## INTRODUCTION

## 1.1 REPORT AUTHORIZATION AND PURPOSE

## Determination to Prepare an Environmental Impact Report

The County of San Benito, acting as the lead agency, has determined that the proposed Fairview Corners Residential Specific Plan ("proposed project") may result in significant adverse environmental effects, as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15064. Therefore, the County of San Benito has had this environmental impact report (EIR) prepared to evaluate the potentially significant adverse environmental impacts of the proposed project. A copy of the Fairview Corners Residential Specific Plan is available at the County of San Benito Planning Department.

## Background

In 2008, the Gavilan San Benito Campus and Fairview Corners Projects Final EIR (Gavilan College 2008) ("Gavilan EIR") was prepared by Gavilan Joint Community College District.

The Gavilan EIR evaluated the potential environmental impacts of both the Fairview Corners residential project and the San Benito Campus project. The two sites adjoin and the two property owners are working together collaboratively to develop the sites with complimentary uses; the property owners also intend to share (both physically and financially) certain infrastructure improvements and required mitigation of environmental effects resulting from development of the two sites. Originally, the two project sites were in common ownership until the Gavilan Joint Community College District purchased a 78-acre parcel for the San Benito Campus facility from the Fairview Corners residential project applicant. The College District and Fairview Corners LLC (project applicant) have worked together to implement development plans for both the San

Benito Campus and the Fairview Corners residential project. The Gavilan EIR evaluated the individual effects of each project on the combined 138-acre property and also the cumulative effects of both projects because they had been planned concurrently and have a relationship of shared roadways, infrastructure, open space, and mitigation requirements.

The Gavilan EIR was certified by the Gavilan Joint Community College District Board of Trustees, as the lead agency for the San Benito Campus project, in December 2008 and the San Benito Campus project was approved.

#### **Determination**

In its review of the Gavilan EIR, the County of San Benito, as the lead agency for the proposed project, determined that a separate, "stand-alone" project-level EIR would be necessary because, among other things, the Gavilan EIR did not evaluate the Fairview Corners residential project on a project level.

Based on the decision to prepare an EIR, the County of San Benito prepared and distributed a notice of preparation (NOP) from August 3, 2010 to September 1, 2010, in accordance with CEQA Guidelines Section 15082. CEQA Guidelines Section 15375 defines an NOP as:

...a brief notice sent by the lead agency to notify the responsible agencies, trustee agencies, and involved federal agencies that the lead agency plans to prepare an EIR for the project. The purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR.

A scoping meeting was held on August 19, 2010 at the Veterans Memorial Building in Hollister. County of San Benito staff, the EIR technical consultants, the project representative, and four members of the public attended the scoping meeting. Written comments to the NOP were received from the following agencies:

- California Department of Transportation (September 1, 2010)
- Department of California Highway Patrol (August 24, 2010)
- Council of San Benito County Governments (August 19, 2010)
- California Department of Fish and Game (September 15, 2010)

The County of San Benito allowed a 16-day extension of the public comment period in response to a request for extension from the California Department of Fish and Game. Written comments to the NOP also were received from the following members of the public:

- Robert and Holly Huenemann (August 5, 2010)
- Rey and Jackie Mendizabal (Date unknown)
- Jeannette Langstaff (August 31, 2010)

The NOP and written comments on the NOP received from public agencies and members of the public are contained in Appendix B.

## **Preparation Standards and Methods**

This Draft EIR has been prepared for the County of San Benito by EMC Planning Group under contract to the applicant with the assistance from Hexagon Transportation and Illingworth & Rodkin (also under contract to the applicant), and the County's Planning Department, Public Works Department and legal counsel, as well as their team of EIR consultants and attorneys: Impact Sciences, Fehr and Peers, and Miller Starr Regalia, under contract to the County of San Benito. This Draft EIR reflects the independent judgment and analysis of the County of San Benito, in accordance with CEQA Section 21082.1.

