, which administers programs formerly managed by the State's Integrated Waste Management Board and Division of Recycling. As part of California's Integrated Waste Management Board's (CIWMB) Zero Waste Campaign, regulations affect what common household items can be placed in the trash. As of February 2006, household materials including fluorescent lamps and tubes, batteries, electronic devices and thermostats that contain mercury are no longer permitted in the trash and must be disposed of separately.

In 2007, SB 1016 amended AB 939 to establish a per capita disposal measurement system. The per capita disposal measurement system is based on a jurisdiction's reported total disposal of solid waste divided by a jurisdiction's population. CIWMB sets a target per capita disposal rate for each jurisdiction. Each jurisdiction must submit an annual report to CIWMB with an update of its progress in implementing diversion programs and its current per capita disposal rate. San Benito County has a target residential disposal rate of 5.1 pounds per person per day. As of 2012 (the most recent available data), the County achieved these targets with a disposal rate of 4.5 pounds per resident per day; thus, the County currently meets its disposal target (CalRecycle n.d.).

CALIFORNIA SOLID WASTE REUSE AND RECYCLING ACCESS ACT OF 1991

The California Solid Waste Reuse and Recycling Access Act requires areas in development programs to be set aside for collecting and loading recyclable materials. The Act required CalRecycle to develop a model ordinance for adoption by any local agency relating to adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model, or an ordinance of their own, governing adequate areas in development programs for collection and loading of recyclable materials.

CALGREEN CODE

The CALGreen Code came into effect for all projects beginning after January 1, 2011 (CBSC n.d.). Section 4.408, Construction Waste Reduction, Disposal and Recycling mandates that, in the absence of a more stringent local ordinance, a minimum of 50 percent of non-hazardous construction and demolition debris must be recycled or salvaged (CBSC 2013). The Code also requires the applicant to have a waste management plan for on-site sorting of construction debris (CBSC 2013). The requirements set forth in the CALGreen Code are incorporated into section 15.01.046 *Building Permits; Diversion Plans* of Chapter 15.01 *Solid Waste Regulations* of Title 15 *Public Works* of the San Benito County Code of Ordinances, as discussed further below.

Local

2035 GENERAL PLAN

The 2035 General Plan Land Use Element, Public Facilities and Services Element, and Natural and Cultural Resources Element provide the following goals and policies pertaining to water supply and distribution that are relevant to this analysis:

Land Use Element

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.

Goal LU-2 To promote energy efficiency through innovative and sustainable building and site design.

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.

Goal LU-4 To encourage variety in new unincorporated residential development while also providing incentives for clustered residential as a means to protect valuable agriculture and natural resources.

LU-4.2 **Urban Residential Development.** The County shall ensure new urban residential development (e.g., greater than two units per acre) occurs in areas that have, or can provide, adequate public facilities and services to support such uses, and are near existing and future major transportation networks, transit and/or bicycle corridors, pedestrian paths and trails, and employment centers.

LU-4.5 **Innovative Site Planning and Residential Design.** The County shall encourage new residential developments to use innovative site planning techniques and to incorporate design features that increase the design quality, and energy efficiency, and water conservation of structures and landscapes while protecting the surrounding environment.

Goal LU-9 To ensure that planning and development approvals within city fringe areas are coordinated between the County and the Cities in order to ensure future growth in these areas, is orderly, efficient, and has sufficient and necessary public facilities and infrastructure.

LU-9.8 **Sewer and Water Service Commitments.** The County shall require new development within the spheres of influence of Hollister or San Juan Bautista to obtain sewer and water service commitments from either the Cities or appropriate special districts prior to project approval.

Public Facilities and Services Element

Goal PFS-1 To provide residents and business quality, cost-effective, and sustainable public facilities and services.

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 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. (RDR/MPSP)

PFS-1.4 **Level of Service.** The County shall preserve, improve, and replace public facilities as necessary to maintain adequate levels of service for existing and future development. Where public facilities and services are provided by other agencies, the County shall encourage similar service level goals. (MPSP)

PFS-1.5 **Public Facility Security.** The County shall site public facilities to minimize the potential vulnerability of the facilities to natural and human-made hazards and threats. (RDR/MPSP)

PFS-1.8 **Public Facility Sizing.** The County shall ensure that public facilities are designed to meet the projected capacity needs of existing and planned communities in order to reduce the need for future replacement. For facilities subject to incremental sizing, the County shall require the initial design to include adequate space or right-of-way to accommodate foreseeable future expansion. (RDR/MPSP)

PFS-1.9 **Development Review.** The County shall evaluate facility capacity, levels of service, and/or funding needs during the development review process to ensure adequate levels of service and facilities are provided and maintained. (RDR)

PFS-1.10 **Maximize Use of Existing Facilities.** The County shall require new development projects to be designed and sited to use existing facilities and services to the extent practical and to the extent that such a design and site choice would be consistent with good design principles. (RDR)

PFS-1.11 **Pay Fair Share.** The County shall require new development to pay its fair share of public facility and service costs. (RDR/FB)

PFS-1.12 **New Development Requirements.** The County shall require new development, in compliance with local, State, and federal law, to mitigate project impacts associated with public facilities and services, including, but not limited to, fire, law enforcement, water, wastewater, schools, infrastructure, roads, and pedestrian and bicycle facilities through the use of annexation fees, connection fees, facility construction/expansion requirements, or other appropriate methods.

PFS-1.13 **Service Agency Notification.** County shall notify the appropriate agencies (e.g., cities, special districts, school districts, emergency service providers) of new development applications within their service areas early in review process to allow sufficient time to assess impacts on facilities and services.

Goal PFS-3 To ensure reliable supplies of water for unincorporated areas to meet the needs of existing and future agriculture and development, while promoting water conservation and the use of sustainable water supply sources.

PFS-3.9 **Sufficient Water Supply for New Development.** The County shall require new developments to prepare a source water sufficiency study and water supply analysis for use in preparing, where necessary, a Water Supply Assessment per SB 610 and a Source Water Assessment per Title 22. This shall include studying the effect of new development on the water supply of existing users. The County encourages the development of integrated regional water management plans or similar plans.

Goal PFS-4 To maintain an adequate level of service in the water systems serving unincorporated areas to meet the needs of existing and future agriculture and development, while improving water system efficiency.

PFS-4.1 **Adequate Water Treatment and Delivery Facilities.** The County shall ensure, through the development review process, 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. Such needs shall include capacities necessary to comply with water quality and public safety requirements.

PFS-4.2 **Water Facility Infrastructure Fees.** As a condition of approval for discretionary developments, the County shall not issue approval for a final map until verification of adequate water and wastewater service has been provided, which may include verification of payment of fees imposed for water and wastewater infrastructure capacity per the fee payment schedule from the water and wastewater provider.

PFS-4.7 **Consistent Fire Protection Standards for New Development.** The County, in coordination with public and private water purveyors and fire protection agencies, shall ensure consistent and adequate standards for fire flows and fire protection for new development, with the protection of human life and property as the primary objectives.

Goal PFS-5 **To ensure wastewater treatment facilities and septic systems are available and adequate to collect, treat, store and safely dispose of wastewater.**

PFS-5.3 **Adequate Water Treatment and Disposal.** The County shall ensure through the development review process that wastewater collection, treatment, and disposal facilities are sufficient to serve existing and new development, and are able to be expanded to meet capacity demands when needed.

PFS-5.4 **Developer Requirements.** The County shall require that new development meet all County requirements for adequate wastewater collection, treatment, and disposal prior to project approval.

PFS-7.1 **Adequate Capacity.** The County shall ensure that there is adequate capacity within the solid waste system for the collection, transportation, processing, recycling, and disposal of solid waste to meet the needs of existing and projected development.

PFS-7.6 **Construction Materials Recycling.** The County shall encourage recycling and reuse of construction waste, including recycling of materials generated by the demolition

of buildings, with the objective of diverting 50 percent to a certified recycling processor. The County shall encourage salvaged and recycled materials for use in new construction.

Natural and Cultural Resources Element

NCR-4.16 Development in Existing Areas. The County shall encourage development to occur in or near existing developed areas in order to reduce the use of individual septic systems in favor of domestic wastewater treatment in an effort to protect groundwater quality.

SAN BENITO COUNTY CODE OF ORDINANCES.

Chapter 15.01: Solid Waste Regulations

The chapter addresses collection, transportation of solid waste, disposal of refuse, and enforcement in five articles.

Section 15.01.020 Solid Waste Containers states that every person owning or possessing any land, dwelling or industrial, commercial or business structure or premises, where solid waste is produced, generated or accumulated, except for a person owning or possessing an approved solid waste facility, shall provide and maintain on the premises suitable containers of sufficient capacity to store the accumulations of solid waste during the intervals between collection or disposal.

Section 15.01.040 Solid Waste Collection establishes mandatory solid waste collection areas which include all solid waste generated from all residential, commercial and industrial properties in the unincorporated county as designated on Exhibit A and all residential, commercial and industrial property as designated in any resolution of the Board of Supervisors establishing mandatory residential, commercial and industrial collection services regardless of whether or not these services were requested by the affected property owner or tenant. Mandatory solid waste and recycling collection is required in all residential county service areas consisting of ten lots or more.

Section 15.01.046 Building Permits; Diversion Plans states that no building permit shall be issued until a solid waste diversion plan has been submitted to and approved by the Integrated Waste Management Department. Failure to submit a plan shall prevent the issuance of a building permit. Permitees are required to divert a minimum of 50% of their waste. A permit holder who has not diverted 50% of the construction or demolition waste from disposal shall be required to pay San Benito County an amount equal to the rate per ton for disposal of mixed waste at the John Smith Road Landfill existing at the time the penalty is calculated times the number of tons of waste that were not properly diverted as required by this section. Funds generated from any penalties collected will be set aside in a separate fund for waste diversion activities in San Benito County. Final occupancy will not be signed off until the permitee has submitted their waste diversion documentation and/or paid the penalty, if any, to the Integrated Waste Management Department. Sample solid waste diversion plans shall be available for permitees' use.

Chapter 15.05, Article III. Well Standards

This article sets forth the minimum requirements for construction, reconstruction, repair and destruction of water wells, cathodic protection wells and monitoring wells. Article III requires adherence to appropriate permit application procedure, payment filing fees, and permit conditions and contains well standards which state (San Benito County Code section 15.05.095):

Except as otherwise specified, the standards for the construction, repair, reconstruction, or destruction of wells shall be as set forth in the California Department of Water Resources Bulletin 74-81 "Water Well Standards, State of California" except as validly modified by subsequent revisions and/or supplements.

Article III further sets forth requirements for variances; groundwater protection inspections; completion reports; appeals; violation; penalty test; and enforcement.

Chapter 15.05, Article IV. Water Conservation

This article requires that building permits be issued in conformance with the final water conservation plan. The final water conservation plan shall specify guidelines for the issuance of building permits and shall specify certain requirements to be incorporated into the design and construction of all structures constructed in the county. Before the adoption of the final water conservation plan, the county imposes certain interim restrictions on the issuance of building permits including, but not limited to the following:

- Prior to the adoption of the preliminary water conservation plan, the Building Department shall not issue a building permit until the Planning Commission determines that ample water of suitable quality[29] exists to meet the water needs generated by the structures and the use thereof. The applicant shall have the burden of proof according to clear and convincing evidence. (section 15.05.227[D])

Chapter 15.07: Sewers and Sewage Disposal

Article I in general prohibits the construction or maintenance of sewage facilities injurious or dangerous to health (section 15.07.001). Article I also sets forth requirements for the construction of individual sewage disposal systems (section 15.07.022):

(A) (1) No person shall construct any residence, or other building where people congregate or are employed, which is not to be connected to an approved public sanitary sewer or construct a new sanitary disposal system, without first notifying the Department of Public Health of the county, and obtain a permit therefrom.

(A) (2) Upon the notification, the Director of Public Health shall cause a suitable inspection to be made and if it is found that conditions meet requirements shall issue the permit without cost for each individual disposal system.

(B) Disposal systems built under a permit as provided in this section shall be constructed and maintained as will meet the requirements which may be adopted by the Board of Supervisors.

Chapter 23.31, Article IV. Water System Design Standards

This article applies to any facility or system in the county, except individual residential parcels not served by a system and small water systems servicing four or less services, that meets any one or more of the following conditions:

[29] "Ample water of suitable quality" means establishing the following: (1) The quantity of water to be used as a result of the use of the proposed structure on an average annual basis; (2) The quality of water necessitated by the use of the proposed structure; (3) A reliable source of the water to be used; (4) The quantity and quality of the water source; (5) The existing and potential other users of the source of water, and an estimate of the amount of water needed by these users on an average annual basis; and (6) The insignificant impact of the proposed use on existing and potential users of the water source. "Insignificant impact" includes a determination that the withdrawal of water from the water source does not exceed the replenishment of the water source, nor will the proposed withdrawal of water reduce the quality of the water source. (San Benito County Code section 15.05.227[e])

(1) Is or may be a county (or county-operated service area) owned system; and/or

(2) Serves, or plans to serve, water to any land development project that is subject to approval of the county's Board of Supervisors, Planning Commission, Fire Marshal or Department of Public Works."

Section 23.31.061 sets forth water supply requirements including, but not limited to, the following:

- **(A) Quality.** Water supplied for use in domestic water systems in San Benito County shall conform to the latest revisions of Sections 3, 4 and 5 of the United States Public Health Service Drinking Water Standards, the requirements of the California Health and Safety Code and the California Code of Regulations Title 22 and local ordinances.
- **(B)(1)(c) Public water supply systems; approval by agencies for public water systems.** For developments and subdivisions requiring a public water system, the water system shall conform to the requirements of the county's Fire Marshal, the San Benito Health Department, the county's Public Works Department and applicable State and federal standards.
- **(B)(3) Unincorporated urban centers.** Within an unincorporated urban center, water supply shall be provided by an existing agency or if there is no existing agency, a new district shall be formed.
    (a) Major and minor subdivisions shall connect to a public water system having adequate capacity for the subdivision. If a public water system with adequate capacity is not immediately available, the developer shall provide for adequate capacity by developing a potable water system to serve the subdivision. The public water system so developed shall be designed to ultimately connect to the existing system and be approved by the existing agency if any (section 23.31.061[B][3][a]).
    (b) Development on existing parcels shall connect to a public water system. Main extensions for the purpose of serving development shall be constructed across the full frontage of the property served unless otherwise directed by the water purveyor. The developer shall fund needed main extension (section 23.31.061[B][3][b]).
- **(C)(1)(c) General Requirements.** Where the water supply for a subdivision is proposed to be by new wells, the new wells shall, prior to filing the final or parcel map, be developed and tested for quality and quantity. The wells shall be pumped in a manner satisfactory to the county's Health Department and Public Works Department and shall produce a minimum of the design standard for source capacity. If necessary to meet the minimum quality standards, additional treatment facilities must be constructed prior to putting the well into service. Supply minimum of one well log when available; additional logs shall be required for more than ten test wells or when determined by the Engineer that there is a significant change in strata.
- **(C)(2) On-site wells, Well construction.** Any well to be constructed for use as a domestic water supply of a single family dwelling shall be constructed to the latest revision of the standards as specified in Bulletin 74, Water Well Standards, State of California, Department of Water Resources. A separate utility service or sub-panel is required for fire suppression water supply, pursuant hereto.

Section 23.31.062 sets forth requirements for water distribution system design including location of water mains, distribution system, sizing and selection of pipe, storage facilities, booster stations, telemetry and control systems and materials.

Chapter 23.31, Article V Sewer System Design Standards of Chapter 23.31 Improvement Designs, sets forth the minimum design standards for:

The design and construction of sanitary sewers, sewer pump stations, sewer treatment plants and sewer systems, in the unincorporated area of San Benito County subject to control or permit requirements of the county... and shall comply with these standards except where specific modifications have been approved by the County Engineer in writing (section 23.31.080[A][1][a]).

The requirements are applicable:

> …only when sanitary sewers do not fall within the jurisdiction of other special districts or agencies. In the event that such sewers are within the jurisdiction of another agency, then all sanitary sewer improvements shall be designed and constructed in accordance with the requirements of that agency (section 23.31080[A][1][b]).

In addition, Article V requires that:

> … all work on house laterals, house sewers, building sewers, outside of public rights-of-way or sewer easements will be governed by the provisions of the Uniform Plumbing Code as amended by these standards and other applicable ordinances of the local sewerage agency (section 23.31.080[A][3]).

Article V also sets forth requirements for community sewage system design, on-site systems, and materials.

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

San Benito LAFCO oversees public agency boundary changes, sphere of influence amendments, and out of agency service contracts pursuant to LAFCO law. The overall goal of LAFCO is to encourage the orderly formation and extension of governmental agencies (San Benito LAFCO 2014).

SAN BENITO COUNTY LOCAL ENFORCEMENT AGENCY

CalRecycle is the Local Enforcement Agency (LEA) for solid waste in San Benito County (CalRecycle 2012). The LEA is empowered, upon certification by CalRecycle, to implement delegated CalRecycle programs and locally designated activities. The LEA has the primary responsibility for ensuring the correct operation and closure of solid waste facilities in the State as well as guaranteeing the proper storage and transportation of solid wastes (CalRecycle 2012). Solid waste and recyclable materials in the County are taken to the John Smith Road Landfill.

HOLLISTER URBAN AREA URBAN WATER AND WASTEWATER MASTER PLAN (2008)

The Hollister Urban Area Water and Wastewater Master Plan (Master Plan) provides a comprehensive plan and implementation program to meet the existing and future water resources needs of the lands located within the geographic boundaries of the Hollister urban area through 2035 (SBCWD 2008). The Master Plan was initiated through a Memorandum of Understanding (MOU) developed in 2004 by the City of Hollister, San Benito County, and SBCWD. The MOU was amended in 2008 to include SSCWD. The MOU described the principles, objectives, and assumptions that formed the basis of the Master Plan, focusing on the following goals (SBCWD 2004):

1) Improve municipal, industrial, and recycled water quality
2) Increase the reliability of the water supply

3) Coordinate infrastructure improvements for water and wastewater systems
4) Implement goals of the Groundwater Management Plan
5) Integrate recommendations of the Long-term Wastewater Management Plans with the Master Plan
6) Support economic growth and development consistent with the City of Hollister and San Benito County General Plans and Policies
7) Consider regional issues and solutions

As described in the MOU, the Master Plan provides a comprehensive plan including: (1) capacity and estimated cost of physical facilities, and (2) an implementation program including institutional agreements, engineering, CEQA compliance, permitting, financing, coordination with ongoing projects and programs, stakeholder outreach, and scheduling (SBCWD 2004).

4.15.2 Impact Analysis

a. Methodology and Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, impacts to utilities and service systems would be considered significant if they meet any of the significance criteria listed below. These criteria address issues related to water, wastewater, and solid waste.

1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
4) Have insufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed;
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or
7) Comply with federal, State, and local statutes and regulations related to solid waste.

Threshold 3 is addressed in Section 4.9, Hydrology and Water Quality.

b. Project Impacts and Mitigation Measures

Impact UTIL-1 DEVELOPMENT OF THE PROPOSED PROJECT WOULD RESULT IN ADDITIONAL WATER DEMAND OF APPROXIMATELY 64 AFY AT BUILDOUT. AVAILABLE WATER SUPPLIES WOULD BE ADEQUATE TO SERVE THE PROPOSED PROJECT. THEREFORE, IMPACTS RELATED TO WATER SUPPLY WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBERS 2 AND 4]

As discussed above, SB 610 requires as part of the environmental review of certain land development projects the preparation of a water supply assessment (WSA). Triggers requiring preparation of a WSA include residential development of more than 500 dwelling units. The proposed project does not meet the threshold for requiring a formal WSA. However, this analysis considers water supply availability in order to determine whether there are sufficient water supplies and whether adverse effects on the environment would occur as a result of delivering the identified supplies.

The proposed project includes provision of necessary water conveyance infrastructure to serve the site and proposed development. As described in Section 2.0, Project Description, pending LAFCO approval, water would be conveyed through an existing SSCWD 18-inch water main located beneath Ridgemark Drive, approximately 75 feet northeast of the project site. Approximately 50 linear feet of 12-inch water pipe would be installed off-site between proposed Street A and Ridgemark Drive to connect to the existing SSCWD water main. The project applicant would install a system of 12-inch water lines beneath the proposed street rights-of-way to transport water to each residence, as shown in Figure 9. Once installed and the improvements have been accepted, SSCWD would maintain the water infrastructure necessary to serve the project. Potential environmental effects associated with construction of these facilities have been analyzed throughout this EIR. Specifically, impacts from construction would include dust generation and other construction-related emissions, erosion and potential downstream water pollution, and noise. These impacts are addressed in Section 4.3, Air Quality, Section 4.7, Greenhouse Gas Emissions/Climate Change; Section 4.9, Hydrology and Water Quality; and Section 4.11, Noise. Ground disturbance associated with these on-site facilities are further addressed in Section 4.4, Biological Resources, Section 4.5, Cultural Resources, and Section 4.14 Tribal Cultural Resources.

The following impact discussion is based on an evaluation of the HUA 2015 UWMP, as allowed under California Water Code section 10910. The proposed project was found to be within the HUA and the approximate anticipated future SSCWD service area shown in the 2015 UWMP. The amount of development of the proposed project was anticipated in the UWMP growth projections (SBCWD, et al. 2016) as well as the growth projections of the 2008 HUA Water and Wastewater Master Plan (San Benito County, et al. 2008). In a letter from SSCWD Assistant Engineer Rob Hillebrecht, it was confirmed that SSCWD "currently has the sufficient potable water supplies and infrastructure" necessary to serve additional development within the Hollister Urban Area (SSCWD 2016), which would include the project site. Therefore sufficient water supply is available for the project (SBCWD, et al. 2016).

In addition, the proposed project includes a vesting tract map and related entitlements that would allow for the proposed development of 90 single-family residential units, three parks totaling approximately 3.2 acres, and on- and off-site improvements necessary to serve the residential uses. Once the tract map and related entitlements are approved by San Benito County, LAFCO would need to consider approval of annexation of the project site into the SSCWD service area and the related SOI amendment. The following discusses the water demand factors used for residential and non-residential uses associated with the proposed project.

Water Demand

As noted in Section 2.0, Project Description proposed residential lots would range in size from approximately 8,464 square feet (sf) to approximately 28,869 sf. The average lot size is approximately 12,524 sf. The size of the lot has the greatest impact on the annual per-lot demand for water as the irrigation needs for landscaping increase with larger landscaped areas. In contrast, indoor water demands remain relatively consistent regardless of lot size, but do vary slightly based on the number of people per dwelling unit. The County of San Benito Code Chapter 23.31.081, *Community Sewage System Design,* provides wastewater generation factors, which are multiplied by 1.1 for the purposes of this analysis, in order to anticipate water use (the 1.1 factor is an industry standard to determine water use based on wastewater generation). These calculations indicate typical indoor demands for homes of approximately 274 gallons/day (or 0.0008 acre-feet [AF] per dwelling unit [DU]) per household of three people. The entire project would generate an approximately 26.3 AFY demand for interior water use. Outdoor water demands were calculated assuming the approximately 16.8 acres of open space area, as identified in the Conceptual Site Plan, would have a landscaped area. Water demand factors are based on 70 percent of the maximum applied water allowance under MWELO of 2.6 acre-feet per acre (AF/AC); therefore, the landscaped area would conservatively require approximately 30.5 AFY of water. The total amount of potable water demand for interior and exterior use would be approximately 56.8 AFY.

Non-Residential Water Demand

Non-residential water demand includes indoor and outdoor water use associated with the proposed park land, right-of-way landscaping, and construction water.

Park Land

The proposed project would provide three parks totaling approximately 3.2 acres, including an approximately 0.5-acre retention basin. As a reasonably conservative estimate, it is assumed that the 2.7 acres would be irrigated with turf and ornamental landscaping.[30] The retention basin would not be irrigated and is thus excluded from this calculation. Water demand factors are based on 70 percent of the maximum applied water allowance under MWELO of 2.6 AF/AC, which is based on multiple meter studies for similar park parcels.[31] Accordingly, estimated irrigation demand for the on-site park acreage is approximately 4.9 AFY.

Right-of-Way Landscaping

The proposed project would include street and right-of-way landscaping. It is conservatively assumed that 5 percent of the total right-of-way area (approximately 0.5 acre) would be landscaped. Water demand factors are based on 70 percent of the maximum applied water allowance under MWELO (2.6 AF/AC). Accordingly; estimated total irrigation demand for the right-of-way landscaping is approximately 1.5 AFY.

Construction Water

Site grading and infrastructure installation would require dust suppression and other water uses. Given the size and nature of the project, these are estimated to be nominal, and would not continue

[30] The most conservative water demand estimate is used for the parkland allowing flexibility for the builder. In this case, a MWELO maximum usage represents a largely turf area and reflects typical park usage.

[31] 70 percent of 2.6 AF/AC is 1.82 AF/AC.

beyond the construction phases of the proposed project. For purposes of identifying incremental water demands, construction water is assumed to be one AFY during the two to five-year construction period.[32]

Total Water Demand

As shown in Table 44, the total water demand associated with the proposed project, as described above, would total approximately 63 AFY at buildout (including non-revenue water demands). Non-revenue water represents all of the water necessary to deliver to the customer accounts and reflects distribution system leaks, water demands from potentially un-metered uses such as fire protection, hydrant flushing, and unauthorized connections, and inescapable inaccuracies in meter readings.

Table 44 Total Water Demand

Use Type	Water Usage (approximate acre feet per year)
Interior residential	26.3
Exterior residential	30.5
Park land	4.9
Right-of-way landscaping	1.5
Construction	1.0
Total	64.2

Water Supply Evaluation

The HUA 2015 UWMP projects water supply and demand through year 2035 for the entire HUA, based on projected population growth and existing demand. The demands presented were consistent with the 2008 Master Plan, the water supply analysis of which includes assumptions that are consistent with the proposed development of the project site. Therefore, the project and its residents would fall within the projections made under the UWMP and thus be covered by its future water supply and demand estimates.

Table 45 below provides a detailed comparison of water demands and available water supplies as calculated in the HUA 2015 UWMP. The table summarizes projected water supply and demand in normal, single dry year, and multiple dry year periods from 2020 through 2035. As shown therein, the most severe drought conditions (Multiple Dry Year Period – Year 3) would require the use of additional groundwater to meet demands, with assumed reductions in CVP supplies. However, the recycled water supply is expected to be available to meet the full potential recycled water use demand. The use of recycled water is limited to irrigating one site within the HUA. The expansion of this use is not anticipated due to water quality concerns (SBCWD *et al.* 2016).

The UWMP concludes that in order to maintain water quality, no more than 50 percent groundwater would be added CVP water. Therefore, temporary conservation through shortage contingency plans would be required. A water conservation plan is included as part of the 2015 UWMP. Water demands of the proposed project are included within the build-out demands assessed in the UWMP, which determines that sufficient water supply is available under varying climatic (drought) conditions to meet the needs of build-out conditions; therefore, sufficient water

[32] This amounts to about 300,000 gallons per year or over 75 fill-ups of a typical 4,000-gallon water truck.

is available for the proposed project, including under varying climatic and severe drought conditions.