This Draft EIR has been prepared pursuant to applicable provisions in accordance with CEQA, its implementing guidelines, and the County's local CEQA procedures. This Draft EIR uses available information from private and public sources noted herein, as well as information generated by the technical consultants through field investigation. This Draft EIR will be used to inform the decision-makers, as well as the public, responsible agencies, and trustee agencies and their constituents of the potential environmental impacts of the proposed project.

This Draft EIR is a public informational document, which describes and evaluates the existing environmental setting of the project site and surrounding areas, discusses the characteristics of the proposed project, identifies environmental impacts associated with the proposed project, and provides feasible mitigation measures to reduce or avoid identified significant adverse environmental impacts. This Draft EIR also evaluates a range of reasonable alternatives to the proposed project.

If an EIR identifies a significant adverse impact, the lead agency may approve the project only if it finds that feasible mitigation measures have been required to reduce the impact's significance, or that such mitigation is infeasible for specified social, economic, and/or other reasons (Public Res. Code § 21081). Public agencies are charged with the duty to consider and minimize environmental impacts of the development where feasible, and have an obligation to balance a variety of public objectives. In doing so, the County may consider economic, social factors, environmental, and other factors.

This Draft EIR provides information on which decisions about the proposed project can be based. It has been prepared according to the professional standards and practices of the EIR preparers' individual disciplines and in conformance with the legal requirements and informational expectations of CEQA and its implementing guidelines.

## Type of Document

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This Draft EIR has been prepared as a project-level EIR pursuant to CEQA Guidelines Section 15161. A project EIR focuses on the changes in the environment that would result from development of the project, including construction and operation of the project. This Draft EIR examines environmental impacts of the project as compared to the existing environment in the vicinity of the project from both a regional and local perspective, on the basis of maximum use and intensity scenarios, as identified in the Fairview Corners Residential Specific Plan.

## 1.2 PROJECT LOCATION AND SETTING

## Regional Location

The 60-acre project site is located southeast of the City of Hollister, in unincorporated San Benito County. Figure 1, Regional Location, presents the regional location. San Benito County is situated in the California Coast range south of San Francisco Bay and east of Monterey Bay. San Benito County is bordered by Santa Clara and Santa Cruz Counties to the north, by Merced and Fresno Counties to the east, and by Monterey County to the west and south. All of San Benito County is unincorporated with the exception of the City of Hollister and the City of San Juan Bautista, both of which are located near the northern boundary of the County line.

# **Project Site Vicinity**

The project site is located northeast of the intersection of Airline Highway (State Route 25) and Fairview Road, approximately one-quarter mile to the north of Airline Highway and directly east of Fairview Road. The project site is located outside of the Hollister city limit and sphere of influence, but is located within the City's General Plan Planning Area Boundary. Figure 2, Project Vicinity, presents the project site in relationship to the City of Hollister's jurisdictional boundaries and the vicinity road network.



Regional Location































## **Project Vicinity and Surrounding Uses**

The project site is bound by rural residential uses and grassland along Old Ranch Road to the north, rural residential uses and grassland along Harbern Way to the east, a small family-owned farm to the southwest, the undeveloped but approved San Benito Campus parcel to the south, and Fairview Road and the Cielo Vista single-family residential subdivision to the west. The Ridgemark Golf and Country Club, which includes a gated residential community, is located further to the south across Airline Highway. The approved, yet undeveloped 292-acre Santana Ranch Specific Plan area is located approximately one mile to the north, on Fairview Road. The area located between the approved Santana Ranch project and the project site is identified by the County as the Central Fairview Study Area. The Award Homes residential subdivision, on the west side of Fairview Road just north of the Cielo Vista subdivision, has been approved by the City of Hollister, but has not yet been developed. The future San Benito Campus will occupy approximately 78 acres between the project site and Airline Highway. Figure 3, Vicinity Surrounding Uses, illustrates the locations of these surrounding uses relative to the project site.