Table 45 HUA Supply and Demand Comparisons

	2020	2025	2030	2035
Normal Year (AFY)				
CVP Imported Water[1]	4,760	5,600	5,600	7,280
Groundwater[2]	2,460	2,540	3,640	3,290
Recycled Water[3]	116	116	116	116
Total Water Supply	7,336	8,256	9,356	10,686
Total Water Demand	7,336	8,256	9,356	10,686
Difference	*0*	*0*	*0*	*0*
% Groundwater	*25%*	*24%*	*28%*	*24%*
Required conservation	*0%*	*0%*	*0%*	*0%*
Single Dry Year (AFY)				
CVP Imported Water[1]	3,300	3,300	3,300	3,300
CVP – reserve		100	500	1,399
Groundwater[2]	2,533	3,169	3,201	3,300
Recycled Water[3]	116	116	116	116
Total Water Supply	5,949	6,685	7,117	8,115
Total Water Demand	7,336	8,256	9,156	10,686
Less Conservation	*(1,387)*	*(1,571)*	*(2,239)*	*(2,572)*
Difference	*0*	*0*	*0*	*0*
% Groundwater	*43%*	*49%*	*49%*	*50%*
Required conservation	*20%*	*20%*	*25%*	*25%*
Multiple Dry Year Period –Years 1				
CVP Imported Water[1]	4,760	5,198	5,198	5,198
Groundwater[2]	1,420	1,764	2,699	3,315
Recycled Water[3]	116	116	116	116
Total Water Supply	6,296	7,078	8,013	8,629
Total Water Demand	7,336	8,256	9,356	10,686
Less Conservation	*(1,040)*	*(1,178)*	*(1,343)*	*(2,057)*
Difference	*0*	*0*	*0*	*0*
% Groundwater	*23%*	*25%*	*34%*	*39%*
Required conservation	*15%*	*15%*	*15%*	*20%*
Multiple Dry Year Period –Years 2				
CVP Imported Water[1]	3,300	3,300	3,300	3,300
CVP – reserve				999
Groundwater[2]	2,133	2,869	3,300	3,300
Recycled Water[3]	116	116	116	116
Total Water Supply	*5,549*	*6,285*	*6,716*	*7,715*
Total Water Demand	*6,936*	*7,856*	*8,956*	*10,286*
Less Conservation	*(1,387)*	*(1,571)*	*(2,239)*	*(2,572)*
Difference	*0*	*0*	*0*	*0*

	2020	2025	2030	2035
% Groundwater	*39%*	*47%*	*50%*	*50%*
Required conservation	*20%*	*20%*	*25%*	*25%*
Multiple Dry Year Period – Year 3				
CVP Imported Water[1]	3,300	3,300	3,300	3,300
CVP - reserve				999
Groundwater[2]	2,133	2,869	3,300	3,300
Recycled Water[3]	116	116	116	116
Total Water Supply	5,549	6,285	6,716	7,715
Total Water Demand	6,936	7,856	8,956	10,286
Less Conservation	*(1,387)*	*(1,571)*	*(2,239)*	*(2,572)*
Difference	*0*	*0*	*0*	*0*
% Groundwater	*39%*	*47%*	*50%*	*50%*
Required conservation	*20%*	*20%*	*25%*	*25%*

AFY = acre-feet per year

[1] In a typical single dry year CVP allocations are expected to be 50 percent of the contracted amount less losses such as evaporation or seepage as a result of storage in an open reservoir. This reduction in CVP deliveries is based upon actual deliveries during the 2014 water year, which is used as the baseline single-dry year for the analysis provided in the UWMP. As described in the UWMP (page 7-7), the US Bureau of Reclamation published a Municipal and Industrial Water Shortage Policy and Environmental Impact Statement for the Central Valley Project in August 2015. The M&I shortage policy recognizes that CVP M&I water is needed to meet Public Health and Safety (PHS) needs but cannot guarantee allocation. The minimum M&I water service allocation would be 50 percent of historic use (full contract for the District) or unmet PHS need to the extent that CVP supplies are available. A reasonable expected allocation for the third year of a multiple year drought is 50 percent, as occurred in the single dry year of 2014.As such, these allocations result in 5,775 AFY, 4,125 AFY, and 4,125 AFY for the 1st, 2nd and 3rd year of the multiple-year drought (HUA 2015 UWMP, SSCWD, et al. July 2016).

[2] Based on required pumping to meet demand as long as it remains below sustainable yield. Because of water quality, groundwater would be limited to 3,300 AFY to meet 50 percent blending requirement with CVP water.

[3] Recycled water is expected to be available to meet the full potential recycled water use.

Source: HUA 2015 UWMP, SSCWD, et al. July 2016

As noted above, the project site currently falls within the existing geographic boundaries of the HUA, and therefore service from SSCWD to the proposed project site is anticipated for and assessed in the UWMP. As discussed in the UWMP, current population in the HUA is based on information provided by the DWR online population tool; the UWMP anticipates that population will increase in the coming years, as planned developments such as the proposed project are constructed. Additional increases in population are expected to occur in the unincorporated part of the county outside of the HUA, and there are no plans to serve this increase (HUA 2015 UWMP, SSCWD, et al. July 2016); however, as previously discussed, the proposed project site would be located within the HUA and associated water demand is therefore accounted for in the UWMP. The statement of sufficient supply from the water purveyor providing water service to the proposed project, combined with the information from the HUA 2015 UWMP and previous water planning documents, provides sufficient evidence of adequate supplies and infrastructure necessary to serve anticipated buildout in the HUA, including the estimated 64 AFY demand associated with the proposed project. As such there are adequate water supplies (both groundwater and CVP) to meet the demands of the proposed project.

Conclusion

With the proposed project, which is assumed to be fully reliant on water from SSCWD, adequate water supplies (consisting of a combination of local groundwater supplies and CVP supplies) exist to

meet the demands of the project. The Draft 2015 UWMP for the HUA is the presiding water supply management plan for the project site and other lands within the geographic boundaries of the HUA; as discussed in the UWMP and in the analysis provided above, water supply reliability is planned through the year 2035, accounting for anticipated development in the HUA, including but not limited to the proposed project. As described above, sufficient water is anticipated to be available to serve the project under varying climatic conditions, including single- and multiple-dry–year droughts. Therefore, sufficient water supplies would be available to serve the project, and no new or expanded water supply entitlements would be needed. The construction of new water facilities or expansion of existing facilities would not be required. Therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact UTIL-2 DEVELOPMENT OF THE PROPOSED PROJECT WOULD GENERATE APPROXIMATELY 0.022 MILLION GALLONS OF WASTEWATER PER DAY. WASTEWATER GENERATED BY THE PROPOSED PROJECT WOULD BE ACCOMMODATED WITHIN THE EXISTING CAPACITY OF THE WWTP. PROPOSED AND EXISTING WASTEWATER CONVEYANCE INFRASTRUCTURE WOULD BE ADEQUATE TO SERVE THE PROPOSED PROJECT WITHOUT THE CONSTRUCTION OR EXPANSION OF FACILITIES. THEREFORE, IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBERS 1, 2, AND 5]

Wastewater Treatment

The SSCWD Sequential Batch Reactor WWTP can treat 350,000 gpd. In 2016 the total treated wastewater was approximately 175,000 gpd (Hillebrecht 2016).

Development of the proposed project would generate wastewater effluent. Based on the San Benito County Code wastewater generation rate of 249 gallons per dwelling unit (DU) per day, the proposed 90 single-family residences would generate approximately 22,410 gpd of wastewater (249 GPD per DU x 90 DU), or 0.022 million GPD). This represents approximately 12.8 percent of the remaining existing capacity available at the WWTP. As noted above, the project site is currently within the geographic boundaries of the HUA and therefore service to the project site has been assumed in the UWMP and the Master Plan. Because the WWTP has existing capacity to accommodate wastewater flows from the proposed project, the proposed project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, nor would it result in a determination by the wastewater treatment provider that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. The project's effects on wastewater conveyance facilities are described under Wastewater Conveyance, below.

The WWTP treats wastewater in compliance with the Central Coast RWQCB requirements. All wastewater from the proposed project would be treated so as to meet or exceed these requirements in accordance with applicable laws and regulations. Accordingly, the proposed project would not exceed wastewater treatment requirements of the Central Coast RWQCB.

Wastewater Conveyance

Wastewater generated by the proposed project would be collected and conveyed through a conventional gravity system of pipes located within the proposed street rights-of-way, as shown in Figure 9 in Section 2.0, Project Description. The project would connect to existing SSCWD

wastewater lines beneath Marks Drive, approximately 820 feet northwest of the project site. To make this connection, approximately 1,073 linear feet of new 8-inch sanitary sewer pipe would be installed off-site behind existing residences located south of Marks Drive. To cross the existing gorge northwest of the site, a pipe bridge would be installed parallel to the existing sewer line, which is located near the existing golf cart crossing. Specifically, impacts from construction would include dust generation and other construction-related emissions, erosion and potential downstream water pollution, and noise. These impacts are addressed in Section 4.3, Air Quality; Section 4.7, Greenhouse Gas Emissions/Climate Change; Section 4.9, Hydrology and Water Quality; and Section 4.11, Noise; respectively. Ground disturbance associated with these on-site facilities are further addressed in Section 4.4, Biological Resources, Section 4.5, Cultural Resources, and Section 4.14, Tribal Cultural Resources. In accordance with applicable Code provision, San Benito County would review and approve the design approach prior to issuance of building permits. Compliance would be monitored by County Building Inspectors and Permit Compliance.

Conclusion

As described above, sufficient capacity to treat wastewater generated from the proposed project is available. Proposed wastewater conveyance infrastructure would be adequate to serve the proposed project without the construction or expansion of existing wastewater treatment facilities. Therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

Impact UTIL-3 THE AMOUNT OF SOLID WASTE THAT WOULD BE GENERATED DURING CONSTRUCTION AND OPERATION OF THE PROPOSED PROJECT WOULD NOT EXCEED THE SURPLUS CAPACITY OF THE LANDFILL SERVING THE SITE. IN ADDITION, THE PROJECT WOULD COMPLY WITH APPLICABLE STATUTES AND REGULATIONS RELATED TO SOLID WASTE. IMPACTS WOULD BE LESS THAN SIGNIFICANT. [THRESHOLD NUMBERS 6 AND 7]

Solid waste generation was estimated using factors from CalRecycle. Estimated generation was compared to the existing capaCity of the local landfill and current solid waste generation to determine if existing services would be able to accommodate solid waste generated by future development envisioned under the proposed project.

Landfill Capacity

The volume of waste generated by the project was determined based on the CalRecycle solid waste generation rates (see Table 46). The most recently developed CalRecycle waste generation rate for single-family residential uses were selected for the proposed project.

Table 46 Projected Solid Waste Generation Prior to any Waste Reduction Efforts

Land Use	Size	Generation Rates	Daily Solid Waste (lbs per day)	Landfilled Solid Waste with Diversion (lbs per day) [b]
Single Family Residential	90 units	14.70 lbs/du [a]	1,323	675
Total Increase (lbs/day)				675
Total Increase (tons/day)				0.34

[a] Source: CalRecycle n.d.

[b] Assumes a 51 percent diversion rate, which is the most recently report diversion rate as determined by Mandy Rose, IWMD, 2014.

Table 46 shows the estimated amount of solid waste that would be generated by buildout of the proposed project. Prior to the consideration of any waste reduction efforts, the proposed project would generate a total of approximately 1,323 pounds (0.66 tons) of solid waste per day. Assuming a 51 percent reduction in solid waste generation (the most recently reported diversion rate for the County), the proposed project would generate an estimated 675 pounds of solid waste per day, or 0.34 tons per day, from residential uses. As discussed in Section 4.15.1(a), the JSRL has a maximum permitted throughput of 1,000 tons per day and an average daily disposal rate of 675 tons per day (Rose, pers. com, 2014). Although the amount of waste received at the landfill is subject to regular fluctuations, the waste generated by the proposed project would represent a small percentage (less than one percent) of the remaining available daily capaCity of 325 tons per day. Thus, adequate landfill throughput capacity would currently be available to accommodate the proposed project.

The proposed project is expected to be fully built out between 2018 and 2021. The JSRL is estimated to reach its design capacity in approximately 2041 (CCRWQCB. 2013). Closure dates vary upon several factors such as diversion rates, solid waste stream flows, and population growth. Therefore, as regulatory requirements for solid waste diversion become more stringent,[33] the closure date of the landfill could potentially be extended beyond the currently estimated closure date. In addition, an expansion of the landfill onto an adjacent property has been approved and is currently underway, which has an estimated life span of an additional 40 years (Rose, pers. comm. 2014). Therefore, given the anticipated availability of the expanded landfill site, it is anticipated that capacity will continue to be available to accommodate the project. Based on this analysis, solid waste impacts would be *less than significant*.

Solid Waste Regulations

As described in Section 4.15.1(c) (Regulatory Setting), the Integrated Waste Management Act requirement that 50 percent of waste be diverted from landfills is currently being met in San Benito County and the project would not negatively impact this diversion rate or cause the County to fail to comply with the requirement. The proposed project would be required to provide solid waste and recycling services for residents per the California Solid Waste Reuse and Recycling Access Act of 1991 and San Benito County Code of Ordinances Chapter 15.01. The project would also be required to ensure that during construction a minimum of 50 percent of non-hazardous construction and demolition debris be recycled or salvaged. The CALGreen Building Code requires the project

[33] This is evidenced by the recent passage of AB 341 (October 2011), which establishes a State -wide diversion rate goal of 75% and mandates that commercial and residential developments of 5 or more units obtain recycling services.

applicant to have a waste management plan for on-site sorting of construction debris. The project would comply with applicable statutes and regulations related to solid waste, and impacts would be *less than significant*.

Mitigation Measures

No mitigation measures are required.

c. Cumulative Impacts

Water Supply

The geographic extent for the analysis of cumulative impacts associated with water supply is the three hydraulically connected groundwater sub-basins that underlay the HUA: Hollister East, Hollister West, and Tres Pinos. SSCWD and the City of Hollister both pump from these sub-basins. This extent is appropriate for cumulative impacts because the project would be served by SSCWD, which serves a portion of the lands within the geographic boundaries of the HUA, and which overlies these basins.

The UWMP projects water supply and demand through the year 2035 for the HUA planning area. The UWMP considered the potential cumulative impact of future development in the HUA on water supplies. Future water demand projections are based on population forecasts and land use patterns in the City of Hollister General Plan and the San Benito County General Plan. As described above, the UWMP projects sufficient supply to serve existing and planned growth in the HUA through 2035 in normal year, dry year, and multiple dry year scenarios. The proposed project falls within the scope of planned growth in the HUA and is thus included within the water supply and demand projections. In addition, future development projects in the HUA would be required to comply with applicable standard water conservation requirements of the County, State, and CALGreen Code. These include, among others, the use of low-flush toilets, compliance with statewide efficiency standards for shower heads and faucets, insulation of pipes to reduce water used before hot water reaches equipment or fixtures, and implementation of conservation measures relating to irrigation. Because water supply to the HUA would be adequate to meet the demands of anticipated buildout of lands within the geographic boundaries of the HUA, as projected in the UWMP, cumulative impacts to water supply would be *less than significant*. Further, because the project's demands can be met with this existing supply, the project's contribution to this cumulative effect would be *less than significant*.

Future expansion or construction of new facilities would be analyzed under CEQA at the time of such future development, and project-specific mitigation measures would be applied as appropriate. Thus, it is reasonable to conclude that cumulative impacts associated with the construction of new water treatment or conveyance facilities would be less than significant. As discussed in Impact UTIL-1, the project would provide the necessary water conveyance infrastructure to serve the site and proposed development, and the potential impacts associated with the construction of these facilities have been analyzed throughout this EIR. The project's contribution to cumulative impacts related to the need for new or expanded water treatment facilities would be less than significant.

Wastewater

The geographic extent for the analysis of cumulative wastewater impacts is the WWTP service area within the HUA, which includes the project site. Buildout of cumulative projects in unincorporated

San Benito County and the surrounding vicinity will continue to increase demands on the WWTP service area within the HUA. The WWTP currently has the capacity to accommodate up to 350,000 gpd. In 2016 the total treated wastewater was approximately 175,000 gpd (Hillebrecht 2016). The proposed project falls within the scope of planned growth in the County and the WWTP service area within the HUA and is thus within the wastewater treatment capacity projections.

The project's capacity needs are comparatively normal in light of overall existing capacity available within the WWTP. Any future expansion or construction of new facilities would be analyzed under CEQA, and project-specific mitigation measures would be applied as appropriate. Thus, cumulative impacts associated with the construction of new or expanded wastewater facilities are anticipated to be *less than significant*. As described above, the project's impacts related to wastewater would be less than significant. For these reasons, the project's contribution to any cumulative impact would be *less than significant*.

Cumulative development would also increase the demand on the wastewater conveyance system. Each individual cumulative project in the HUA to be served by the City of Hollister and SSCWD would be required to install conveyance pipelines if such pipelines are not already available. The HUA 2008 Master Plan identifies and plans for wastewater infrastructure improvements to service cumulative development within the geographic boundaries of the HUA. Thus, cumulative impacts to the wastewater conveyance system would be *less than significant*. As discussed above, the project would include conveyance infrastructure to connect to the wastewater treatment plant and would fully mitigate its individual construction related impacts. For the above reasons, the project's contribution to cumulative impacts associated with wastewater conveyance would be *less than significant*.

Solid Waste

The geographic extent for solid waste impacts is the area served by the JSRL, which includes unincorporated San Benito County and the Cities of Hollister and San Juan Bautista (Rose, pers. comm. 2014). Although the JSRL currently accepts waste from outside of the County, the amount of solid waste accepted from outside the County would decrease commensurate with any in-County increases because the permitted rate of daily acceptance remains constant (Rose, pers. comm. 2014) and the landfill is only intended to serve areas within San Benito County.

Cumulative development in the County would continue to increase solid waste generation. As discussed in Impact UTIL-3, the JSRL has a maximum permitted throughput of 1,000 tons per day and average disposal at the landfill is approximately 675 tons per day (Rose, pers. comm., 2014). Based on a daily waste generation factor of 14.7 pounds per dwelling unit and assuming a 51 percent waste diversion rate, cumulative development of 3,005 housing units (from projects in Table 4) would generate an additional approximately 20,694 pounds, or 10.3 tons, of solid waste per day. Based on existing capacity, the landfill would be able to accommodate disposal of 10.3 tons per day from future growth in the County, as 10.3 tons is less than three percent of the remaining 325 tons per day of available capacity. At the current disposal rate, the JSRL has an estimated closure date of 2041 and this would not be expected to be significantly affected by the proposed project's additional waste (CCRWQCB 2013). Furthermore, the County currently diverts about 51 percent of the solid waste generated (Rose, pers. Com, 2014). Because all new development in the County would be required to participate in current and planned solid waste reduction programs, it is anticipated that the County would maintain, or even improve upon, this diversion rate. Thus, significant cumulative impacts to solid waste facilities would not occur, and the project's contribution would be *less than significant*.

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4.16 Effects Found to Be Less Than Significant

Section 15128 of the State CEQA Guidelines requires an EIR to briefly describe the reasons that any possible significant effects that were determined to not be significant and were, therefore, not discussed in detail. This section addresses those possible environmental effects of the proposed project. The items listed below that were found not to be significant are contained in the environmental checklist form included in Appendix G of the State CEQA Guidelines. Any items not addressed in this section are addressed in Section 4.0 of this EIR.

4.16.1 Aesthetics

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Have a substantial adverse effect on a scenic vista;
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;
3) Substantially degrade the existing visual character or quality of the site and its surroundings; and/or
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Thresholds 1, 3, and 4 are discussed in Section 4.1, Aesthetics. Threshold 2 (related to State scenic highways) is discussed below.

Assessment of Impacts

Although SR 25 near the project site is eligible for designation as a State scenic highway, it is not officially designated. Regardless, the project site is not visible from the viewshed of SR 25 due to distance (approximately 0.4 miles from the project site) and intervening topography, trees, and structures. No other designated scenic highways are located within viewing distance of the project site. Therefore, the proposed project would have no impact on scenic resources within a State scenic highway.

4.16.2 Agricultural Resources

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract;

3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g));
4) Result in the loss of forest land or conversion of forest land to non-forest use; and/or
5) 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.

Thresholds 1, 2 (with regard to zoning), and 5 (with regard to farmland) are discussed in Section 4.2, Agricultural Resources. Thresholds 2 (with regard to Williamson Act), 3, 4, and 5 (related to forest resources and timberland) are discussed below.

Assessment of Impacts

The project site is currently used for agricultural production and does not contain any trees. Pursuant to Public Resources Code section 12220(g), "forest land" is land that can support 10-percent native tree cover of any species. Timberland, according to Public Resources Code section 4526, refers to land which is available for and capable of growing a crop of trees of a commercial species used to produce lumber and other forest products. As the project site does not constitute forest land and is not zoned for forest land or timber land production, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production, nor would it result in the loss of forest land or conversion of forest land to non-forest use. Therefore, there would be no impact to forest and timberland resources as related to Thresholds 3, 4 and 5.

As shown in Figure 21, the project site is not under a Williamson Act contract. Therefore, there would be no impact related to conflicts with a Williamson Act contract.

4.16.3 Air Quality

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Conflict with or obstruct implementation of the applicable air quality plan;
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
4) Expose sensitive receptors to substantial pollutant concentrations; and/or
5) Create objectionable odors affecting a substantial number of people.

All of the above thresholds are analyzed in Section 4.3, Air Quality. Thus, there is no further discussion herein.

4.16.4 Biological Resources

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
2) 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 Game or U.S. Fish and Wildlife Service;
3) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
4) 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;
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

Thresholds 1 (pertaining to special status animals) through 3 and 5 are discussed in Section 4.4, Biological Resources. Thresholds 1 (pertaining to special status plants), 4, and 6 are discussed below.

Assessment of Impacts

Queries of the USFWS IPaC (2016b), CDFW CNDDB (2016), and CNPS Online Inventory of Rare, Threatened and Endangered Plants of California (2016) were conducted to obtain comprehensive information regarding special status species considered to have potential to occur on the project site or the vicinity [which is defined to be the area otherwise within the Tres Pinos, California, United States Geological Survey (USGS) 7.5-minute topographic quadrangle and the surrounding eight quadrangles (San Felipe, Three Sisters, Mariposa Peak, Hollister, Quien Sabe Valley, Mt Harlan, Paicines, and Cherry Peak)]. Twenty-one special status plant species have been observed or have the potential to occur within the nine-quad search area of the project site. Table 15 in Section 4.4, Biological Resources, provides the status, habitat requirements, and the assessment of potential for occurrence for each species within the project site. As shown therein, none of the identified special status plant species are present or have the potential to occur on-site given the lack of suitable habitat. Therefore, there would be no impact related to Threshold 1 (pertaining to special status plants).

No Essential Habitat Connectivity Areas or Linkages are mapped within the project site or project vicinity. The nearest mapped landscape linkages begin approximately six miles to the east of the project site, past the City of Hollister, in the Diablo Range. Therefore, there would be no impact related to Threshold 4.

The project site is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved conservation agreement. Therefore, there would be no impact related to Threshold 6.

4.16.5 Cultural Resources

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Cause a substantial adverse change in the significance of an historical resource as defined in section 15064.5;
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5;
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or cultural value; and/or
4) Disturb any human remains, including those interred outside of dedicated cemeteries.

All of the above thresholds are discussed in Section 4.5, Cultural Resources. Thus, there is no further discussion herein.

4.16.6 Geology and Soils

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
    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;
    ii. Strong seismic shaking
    iii. Seismic-related ground failure, including liquefaction,
    iv. Landslides;
2) Result in substantial soil erosion or the loss of topsoil;
3) 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;
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; and/or
5) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

Thresholds 1i through 1iv, 2, 3, and 4 are discussed in Section 4.6, Geology and Soils. Threshold 5 is discussed below.

Assessment of Impacts

The proposed project would not involve installation and use of septic tanks or alternative waste water disposal systems. Therefore, the project would have no impact from soils incapable of supporting septic tanks or alternative waste water disposal systems.

4.16.7 Greenhouse Gas Emissions/Climate Change

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Both of the above thresholds are analyzed in Section 4.7, Greenhouse Gas Emissions/Climate Change. Thus, there is no further discussion herein.

4.16.8 Hazards/Hazardous Materials

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
2) 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;
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school;
4) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area;
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area;

7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or

8) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Thresholds 1, 2, 4, 7 and 8 are discussed in Section 4.8, Hazards/Hazardous Materials. Thresholds 3, 5 and 6 are discussed below.

Assessment of Impacts

Regarding Thresholds 3 and 5, the nearest school to the project site, Southside Elementary School, is located approximately 0.3 mile to the southeast. Therefore, the project would have no impact to a school within one-quarter mile of the site.

The project site is not located within a two-mile vicinity of any airport or airfield and is not within an airport land use plan or safety area and would therefore not expose residents or workers to hazards associated with airport or private air strip operations. Therefore, there would be no impact related to Threshold 6.

4.16.9 Hydrology and Water Quality

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Violate any water quality standards or waste discharge requirements;

2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;

3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;

4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

5) 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;

6) Otherwise substantially degrade water quality;

7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;

8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows;

9) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; and/or

10) Be subject to inundation by seiche, tsunami, or mudflow.

Thresholds 1, 2, 3, 4, 5, 6, 7, and 8 are discussed in Section 4.9, Hydrology and Water Quality. Thresholds 9 and 10 are further discussed below.

Assessment of Impacts

The project site would not be subject to flooding as a result of the failure of a levee or dam. The San Justo Dam is located over three miles west of the project site; however, this dam is located downstream of the project site and as such the project site would not be subject to inundation in the event of failure of the San Justo Dam. No impact would occur due to Threshold 9.

A tsunami is a series of waves generated by an impulsive disturbance in the ocean or in a small, connected body of water. Tsunamis are produced when movement occurs on faults in the ocean floor, usually during very large earthquakes. Sudden vertical movement of the ocean floor by fault movement displaces the overlying water column, creating a wave that travels outward from the earthquake source. An earthquake anywhere in the Pacific can cause tsunamis around the entire Pacific basin. The project site is not at risk from a tsunami due to its distance from the Pacific Ocean.

A seiche is a wave in an enclosed body of water such as a lake or reservoir. Seiches are produced from wind activity, changes in atmospheric pressure, and earthquakes. Because seiches inherently exist in enclosed bodies of water, only land adjacent to or within the bodies of water can be impacted. The closest enclosed body of water to the project site is the San Justo Reservoir, which is located over three miles west of any structures proposed to be developed at the site. As no proposed development would be located adjacent to or within an inland body of water, seiches are not expected to impact the project site. Therefore, there would be no impact related to Threshold 10.

4.16.10 Land Use

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Physically divide an established community;
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; and/or
3) Conflict with any applicable habitat conservation plan or natural community conservation plan.

Threshold 3 is discussed below. Thresholds 1 and 2 are discussed in Section 4.10, Land Use.

Assessment of Impacts

The project site is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved conservation agreement. Therefore, there would be no impact.

4.16.11 Mineral Resources

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State; and/or
2) 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.

Both thresholds are discussed below.

Assessment of Impacts

As related to Threshold 1, the California Department of Conservation has mapped the project site as located within Mineral Resource Zone 4 (MRZ-4), an area where available information is inadequate for assignment of any other category (DOC 1999). There are no known mineral resources of value on the project site, nor is there any ongoing or prior mineral extraction on site. Moreover, the project site was previously zoned Agriculture (A) which generally consists of areas with prime agricultural and other agriculturally productive lands including grazing land.

The vast majority of the project site has a current zoning designation of Single Family Residential (R1); allowed uses include single family dwellings and accessory building. Although mineral extraction is a conditional use of both the AP and R1 zoning districts, they are intended to support agriculture, residences and compatible uses. Therefore, the project would have no impact from the loss of availability of mineral resources as related to Threshold 2.

4.16.12 Noise

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
2) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; and/or

6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

Thresholds 1 through 4 are discussed in Section 4.11, Noise. Thresholds 5 and 6 are discussed below.

Assessment of Impacts

The nearest public airport to the project site is the Hollister Municipal Airport, located at 90 Airport Drive in Hollister, approximately four miles north of the project site. The nearest private airstrip to the project site is Christenson Ranch Airport, located in Hollister, approximately four miles from the project site. The project is not located within an airport land use plan or within two miles of a public airport, is not located in the vicinity of a private airstrip, and would therefore not expose residents or workers to excessive noise levels from airport or air strip operations. There would be no impact related to Thresholds 5 or 6.

4.16.13 Population and Housing

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure);
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and/or
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Threshold 1 is discussed in Section 5.0, Other CEQA Required Sections. Thresholds 2 and 3 are discussed below.

Assessment of Impacts

The vast majority of the project site is currently used for agriculture and has no residences on-site. The proposed project would result in the development of up to 90 residences. The development of these new residences would not displace any housing or people and therefore would not necessitate construction of replacement housing elsewhere as related to Thresholds 2 or 3. Therefore, there would be no impact to housing.

4.16.14 Public Services

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) 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:

i. Fire protection
ii. Police protection
iii. Schools
iv. Parks
v. Other public facilities

All thresholds are discussed in Section 4.12, Public Services and Recreation. Thus, there is no further discussion herein.

4.16.15 Recreation

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) 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; and/or

2) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Both thresholds are discussed in Section 4.12, Public Services and Recreation. Thus, there is no further discussion herein.

4.16.16 Transportation and Circulation

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;

2) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;

3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that would result in substantial safety risks;

4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment);

5) Result in inadequate emergency access; and/or

6) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Thresholds 1, 2, 5, and 6 are discussed in Section 4.12, Transportation and Circulation. Threshold 3 and 4 are discussed below.

Assessment of Impacts

The nearest public airport to the project site is the Hollister Municipal Airport, located at 90 Airport Drive in Hollister, approximately four miles north of the project site. The nearest private airstrip to the project site is Christenson Ranch Airport, located in Hollister, approximately four miles from the project site. Additionally, the proposed project would not require any additional air traffic to service the project site. The project would not result in any changes in air traffic patterns. There would be no impact related to Threshold 3.

The proposed project would not contribute to hazards along the studied intersections including SR 25, Fairview Road, or Southside Road. The proposed project includes residential uses in a prominently residential area. There is a proposed future signaled intersection at Fairview Road and Union Road and a one-way-stop intersection at Southside Road and a proposed Project Access that would be compatible with the proposed project's impact on traffic and circulation. There would be no impact related to Threshold 4.

4.16.17 Tribal Cultural Resources

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

All thresholds are discussed in Section 4.14, Tribal Cultural Resources. Thus, there is no further discussion herein.

4.16.18 Utilities and Service Systems

Thresholds of Significance

Pursuant to the State CEQA Guidelines, Appendix G checklist, potentially significant impacts would occur if the proposed project would result in any of the following:

1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed;
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or
7) Comply with federal, State, and local statutes and regulations related to solid waste.

Threshold 3 is analyzed in Section 4.9, Hydrology and Water Quality. All of the remaining thresholds above are analyzed in Section 4.15, Utilities and Service Systems. Thus, there is no further discussion herein.

5 Other CEQA Required Discussions

This section covers other topics required to be addressed under the State CEQA Statute and Guidelines that are not covered in other parts of this EIR, including growth-inducing effects, significant irreversible changes, significant unavoidable impacts, and energy effects as set forth in State CEQA Guidelines Appendix F. Effects found not to be significant are addressed in Section 4.16, Effects Found to Be Less Than Significant of this EIR.

5.1 Growth Inducing Effects

The State CEQA Statute and Guidelines require a discussion of a project's potential to foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment, including, among others, ways in which a project could remove an obstacle to growth.

Growth inducement itself is not an environmental effect but has the potential to lead to environmental effects. These environmental effects may include increased demand on other community and public services and infrastructure. Depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The project's growth-inducing potential is therefore considered significant if it could result in significant physical effects in one or more environmental issue area.

A project can have the potential to induce direct and/or indirect growth. A project would directly induce growth by resulting in construction of new housing. It is important to note that direct forms of growth have secondary effects of expanding the size of local markets and attracting additional economic activity to the area. A project would indirectly induce growth by resulting in:

- Substantial new permanent employment opportunities (e.g., commercial or industrial);
- A construction effort with substantial short-term employment opportunities that indirectly stimulates the need for additional housing and services to support the new temporary employment demand; and/or
- Removal of an obstacle to additional growth and development, such as removing a constraint on a required public utility or service (e.g., construction of a major sewer line with excess capacity through an undeveloped area).

Typically, the growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population above what is assumed in local and regional land use plans, or in projections made by regional planning authorities. Significant growth impacts could also occur if the project provides infrastructure or service capacity to accommodate growth levels beyond those permitted by local or regional plans and policies.

5.1.1 Economic and Population Growth

The proposed project would add up to 90 new residential units to the county's housing stock. The current population of unincorporated San Benito County is 18,321 and the average household size is approximately 3.22 persons per household (California Department of Finance 2016b). Development

of the proposed project would therefore add approximately 290 additional residents (90 dwelling units x 3.22 people/dwelling unit), thus increasing the county's unincorporated population to 18,611. Table 47 compares the expected population growth that would result from the proposed project to Association of Monterey Bay Area Governments (AMBAG) population forecasts for unincorporated San Benito County in 2020, 2025, 2030, and 2035.

Table 47 San Benito Unincorporated County and City of Hollister Population Forecasts

Scenario/Year	Unincorporated County Population	City of Hollister Population	Expected Total Population
Existing Population[1]	18,321	36,484	50,805
Proposed Project Buildout[2]	290	–	290
Population with Proposed Project Buildout	18,611	36,484	51,095
2020[3]	31,135	39,975	71,110
2025[3]	31,885	41,704	73,589
2030[3]	32,814	43,551	76,365
2035[3]	33,843	45,397	79,240

[1] Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, May 2016.

[2] Derived from Average Household Size, unincorporated San Benito County, Department of Finance, May 2016.

[3] AMBAG 2014 Regional Growth Forecast, Table 10, Balance of County population

As shown, the estimated population with buildout of the proposed project would not exceed AMBAG's population forecasts for the unincorporated County and City of Hollister for 2020, 2025, 2030, or 2035. The proposed project's contribution to population growth would be less than one percent of the projected growth by 2035. Such an increase in population would be consistent with long-term growth projections for the county.

The proposed project includes residential development rather than commercial development. As such, the proposed project would not directly contribute to economic growth by providing additional space for business. The proposed project would generate short-term employment opportunities during construction activities, which would be expected to draw workers primarily from the existing regional work force. Under the proposed project, up to 90 new residential units could be developed, which may indirectly contribute to economic growth. As development occurs under the proposed project, the additional population would likely contribute to the local economy as demand for general goods increases, which in turn could result in economic growth for various sectors. Residents on the project site would be expected to primarily use existing county commercial services, creating only a relatively minor need for expanded services as discussed further in Section 4.12, Public Services and Recreation. The proposed project would not be expected to induce economic expansion to the extent that significant environmental impacts directly associated with the project's contribution would occur.

5.2 Removal of Obstacles to Growth

A physical obstacle to growth typically involves the lack of services or infrastructure. Similarly, the elimination or change in a regulatory obstacle, including existing growth and development policies, can result in new population growth.

a. Roadway Extensions/Improvements

The proposed project would have two access points. It is anticipated that the first access point would be from the existing Ridgemark Country Club development west entrance located at Ridgemark Drive (West)/SR 25 and the second would be from the existing Ridgemark Country Club development east entrance located at South Ridgemark Drive/SR 25. Both entrances are gated. Once inside the Ridgemark Country Club development, vehicle access to the project site would be provided via a neighborhood entry off Ridgemark Drive. Secondary access to the site would be provided via an emergency vehicle access road from Southside Road to proposed Street D on the southern end of the project site. Gates at both ends would restrict access to emergency vehicles. Proposed access roads would not provide new access to other undeveloped areas, or to remote areas. Therefore, the proposed project roadway network is not considered growth-inducing.

Roadway improvements required as mitigation in Section 4.13, Transportation and Circulation, include the project applicant's fair share contribution pursuant to the Council of San Benito County Governments adopted TIMF. Projects to be funded under the TIMF include: a planned widening of Union Road to four lanes between San Benito Street and SR 25 and installation of a traffic signals at the intersections of Fairview Road/Hillcrest Road and SR 25/Enterprise road (SBCOG 2016). The Airline Highway widening project is included in the County's TIMF Nexus Study (SBCOG 2016). Because the roadway widening project and other above-reference transportation improvements are designed to accommodate already-planned for growth only, the proposed project roadway improvements required as mitigation are not considered growth-inducing.

b. Stormwater Infrastructure

Implementation of the proposed project would increase the amount of impervious surface area on the project site, thereby creating increased stormwater runoff that would require collection and discharge. Although the entire surface area of the project site would not be covered by impervious surfaces (i.e., portions of the property would be landscaped, etc.), the proposed project would generate a substantial amount of stormwater runoff in the area. Therefore, the proposed project would need to manage on-site stormwater. As described in Section 2.0, Project Description, the proposed project includes construction of a retention basin to manage stormwater. The proposed stormwater facilities would be sized to serve only the project stormwater needs and would not be intended to serve other development outside the project site. Therefore, stormwater conveyance infrastructure and facilities to accommodate the project site would not be growth-inducing.

c. Wastewater Infrastructure

Implementation of the proposed project would not require expansion of the SSCWD's Sequential Batch Reactor Wastewater Treatment Plant (WWTP), which would serve the proposed project, or construction of a new wastewater treatment facility, which would then accommodate additional growth. As described in Section 4.15, Utilities and Service Systems, the WWTP has a remaining existing capaCity of approximately 175,000 gallons per day (gpd) and the proposed project would generate approximately 23,157 gpd, or approximately 13.2 percent of the remaining existing capacity.

The proposed project includes approximately 1,073 linear feet of new 8-inch sanitary sewer pipe that would be installed off-site behind existing residences located south of Marks Drive. To cross the existing gorge northwest of the site, a pipe bridge would be installed parallel to the existing sewer line, which is located near the existing golf cart crossing. Wastewater generated by the proposed

project would be collected and conveyed through a conventional gravity system of eight-inch pipes located within the proposed street rights-of-way, as shown in Figure 9. The proposed wastewater conveyance infrastructure to accommodate the project site would be sized to serve only the project wastewater and would therefore not be growth-inducing.

d. Conversion of Agricultural Land

The proposed project would involve permanent conversion of approximately 36.3 acres of FMMP Important Farmland to residential use on a site that is currently zoned for residential use. As discussed in Section 4.2, Agricultural Resources, this loss of Important Farmland would be less than significant with mitigation. The conversion of agricultural land would be considered growth-inducing if the conversion is likely to trigger other agricultural land conversion in the vicinity. As noted previously, the 2035 General Plan re-designated land immediately adjacent to the site to the south to Residential Mixed (RM), and could be re-zoned for residential development in the future, which would be consistent with the underlying RM land use designation. These areas are currently zoned 'AP' and are used for agricultural production. Their development may result in additional, significant conversion of Important Farmland (although this would be considered as part of future project-specific CEQA review). If development to the south and southeast is ultimately pursued and the farmland conversion occurs, it would happen regardless of and independent to the proposed project. Thus, the project would not be the triggering factor for agricultural land conversion in the vicinity.

Mitigation Measures

No mitigation measures are required.

5.3 Irreversible Environmental Effects

The environmental effects of the proposed project are discussed in Section 4 of this EIR and are summarized in the executive summary. Section 15126.2(c) of the State CEQA Guidelines requires a discussion of “significant irreversible environmental changes which would be caused by the proposed project should it be implemented. Uses of nonrenewable resources during the initial and continued phases of a project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (e.g. a highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with a project. Irretrievable commitments of resources should be evaluated “to assure that such current consumption is justified.” These three CEQA-required categories of irreversible changes (changes in land use that commit future generations, irreversible damage from environmental accidents and large commitment of nonrenewable resources) are discussed below.

a. Changes in Land Use that Commit Future Generations

As described previously, the proposed project would result in the conversion of agricultural land currently used for agricultural purposes to non-agricultural (urbanized, residential) use. The change is significant and irreversible, particularly as it relates to the conversion of high-quality agricultural land that can take many years to develop. As described in Section 4.2.2(c), Cumulative Impacts in Section 4.2, Agricultural Resources, cumulative development through the year 2035 in unincorporated San Benito County and the City of Hollister would gradually transform the region’s agricultural land uses in certain respects. In the vicinity of the project site, cumulative development

along the southern city limits of Hollister and in unincorporated county lands at the fringe of the Hollister urban area would involve conversion of productive farmland. The project's contribution to this significant cumulative impact would be considerable. Thus, the project would contribute to a change in land use that would commit future generations to development in this area as opposed to agricultural uses, which is a significant irreversible effect of the project.

It should be noted that the 2035 General Plan re-designated much of the area south of the City of Hollister (including the project site and immediately surrounding properties) to RM, thus indicating a planned shift to development in this area. Therefore, the project would be considered to be part of an already prevalent and/or planned land use shift, although the conversion of existing agricultural land to urban use would nevertheless be a significant impact.

b. Irreversible Damage from Environmental Accidents

Potential environmental accidents of concern include those that would have adverse effects on the environment or public health due to the nature or quantity of material released during an accident and the receptors exposed to that release. Construction activities associated with development of the proposed project would involve some risk for environmental accidents. However, these activities would be monitored by San Benito County, State, and federal agencies, and would follow professional industry standards and rigorous statutory requirements for safety and construction. As described in Section 4.8, Hazards and Hazardous Materials, implementation of the proposed project would involve limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, and solvents. Considering the types and minimal quantities of hazardous materials that would be used for the proposed project, accidental releases are unlikely. Adherence to applicable federal, State, and local requirements would reduce damage to environmental accidents associated with the proposed project. As a result, the project would not pose a substantial risk of irreversible damage from environmental accidents.

c. Commitment of Nonrenewable Resources

Consumption of nonrenewable resources includes issues related to increased energy consumption, conversion of agricultural lands, and lost access to mining reserves. As well as the conversion of agricultural land, construction and operation of the proposed project would irreversibly commit construction materials and non-renewable energy resources. These energy resource demands would be used for construction, heating and cooling of buildings, transportation of people and goods, as well as lighting and other associated energy needs. Non-renewable and slowly renewable resources used by the project would include, but are not limited to: lumber and other forest products; sand and gravel; asphalt; petrochemical construction materials; steel; copper; lead and other metals, water; electric and gas service.

Primary impacts related to consumption of non-renewable and slowly renewable resources are less than significant because the proposed project would not use unusual amounts of energy or construction materials, as development would be primarily comprised of common residential uses in accordance with all applicable laws and regulations, including those that focus on conservation efforts. In addition, due to the escalating costs of raw building materials, it is very likely that the developer would conserve resources for financial reasons.

Similar to other typical residential projects of this nature, the commitment of limited, slowly renewable, and nonrenewable resources required for construction and operation of the proposed project would limit the availability of these resources for future generations or for other uses during the life of the project. Buildout of the project site would result in the significant irreversible commitment of land to urban uses and the long-term commitment of other renewable and nonrenewable resources. As discussed in Section 4.7, Greenhouse Gas Emissions/Climate Change, the project would be required to comply with Mitigation Measure GHG-1, which would require the preparation of a Project GHG Reduction Plan which documents a reduction in annual GHG emissions by a minimum of 711 MT CO_2e per year over the operational life of the Project. If emissions cannot be reduced by the minimum 711 MT of CO_2e by actions identified in the GHG reduction plan, carbon credits must be purchased to offset project emission. The GHG Reduction Plan shall consist of the following:

A. Onsite GHG reduction measures may include, but are not limited to, the following components:

    a. Energy Use

        i. On-site energy conservation policies in addition to those described in the Specific Plan Development Standards

        ii. Exceed adopted 2013 Title 24 energy requirements by a minimum of 10 percent through implementation of energy reduction measures, including:

            1. Use locally made building materials for construction of the Project and associated infrastructure when such materials are locally available;
            2. Use of materials which are resource efficient, recyclable, with long life cycles;
            3. Install energy-reducing shading mechanisms for windows, porches, patios, walkways, etc.;
            4. Install energy reducing day lighting systems (e.g. skylights, light shelves, transom windows);
            5. Use of water efficient landscapes;
            6. Use tankless water heaters or solar water heaters;
            7. Use of low-energy interior lighting;
            8. Use low-energy street lights and parking lot lights (i.e. sodium); and
            9. Use of light colored water-based paint and roofing materials.

        iii. Onsite renewable energy production, including wind-generated energy or installation of solar photovoltaic (PV) panels or other on-site renewable energy that generates a minimum of 30 percent of the project's total energy demand

In addition to the above mitigation, the project would be required to comply with all applicable building and design requirements, including those set forth in Title 24 relating to energy conservation. In compliance with CALGreen, the State's Green Building Standards Code, the project would be required to reduce water consumption by 20 percent, divert 50 percent of construction waste from landfills, and install low pollutant-emitting materials.

For the above reasons, the project would not result in any significant impacts as it relates to a large, irreversible commitment of nonrenewable resources.

5.4 Energy Effects

The State CEQA Guidelines Appendix F requires that EIRs include a discussion of the potential energy consumption and/or conservation impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, or unnecessary consumption of energy.

As discussed previously, the proposed project would involve the use of energy during construction and operation of the residences and related infrastructure and improvements. Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to any temporary construction trailers or electric construction equipment.

All equipment used during the construction phase of the project would be required to comply with the regulations of Title 13, Chapter 9, of the California Code of Regulations pertaining to construction equipment specifications. The regulations require that new and old construction equipment be properly tested, maintained, and operated to reduce air pollutant emissions. Compliance with Title 13 would not only reduce exhaust emissions, but would also improve the fuel economy of the equipment fleet. In addition, the project would be required to comply with Mitigation Measure N-1(b) of this EIR. Mitigation Measure N-1(b) requires that all construction equipment used for the project be properly maintained and all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) are in good condition and appropriate for the equipment. Mitigation Measure N-1(c) requires that the construction vehicles and equipment used on the project site are not to be left idling for longer than five minutes when not in use. Compliance with Title 13, as well as Mitigation Measure N-1(b) would ensure whenever feasible, electrical power shall be used to run air compressors and similar power tools rather than diesel equipment.

Long-term operation of the proposed project would require permanent grid connections for electricity and natural gas service to power internal and exterior residential lighting, appliances, and heating and cooling systems. In addition, the increase in vehicle trips associated with the project would increase fuel consumption within the County. The required water supply for the project would require electrical power as well. Based on CalEEMod default rates for energy use for proposed land uses on the project site, the operation of proposed uses would generate demand for an estimated 0.81 million kilowatt hours (kWh) per year of electricity and 3.34 million kilo British Thermal Units (kBTU) per year of natural gas. With incorporation of Mitigation Measure GHG-1, operation of proposed uses would reduce the demand for electricity and natural gas. These default values for land uses are based on the California Commercial End Use Survey and Residential Appliance Saturation Survey studies, sponsored by the California Energy Commission, with adjustments to account for current Title 24 building codes (CAPCOA 2013). CalEEMod considers energy use associated with major building envelope systems such as space heating and cooling, water heating, and ventilation; appliances and electronics; and lighting.

Gas and electric service for the proposed project would be provided by Pacific Gas and Electric Company (PG&E). PG&E's power mix consists of approximately 30 percent renewable energy sources (approximately 11 percent large hydroelectric facilities and approximately 19 percent other renewable resources such as wind, geothermal, biomass, solar, and small hydro) (PG&E website, 2014).

The proposed project includes features that would reduce overall energy and fuel use, as described below:

- Exceed adopted 2013 Title 24 energy requirements by a minimum of five percent;
- Use of locally made building materials for construction of the project and associated infrastructure when such materials are locally available and competitively priced;
- Use of materials which are resource efficient, recycled, and have long life cycles;
- Install energy-reducing shading mechanisms for windows, porches, patios, and walkways (low-e glass);
- Use of water efficient landscapes (per County requirements);
- Use of tankless water heaters or solar water heaters;
- Use of low energy interior lighting;
- Use of low energy street lights and parking lot lights (per County standard);
- Use of gas space heating;
- Use of double-paned windows;
- Use of heat transfer modules in furnaces;
- Roofs upon which solar panels may be installed;
- Use of natural lighting;
- Use of energy efficient appliances; and
- Use of landscaping to shade buildings.

Further, the proposed project would be subject to the energy conservation requirements of the Title 24 of the California Code of Regulations, known as the California Building Standards Code or Title 24, which requires numerous energy savings measures. In addition, the proposed project would be subject to San Benito County Code Chapter 19.31, Development Lighting, which requires energy efficient outdoor lighting in certain areas. Further, in accordance with Mitigation Measures GHG-1 of this EIR, the proposed project would be required to incorporate energy efficiency measures in common areas and in future residences. Adherence to Title 24 and County energy conservation requirements as well as mitigation measures in this EIR would ensure that energy is not used in an inefficient, wasteful, or unnecessary manner.

6 Alternatives

As required by section 15126.6(a) of the State CEQA Guidelines, this EIR examines a reasonable range of alternatives to the proposed project that could feasibly achieve most of the basic project objectives, but would avoid or substantially lessen the project's significant impacts.

In identifying suitable alternatives, potential alternatives must be reviewed to determine whether they:

- Can avoid or substantially reduce significant environmental effects;
- Can attain most of the basic project objectives;
- Are potentially feasible; and
- Are reasonable and realistic.

CEQA provides the following additional guidance for discussing project alternatives:

- An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives.
- An EIR is not required to consider alternatives that are infeasible. The term "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological and legal factors.
- The EIR must focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project.
- The alternatives discussed should be ones that offer substantial environmental advantages over the proposed project.
- The EIR should briefly describe the rationale for selecting the alternatives to be discussed, as well as any alternatives that the lead agency considered but rejected.
- The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project.
- The alternatives analysis discussed must be reasonable, and selected to foster informed decision-making and public participation. An EIR need not consider an alternative where the effect cannot reasonably be ascertained or where the implementation is remote or speculative, because unrealistic alternatives do not contribute to a useful analysis.

Consistent with the above parameters, included in this analysis are the CEQA-required "No Project" alternative and one additional alternative. The alternatives were selected for analysis because they are potentially feasible and may be able to reduce one or more of the adverse impacts associated with the proposed project. The alternatives are listed and summarized below, and subsequently discussed in greater detail within the impact analysis for each alternative:

- Alternative 1: No Project /No Development
- Alternative 2: Full secondary access to Southside Road
- Alternative 3: Clustered Development

In conducting the alternatives analysis, as discussed previously, consideration must be given as to how, and to what extent, an alternative can meet the project's basic objectives. The objectives for the project, as listed in Section 2.0, Project Description, are as follows:

- Build a high-quality, aesthetically pleasing, economically viable residential development that is consistent with the General Plan's vision for residential development:
  - Establish a high quality, family-friendly development that is compatible with and enhances neighboring residential areas.
  - Include a thoughtfully designed and attractive entrance feature for the project that would enhance its overall impression and atmosphere.
  - Create a thoughtfully laid out and highly livable built environment for future homeowners.
- Enhance the Ridgemark area:
  - Build a vibrant residential community with three small private parks to serve both project residents and Ridgemark residents.
  - Provide additional landscaping along Ridgemark Drive to enhance an already high quality environment.
  - Include high-quality landscaping and related amenities to facilitate pedestrian and bicycle connectivity and safety.
  - Enhance the County's housing stock and expand opportunities in the higher end market segment.
  - Provide safe and efficient site access and internal project circulation to promote a cohesive neighborhood atmosphere.
- Create economic benefits for the City of Hollister and local businesses:
  - Support existing retail, office, and other uses by attracting new residents.
- Stimulate the local economy by creating jobs and providing an expanded tax base.

6.1 Alternatives Considered but Rejected

The following alternatives were considered but eliminated from further discussion for the reasons given below.

Section 15126.6 of the State CEQA Guidelines states that: "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible.

The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."

Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

Alternative Location

The California Supreme Court, in Citizens of Goleta Valley v. Board of Supervisors (1990), indicated that a discussion of alternative sites is needed if the project "may be feasibly accomplished in a successful manner considering the economic, environmental, social, and technological factors involved" at another site. Several criteria form the basis of whether alternative sites need to be considered in detail. These criteria take the form of the following questions:

1 Could the size and other characteristics of another site physically accommodate the project?

2 Is another site reasonably available for acquisition?

3 Is the timing of carrying out development on an alternative site reasonable for the applicant?

4 Is the project economically feasible on another site?

5 What are the land use designation(s) of alternative sites?

6 Does the lead agency have jurisdiction over alternative sites? and

7 Are there any social, technological, or other factors which may make the consideration of alternative sites infeasible?

Site characteristics that could support a project that meets the project objectives include: appropriate size to accommodate an economically viable residential Major Subdivision; non-agricultural land use designation and no designation of Important Farmland; and availability of appropriate urban services and characteristics, including relatively level terrain, available utilities, and location near local schools and commercial centers. Alternative sites designated for agricultural or open space use were rejected from consideration because development is not envisioned on these parcels under the 2035 General Plan. With adoption of the 2035 General Plan on July 21, 2015, the project site and several parcels surrounding the project site were redesignated to Residential Mixed (RM). This area was redesignated to deliberately focus new suburban development where it can be adequately served by municipal type services such as sewer and water. Given the overall rural/agricultural nature of the County, coupled with the need for the County to accommodate a reasonable amount of urbanized growth, the General Plan sets forth an approach that seeks to balance these interests by allowing for some urban development in identified areas (even if it is located on agricultural lands) so as to protect other areas in the County that are considered more sensitive from a biological and/or agricultural resource standpoint. While there are properties in the site vicinity envisioned for residential development under the 2035 General Plan, none within the vicinity have appropriate characteristics to accommodate a similar residential project with similar buildout potential. For example, none of the sites are the same size as the project site, and none are located immediately adjacent to the existing Ridgemark

development, such that access to the site would be through this existing development. In addition, alternative sites may be designated as Important Farmland under the FMMP. Lastly, an alternative site location was not analyzed because the project applicant does not own an additional property that could accommodate 90 units as currently proposed.

6.2 No Project Alternative

6.2.1 Description

The No Project Alternative assumes that the proposed project is not implemented, and that the project site remains in its current state. The approximate 49.6-acre site is currently comprised of approximately 37.1 acres of hay production/fallow agricultural land; approximately 12.1 acres that is considered undevelopable due to steep slopes and setbacks from the slope; and an additional approximately 0.3 acre that includes an existing dirt access road. This alternative assumes that the agricultural use would continue.

6.2.2 Impacts

With the implementation of the No Project Alternative, the project site would remain in hay production. Since the proposed development would not occur on the project site, impacts related to construction and long-term site disturbances, such as those relating to aesthetics, agricultural resources, biological resources, cultural resources, tribal cultural resources, hydrology and water quality, and geology and soils would not occur. Also, since no additional residents, employees or visitors would be brought onto the project site as a result of the proposed development, impacts based on a per capita generation would not occur under this alternative. These impact issues include air quality, greenhouse gas emissions, noise, public services, transportation, and some utilities.

The current availability of and demand for water would not be changed and the discharge of stormwater associated with urban-related runoff would not occur in the absence of development. However, the existing runoff from crop irrigation and other agricultural uses would continue at their current levels. The continued production of irrigated crops on the project site, although limited, would involve the continued use of agricultural chemicals (e.g., fertilizers, herbicides, pesticides, etc.) and associated impacts related to hazardous materials, water quality, and land use conflicts (dust and noise) with the adjacent single-family uses to the north and east.

Overall, while some environmental impacts would occur as a result of the continued use of the project site for agriculture (including those related to hazardous materials, water demand and water quality), impacts resulting from the No Project Alternative would generally be less than for the proposed project. However, none of the project objectives would be achieved, as this alternative would not construct a high-quality, aesthetically pleasing residential development; enhance the Ridgemark Country Club area; nor create an economic benefit for the County and local businesses.

6.3 Full Secondary Access to Southside Road

6.3.1 Description

This alternative would have the same project description as the proposed project. However, the emergency vehicle access road to Southside Road from the southwest corner of the blufftop site would become a full access road. The road would be built to local road standards and would have a

gate at the bottom of the hill only. All residents in the Bluffs at Ridgemark and Ridgemark County Club would be able to use this as an exit to Southside Road and destinations to the south/west.

6.3.2 Impact Analysis

a. Aesthetics

This alternative would create a wider access road from Southside Road to the southwest corner of the site. This change would have no effect on the overall impacts to aesthetics when compared to the proposed project. This alternative would convert agricultural land to develop suburban uses in the form of residential development and related improvements, similar to the proposed project. The alternative would have a substantial effect on scenic vistas and would alter the existing rural character of the project site and vicinity. These impacts would be less than significant with mitigation incorporated, similar to the proposed project. This alternative would add the same amount of night lighting to the site, as it would develop the same number of units. These impacts would be less than significant with mitigation incorporated, similar to the proposed project.

b. Agricultural Resources

As with the proposed project, this alternative would result in conversion of FMMP Important Farmland to non-agricultural use. Because the disturbance area under this alternative would be the same as the proposed project, impacts related to farmland conversion would be similar to the proposed project. Mitigation Measure AG-1 would be required, and impacts would be less than significant with mitigation, similar to the proposed project.

c. Air Quality

This alternative would construct the same number of units within the same overall development footprint as the proposed project. As such, air quality impacts would be the same as for the proposed project. Consistency with the AQMP would be less than significant, construction-related emissions would be less than significant, operational emissions would be less than significant, CO hotspot impacts would be less than significant, and impacts related to localized pollutants and odors would be less than significant, similar to the proposed project.

d. Biological Resources

Because the overall disturbance area under this alternative would be the same as the proposed project, impacts to biological resources would be similar to the proposed project. Impacts to special status animal species, nesting raptors and other avian species, indirect impacts to riparian habitats, and wildlife movement would be less than significant with mitigation incorporated. Mitigation measures identified in Section 4.4, Biological Resources, would continue to be necessary under this alternative, similar to the proposed project.

e. Cultural Resources

Because the overall disturbance area under this alternative would be the same as the proposed project, impacts to cultural resources would be similar to the proposed project. This includes no impact to historic resources and less than significant with mitigation incorporated impacts to previously unidentified archaeological resources, paleontological resources, and previously unidentified human remains. Mitigation measures identified in Section 4.5, Cultural Resources, would continue to be necessary under this alternative, similar to the proposed project.

f. Geology and Soils

Because the overall disturbance area under this alternative would be the same as the proposed project, impacts related to geology and soils would be similar to the proposed project, if not slightly more with construction of a wider road for the southern access. Implementation of recommendations from the Geotechnical Investigation would be integrated into the project design and would ensure that impacts related to surface rupture, differential settlement, expansive soils, seismically induced ground shaking, liquefaction, and soil erosion would be less than significant.

g. Greenhouse Gas Emissions/Climate Change

Because the overall disturbance area under this alternative would be the same as the proposed project, impacts related to greenhouse gas emissions would be similar to the proposed project. This includes significant but mitigable impacts associated with GHG emissions and compliance with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions. Mitigation Measure GHG-1 would continue to be required under this alternative, similar to the proposed project.

h. Hazards and Hazardous Materials

Because this alternative would involve development of the same number of single-family residences on the same site as the proposed project, impacts related to the routine transport, use, or disposal of hazardous substances and risk of upset associated with roadway accidents would be less than significant, similar to the proposed project. Impacts related to exposure to asbestos or lead, interference with emergency response or evacuation plans, and wildfires would also be less than significant, similar to the proposed project.

Because this alternative would be developed over the same project site, there would be no impacts related to exposure to residual pesticides and other agricultural chemicals in the soil would be similar to the project. Impacts related to exposure of future residents to pesticides and other chemicals from off-site operations would be less than significant, similar to the proposed project.

i. Hydrology and Water Quality

Because this alternative would construct the same number of units within the same overall development footprint as the proposed project, impacts related to hydrology and water quality would be similar to the proposed project. This includes less than significant impacts related to soil erosion and downstream pollution, groundwater depletion, increased stormwater runoff, operational water quality, and development within a 100-year flood zone. With adherence to the applicable laws and regulations, no mitigation would be required for hydrology and water quality, similar to the proposed project.

j. Land Use

This alternative would involve the same land uses as the proposed project. As described in Section 4.10, Land Use, the project would be consistent with applicable San Benito County policies adopted for the purpose of avoiding or mitigating an environmental impact. Because this alternative would result in a same development potential as the proposed project, it too would be consistent with most policies. Impacts related to policy consistency would be less than significant, similar to the proposed project.

k. Noise

Because this alternative would construct the same number of units within the same overall development footprint as the proposed project, impacts related to construction and operational noise emanating from the proposed land uses would be similar. As with the proposed project, construction-related noise impacts would be less than significant with mitigation incorporated; construction-related groundborne vibration impacts, noise increases resulting from project-generated traffic, and exposure to noise generated from existing off-site agricultural uses south and west of the site would be less than significant.

l. Public Services

This alternative would construct the same number of units in the same location as the proposed project and would therefore generate the same level of demand for public services and recreation. As such, impacts to police, fire, emergency medical, school, and library services would be the same as the proposed project. In addition, because this alternative would construct three parks totaling approximately 3.2 acres, similar to the project, impacts related to parks and recreation would be similar. These impacts would all be less than significant, as with the proposed project.

m. Transportation and Circulation

Under this alternative, a new intersection along Southside Road would be constructed to provide access to the project. This alternative access scenario was analyzed in the Bluffs at Ridgemark Residential Subdivision Transportation Impact Analysis (Hexagon 2017) at the same level of detail as the proposed project. This report is included in Appendix E and contains the traffic counts, LOS calculations, and a detailed description of the traffic forecasting done for the alternative analysis.

This alternative would construct the same number of units in the same location as the proposed project. As such, it would generate the same number of vehicle trips. With this access, a portion of the project traffic bound for and originating from Union Road, west of Southside Road, and Airline Highway from the south would access the project from the Southside Road access point. Beyond this change, the trip distribution patterns for both the proposed project and the Full Secondary Access to Southside Road Alternative would be the same.

Table 48 summarizes the roadway segment average daily traffic volumes for the Full Secondary Access to Southside Road Alternative.

Table 49, Table 50, and Table 51 how Existing (2013-2016) Plus Project, Background plus Project, and Cumulative plus Project intersection LOS operations, respectively, for this alternative. As shown in the tables and further described in Appendix E, impacts under all three scenarios would be the same under this alternative as with the proposed project. This includes impacts to one intersection under Existing (2013-2016) plus Project conditions (SR 25/Union Road) and two intersections under Background plus Project Conditions (SR 25/Union Road and Fairview Road/Hillcrest Road). Under the Cumulative plus Project conditions, impacts resulting from this alternative would occur at three intersections (SR 25/Enterprise Road, SR 25/Union Road and Fairview Road/Hillcrest Road). These impacts would all be less than significant pursuant to Mitigation Measure T-1 and payment of the TIMF, similar to the proposed project.

Table 48 Full Secondary Access to Southside Road Alternative: Roadway Segment Volume and Speed

Roadway Segment	Speed Limit (mph)	Direction	ADT without Southside Road Access			
			Existing	Project Trips	Existing Plus Project	% Volume Increase
Ridgemark Drive, north of Donald Drive	25	NB	370	-122	2,399	12
		SB	370	-122	2,532	11
		Both	740	-224	4,931	11
Ridgemark Drive, between Sonnys Way and Freds Way	25	NB	9	0	193	5
		SB	9	0	146	7
		Both	18	0	339	6

Notes: "ADT" is Average Daily Traffic Volumes; "mph" is miles per hour; "NB" is northbound; "SB" is southbound

Table 49 Existing (2013-2016) plus Project Conditions Intersection Level of Service and Signal Warrant Analyses Summary: Full Secondary Access to Southside Road Alternative

	Intersection	Control Type	AM Peak Hour			PM Peak Hour		
			Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	12.9	B	No	12.6	B	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	13.4	B	Yes	11.8	B	Yes
3	SR 25 and Enterprise Road	TWSC	15.4	C	Yes	17.3	C	No
4	SR 25 and Union Road	Signal	48.7	D	–[2]	57.2	E	–[2]
5	SR 25 and Sunset Drive	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
7	Fairview Road and Hillcrest Road	OWSC	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
8	Fairview Road and Sunnyslope Road	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
9	Fairview Road and Union Road	Future Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
10	Southside Road and Union Road	Signal	12.7	B	–[2]	11.4	B	–[2]
11	Southside Road and Project Access	Future OWSC	9.3	A	–[2]	9.0	A	–[2]

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection. The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Result is the same as the alternative without Southside access.

Bold indicates unacceptable LOS/signal warrant met

Bold and **Boxed** indicates significant impact.

Table 50 Background plus Project Conditions Intersection Level of Service and Signal Warrant Analyses Summary: Full Secondary Access to Southside Road Alternative

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V)[1]	LOS	Warrant Met?	Delay (S/V)[1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	15.0		No	15.3	C	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	16.4		Yes	14.9	B	Yes
3	SR 25 and Enterprise Road	TWSC	18.6		Yes	29.2	D	No
4	SR 25 and Union Road	Signal	100.6	F	–[2]	**128.3**	**F**	–[2]
5	SR 25 and Sunset Drive	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
7	Fairview Road and Hillcrest Road	OWSC	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
8	Fairview Road and Sunnyslope Road	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
9	Fairview Road and Union Road	Future Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
10	Southside Road and Union Road	Signal	13.2	B	-[2]	11.9	B	–[2]
11	Southside Road and Project Access	Future OWSC	9.3	A	No	9.0	A	No

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection.

[1] The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Result is the same as the alternative without Southside access.

Bold indicates unacceptable LOS/signal warrant met.

Bold and Boxed indicate significant impact.

Table 51 Cumulative plus Project Conditions Intersection Level of Service and Signal Warrants Analyses Summary: Full Secondary Access to Southside Road Alternative with Southside Access

			AM Peak Hour			PM Peak Hour		
	Intersection	Control Type	Delay (S/V) [1]	LOS	Warrant Met?	Delay (S/V) [1]	LOS	Warrant Met?
1	SR 25 and Ridgemark Drive (East)/Best Road	TWSC	16.3	C	No	17.6	C	No
2	SR 25 and Fairview Road/ Ridgemark Drive (West)	AWSC	19.1	C	Yes	19.0	C	Yes
3	SR 25 and Enterprise Road	TWSC	26.6	D	Yes	**67.6**	**F**	**Yes**
4	SR 25 and Union Road	Signal	126.6	F	–[2]	**176.3**	**F**	–[2]
5	SR 25 and Sunset Drive	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
6	SR 25 Bypass/Airline Highway and Sunnyslope Road/Tres Pinos Road	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
7	Fairview Road and Hillcrest Road	OWSC	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
8	Fairview Road and Sunnyslope Road	Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
9	Fairview Road and Union Road	Future Signal	–[3]	–[3]	–[3]	–[3]	–[3]	–[3]
10	Southside Road and Union Road	Signal	15.6	B	–	15.0	B	–
11	Southside Road and Project Access	Future OWSC	9.4	A	No	9.1	A	No

[1] The reported delay and corresponding level of service for signalized and all-way stop-controlled (AWSC) intersections represents the average delay for all approaches at the intersection.

[1] The reported delay and corresponding level of service for one- (OWSC) and two-way stop-controlled (TWSC) intersections are based on the stop-controlled approach with the highest delay.

[2] Result is not applicable.

[3] Result is the same as the alternative without Southside access.

Bold indicates unacceptable LOS/signal warrant met.

Bold and Boxed indicate significant impact.

The LOS and signal warrant analysis results, as shown in Table 49, Table 50, and Table 51, indicate that the new intersection of Southside Road and Project Access (intersection 11) – which would only exist under this alternative – is projected to operate at LOS A and have volumes that fall below the thresholds that warrant signalization. Therefore, impacts specific to this new intersection would be less than significant and no mitigation is required.

The use of a Southside Road access point would require that the roadway linking the project to Southside Road provide adequate width for two travel lanes (26 feet minimum). Pursuant to compliance with this requirement, impacts related to emergency access would be less than significant, similar to the proposed project.

Because this alternative would construct the same number of units in the same location as the proposed project, impacts related to public transit, bicycle, and pedestrian facilities would be less than significant, similar to the project.

n. Tribal Cultural Resources

Because the overall disturbance area under this alternative would be the same as the proposed project, impacts to tribal cultural resources would be similar to the proposed project. Impacts to previously unidentified tribal cultural resources would be less than significant with mitigation incorporated. Mitigation measures TCR-1 identified in Section 4.14, Tribal Cultural Resources, would continue to be necessary under this alternative, similar to the proposed project.

o. Utilities and Service Systems

Because this alternative would generate the same level of development as the proposed project, it would generate a similar water demand of approximately 63 acre feet per year (AFY). As with the proposed project, available water supplies would be adequate to serve this alternative, and impacts would be less than significant. Similarly, this alternative would generate the same amount of wastewater per day (approximately 0.022 million gallons), and impacts to wastewater facilities and services would be less than significant. Solid waste generation would also be similar, and landfill capacity would be available to serve this alternative. Similar to the proposed project, solid waste impacts would therefore be less than significant.

p. Conclusion

The Full Secondary Access to Southside Road Alternative would result in the same level of development as the proposed project within the same overall development footprint. Therefore, it would result in similar impacts to the proposed project for most environmental issue areas, including: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, public services and recreation, transportation and circulation, tribal cultural resources, and utilities and service systems.

A comparative summary of the environmental impacts associated with the Full Secondary Access to Southside Road Alternative with the environmental impacts anticipated under the proposed project is provided in Table 52.

Because this alternative would result in the same level and type of development on the same site, it would meet all proposed project objectives. The units would be the same high-quality, high-end and aesthetically pleasing design as the project, and would enhance the Ridgemark Country Club area, similar to the proposed project. In addition, the development of 90 units would create economic benefits for the County and local businesses similar to the proposed project. Because this alternative would provide a new full access to Southside Road, it may do more to meet the project objective of providing safe and efficient site access than the proposed project.

6.4 Clustered Development

6.4.1 Description

This alternative would establish a setback from the top of the steep slopes located along the western and southern boundaries of the blufftop site to eliminate the proposed project's significant but mitigable impact to visual character. The proposed project would provide a structural setback of between 50 to 200 feet for the purposes of slope stability. Based on a preliminary visual assessment, a setback of between 130 and 500 feet would remove all new units from the Southside

Road viewshed for an approximately 0.9-mile stretch between Blossom Lane to the south and a private driveway located approximately 0.25 mile to the north.

This alternative assumes that the same number of units are constructed, but within a smaller area of the project site. Based on the setbacks established through a preliminary visual assessment, the developable portion of the blufftop site would be approximately 20 acres – a 46 percent decrease compared to the proposed project. As such, lot sizes would be reduced to accommodate 90 units outside of the minimum setbacks. This may result in lot sizes smaller than 5,000 sf, which is the minimum lot size for the R1 zone. As such, a rezone to RM may be required for this alternative.

6.4.2 Impact Analysis

a. Aesthetics

The proposed project would result in a potentially significant but mitigable impact to visual character, based on the encroachment of proposed development on to the end of a ridgeline, which would alter visual character as viewed from Southside Road. This alternative would increase the setback from the top of the ridgeline to ensure that no proposed units are visible from Southside Road for approximately 0.9 mile. Beyond this distance, some development of the site would be visible due to topographical variations. However, at this distance the alternative development would blend into the existing Ridgemark development, and would not serve to substantially degrade the existing visual character of the area. Thus, the proposed project's significant but mitigable impact would be eliminated. Impacts related to visual character would be less than significant under this alternative, with no mitigation required.

This alternative would add the same amount of night lighting to the site, as it would develop the same number of units. These impacts would be less than significant with mitigation incorporated, similar to the proposed project.

b. Agricultural Resources

As with the proposed project, this alternative would result in conversion of FMMP Important Farmland to non-agricultural use. Because the disturbance area under this alternative would be reduced by approximately 46 percent, impacts related to farmland conversion would be reduced commensurately. However, a conversion of 20 acres of FMMP Important Farmland would continue to be a potentially significant impact. Mitigation Measure AG-1 would be required, and impacts would be less than significant with mitigation, similar to the proposed project.

c. Air Quality

This alternative would construct the same number of dwelling units with a reduced development footprint, as compared to the proposed project. Because site disturbance would reduce by 46 percent, construction-related emissions would decrease commensurately. However, because the same number of units would be constructed, operational emissions would be similar air. Odor-related impacts and consistency with the AQMP would also be similar, given that the same land use is proposed and the same number of new residents would be expected. Overall, air quality impacts would be reduced when compared to the proposed project, and would continue to be less than significant.

d. Biological Resources

Because the overall disturbance area under this alternative would be reduced as compared to the proposed project, impacts to biological resources could be incrementally less, but overall similar to the proposed project. Impacts to special status animal species, nesting raptors and other avian species, indirect impacts to riparian habitats, and wildlife movement would be less than significant with mitigation incorporated. Mitigation measures identified in Section 4.4, Biological Resources, would continue to be necessary under this alternative, similar to the proposed project.

e. Cultural Resources

Because the overall disturbance area under this alternative would be 46 percent less than that of the proposed project, impacts to cultural resources would be less than that of the proposed project. This includes no impact to historic resources and less than significant with mitigation incorporated impacts to previously unidentified archaeological resources, paleontological resources, and previously unidentified human remains. Mitigation measures identified in Section 4.5, Cultural Resources, would continue to be necessary under this alternative, similar to the proposed project.

f. Geology and Soils

Because the overall disturbance area under this alternative would be 46 percent less than that of the proposed project, impacts related to geology and soils would be reduced when compared to the proposed project. Implementation of recommendations from the Geotechnical Investigation would be integrated into the project design and would ensure that impacts related to surface rupture, differential settlement, expansive soils, seismically induced ground shaking, liquefaction, and soil erosion would be less than significant.

g. Greenhouse Gas Emissions/Climate Change

As with air quality impacts, GHG emissions related to construction would reduce as a result of the smaller overall development footprint (46 percent less than the proposed project). However, because the same number of units would be constructed, operational GHG emissions would be similar. When combined, it is not anticipated that this alternative would reduce GHG emissions below established thresholds. Impacts associated with GHG emissions and compliance with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions would be significant but mitigable, similar to the proposed project. Mitigation Measure GHG-1 would continue to be required under this alternative.

h. Hazards and Hazardous Materials

Because this alternative would involve development of the same number of single-family residences on the same site as the proposed project, impacts related to the routine transport, use, or disposal of hazardous substances and risk of upset associated with roadway accidents would be less than significant, similar to the proposed project. Impacts related to exposure to asbestos or lead, interference with emergency response or evacuation plans, and wildfires would also be less than significant, similar to the proposed project.

Because this alternative would be developed in the same general location, impacts related to exposure to residual pesticides and other agricultural chemicals in the soil would be similar to the project. Impacts related to exposure of future residents to pesticides and other chemicals from off-site operations would be reduced, however, since the setbacks between off-site agricultural

operations to the west and south and proposed new on-site residences would be larger under this alternative than they would be for the proposed project. These impacts would be less than significant, similar to the proposed project.

i. Hydrology and Water Quality

This alternative would reduce the overall development footprint by approximately 46 percent. As a result, fewer impervious surfaces would be added to the site, resulting in a decrease in stormwater runoff and associated impacts when compared to the proposed project. Because over one acre of soil would be disturbed, compliance with the same BMPs would be required. With implementation of these BMPs and other applicable regulations, water quality impacts during both construction and operation would be less than significant, similar to the proposed project. The reduced impervious surfaces would also serve to reduce the amount of groundwater recharge interference, which would be less than significant under the proposed project. Lastly, because this alternative would be located on the same site, impacts related to placing development within a 100-year flood zone – which would be less than significant for the proposed project – would be similar.

j. Land Use

This alternative would construct the same number of units on a smaller portion of the project site. Based on the anticipated setbacks required for this alternative, the developable area would be approximately 20 acres – a 46 percent reduction compared to the proposed project. Lot sizes would be reduced to less than 5,000 sf to accommodate 90 units within the smaller developable area. As such, a rezone to RM may be required for this alternative.

A zoning designation of RM would be consistent with the RM designation directly east of the project site. In addition, this alternative would cluster new units closer to the existing Ridgemark development to the north and east, which would serve to reduce agricultural conversion, retain more area in open space, and reduce overall visual character impacts. These benefits are consistent with several policies of the 2035 General Plan. As such – pursuant to approval of a rezone, if needed – this alternative may be more consistent with applicable San Benito County policies adopted for the purpose of avoiding or mitigating an environmental impact than the proposed project. Impacts related to policy consistency would be less than significant, similar to the proposed project.

k. Noise

This alternative would construct the same number of dwelling units within a reduced development footprint. Because development would be set back from the bluff top, development would be adjacent to existing residences to the north and east, similar to the proposed project. As such, impacts related to construction noise would be the same as for the proposed project. In addition, because the same number of vehicle trips would be generated, operational noise emanating from this alternative would also be the same. As with the proposed project, construction-related noise impacts would be less than significant with mitigation; construction-related groundborne vibration impacts, noise increases resulting from project-generated traffic, and exposure to noise generated from existing off-site agricultural uses south and west of the site would be less than significant.

l. Public Services

This alternative would construct the same number of dwelling units in the same location as the proposed project and would therefore generate the same level of demand for public services and recreation. As such, impacts to police, fire, emergency medical, school, parks, and library services

would be incrementally less than that as the proposed project. These impacts would all be less than significant, as with the proposed project.

m. Transportation and Circulation

This alternative would construct the same number of units in the same general location; as such, trip generation and trip distribution patterns would be the same as for the proposed project. Impacts related to transportation and circulation would therefore be similar. This includes significant but mitigable impacts under Existing plus Project, Background plus Project, and Cumulative plus Project scenarios pursuant to payment of the TIMF. Because this alternative would construct the same number of units in the same location as the proposed project, impacts related to public transit, bicycle, and pedestrian facilities would be less than significant, similar to the project.

n. Tribal Cultural Resources

Because the overall disturbance area under this alternative would be reduced as compared to the proposed project, impacts to tribal cultural resources would be incrementally less than that of the proposed project. However, impacts to previously unidentified tribal cultural resources would continue to be less than significant with mitigation incorporated. Mitigation Measures TCR-1 identified in Section 4.14, Tribal Cultural Resources, would continue to be necessary under this alternative, similar to the proposed project.

o. Utilities and Service Systems

Because this alternative would construct the same number of units as the proposed project, it would generate a similar water demand of approximately 64 acre feet per year (AFY). As with the proposed project, available water supplies would be adequate to serve this alternative, and impacts would be less than significant. Similarly, this alternative would generate the same amount of wastewater per day (approximately 0.022 million gallons), and impacts to wastewater facilities and services would be less than significant. Solid waste generation would also be similar, and landfill capacity would be available to serve this alternative. Similar to the proposed project, solid waste impacts would therefore be less than significant.

p. Conclusion

The Clustered Development Alternative would result in the same number of dwelling units as the proposed project within a reduced development footprint. Therefore, it would result in incrementally reduced impacts when compared to the proposed project for those issue areas related to ground disturbance, including: agricultural resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources. Because less ground disturbance would be required, total air quality and GHG emissions would decrease, despite the same amount of operational emissions. Because this alternative would construct the same number of units, population-generated impacts would be similar to the proposed project. This includes: public services and recreation, transportation and circulation, and utilities and service systems. Notably, this alternative would reduce the significant but mitigable impact related to aesthetics to a less than significant level, due to the increased setback from the top of the bluff and associated reduced visibility from Southside Road.

A comparative summary of the environmental impacts associated with the Clustered Development Alternative with the environmental impacts anticipated under the proposed project is provided in Table 52.

This alternative would continue to meet all proposed project objectives. Although located on smaller lots, the new units would be anticipated to be high-quality and aesthetically pleasing, and would enhance the Ridgemark Country Club area, similar to the proposed project. In addition, the development of 90 units would create economic benefits for the County and local businesses similar to the proposed project. Given the smaller lots, this alternative may not be considered as "high end" as the proposed project, and thus may not meet the objective of expanding this type of housing in the County. However, denser housing would be more affordable by design, which would serve to provide a different type of housing stock in the County which is equally needed by the community.

6.5 Environmentally Superior Alternative

CEQA requires the identification of the environmentally superior alternative among the options studied. When the "no project" alternative is determined to be environmentally superior, CEQA also requires identification of the environmentally superior alternative among the development options.

Table 52 indicates whether each alternative's environmental impact is greater, lesser, or similar to the proposed project. As shown therein, the No Project Alternative would reduce impacts in all environmental issue areas, and would therefore be considered environmentally superior to the proposed project. However, the No Project Alternative would not meet any of the project objectives, as it would not construct a high-quality, aesthetically pleasing residential development; enhance the Ridgemark Country Club area; nor create an economic benefit for the County and local businesses.

The Clustered Development Alternative would also be environmentally superior to the project. Most notably, because of the increased setback from the top of the bluff and associated reduced visibility from Southside Road, this alternative would reduce the significant but mitigable impact to visual character to a less than significant level. In addition, because this alternative would reduce the development footprint by approximately 46 percent, it would reduce impacts to agricultural resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources commensurately. Lastly, because less ground disturbance would be required, total air quality and GHG emissions would decrease, despite the same amount of operational emissions. As described previously, this alternative would meet project objectives, although the objective of expanding the higher end housing stock in the County may not be met to the same extent as the project, given the smaller lot sizes required to implement this alternative.

The Full Secondary Access to Southside Road Alternative would result in the same level of development as the proposed project within the same overall development footprint. Therefore, it would result in similar impacts to the proposed project for most issue areas. This alternative would meet all proposed project objectives.

Table 52 Impact Comparison of Alternatives

Issue	Proposed Project Impact Classification	Alternative 1: No Project	Alternative 2: Southside Road Access	Alternative 3: Clustered Development
Aesthetics	=	+	=	+
Agricultural Resources	=	+	=	+
Air Quality	=	+	=	+
Biological Resources	=	+	=	+
Cultural Resources	=	+	=	+
Geology and Soils	=	+	=	+
Greenhouse Gas Emissions	=	+	=	+
Hazards and Hazardous Materials	=	+	=	=/+
Hydrology and Water Quality	=	+	=	+
Land Use	=	+	=	+
Noise	=	+	=	=/+
Public Services and Recreation	=	+	=	=
Transportation and Circulation	=	+	=	=
Tribal Cultural Resources	=	+	=	+
Utilities and Service Systems	=	+	=	+
Overall	n/a	+	=	+

+Superior to the proposed project

- Inferior to the proposed project

= Similar impact to the proposed project

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7.2 Agencies and Individuals Contacted

Abraham Prado. City of Hollister Development Services. Email dated March 20, 2017.

Fred Bates, Bates Properties Inc. Project Applicant. Email dated March 2, 2017.

John Schilling. Principal/Superintendent Southside Elementary School District. Email dated October 14, 2016.

Leo Alvarez, Division Chief. City of Hollister Fire Department. September 2014 and October 2015.

Mandy Rose, Director. Integrated Waste Management, San Benito County. October 22, 2014 and December 19, 2014.

Kris Mangano, Emergency Medical Service Coordinator. County of San Benito. Email dated October 12, 2016.

Nora Conte, County Librarian. San Benito County Free Library. October 13, 2015.

Rosanne Lascano, Director Finance and Operation. San Benito High School District. Email dated October 31, 2016

Tony Lamonica, Administration Captain. San Benito County Sheriff. October 8, 2015.

7.3 List of Preparers

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