# **Project Site Existing Conditions**

The project site consists of one parcel of land (APN 025-190-068). The site is currently undeveloped land that is used to cultivate barley. The land is annually disced and periodically grazed by cattle. The western, northern, and eastern sides of the site are fenced. There are no trails, roads or other improvements on the site. The site does not support overhead or underground utility transmission lines. However, a water pump station, operated by the Sunnyslope County Water District (Sunnyslope), is located in the northwestern corner of the site along Fairview Road. The pump is connected to an agricultural water line that serves the project site. Figure 4, Aerial Photograph, presents an aerial view of the project site and its surroundings. Figure 5, Site Photographs, shows the existing conditions on the site.

The San Andreas fault lies approximately eight miles southwest of the project site. The Calaveras fault, a branch of the San Andreas fault, bisects the City of Hollister and lies about 1.25 miles southwest of the project site. The project site is located within the Alquist-Priolo Earthquake Fault Zone due to the proximity of the Tres Pinos fault, a branch of the Calaveras fault that is generally considered to be potentially active.

A geotechnical investigation of the Tres Pinos fault was conducted by Terratech, Inc. in 1989. Based on the investigation, a 35-foot wide trace of the Tres Pinos fault was mapped on the project site. In its report, Terratech, Inc. recommended a 50-foot wide building setback on each side of the fault. The proposed project includes a 135-foot "building exclusion zone" within which only low-intensity recreational or open space uses are allowed, which is consistent with

Terratech's recommendations. The location of the fault and the proposed "building exclusion zone" is illustrated by Figure 6, Topography and Earthquake Fault Building Exclusion Zone. A second geotechnical investigation evaluating surface and subsurface soil conditions was conducted by Terrasearch, Inc., in 2008.

The topography of the project site consists of undulating hills with an overall gradual elevation change of about 45 feet from east to west. A former stock pond is located in a ground depression near the northeast corner of the site. As indicated by Figure 6, the highest elevation is near the center of the site and the lowest points are in the southwest corner near Fairview Avenue and in the northeast corner in the vicinity of the old stock pond. The site rises from Fairview Road to a crest of a hill located approximately 1,100 feet east of Fairview Road.

Stormwater from the site generally drains toward a tributary of the Santa Ana Creek, north of the project site, and also to a tributary of the San Benito River, south of the project site. Existing drainage patterns on the site follow the topography and generally flow in three directions: west of the crest of the hill, the site drains toward Fairview Road; to the east, the site drains to a low point in the site's northeastern corner; along the southern boundary of the site, the crest of the hill is interrupted by a saddle, which causes drainage to flow southward toward the adjacent property. The existing drainage pattern on the site is presented in Figure 7, Existing Drainage.

The site supports habitat for a number of special-status wildlife species. In particular, the project site is within Critical Habitat for California tiger salamander, designated by the U.S. Fish and Wildlife Service. The project's impacts to biological resources and proposed mitigation are discussed in Section 3.4, Biological Resources, of this Draft EIR.

Water service in the area is provided by Sunnyslope. The project site is located within Sunnyslope's existing service area for potable water, which would provide domestic water service to the project site. The Hollister Domestic Wastewater Treatment Plant (DWTP) is located on San Juan Road (State Route 156) approximately 5.5 miles northwest of the project site. The facility is the primary wastewater treatment plant for the Hollister Urban Area, including areas within the County that are designated to be served by that facility. The project site is located within the Hollister Urban Area identified to be served in the Memorandum of Understanding (MOU) for wastewater treatment and recycled water services for the City of Hollister, San Benito County, Sunnyslope, and the San Benito County Water District, as set forth more fully in the Hollister Urban Area Water and Wastewater Master Plan (HDR 2008) (Hollister Water/Wastewater Master Plan). It is anticipated that LAFCO action would be required to approve wastewater and recycled water service to the project site, consistent with the Hollister Water/Wastewater Master Plan.

The location of the project site relative to the service boundaries of Sunnyslope and the study area of the Hollister Water/Wastewater Master Plan are presented in Figure 8, Water and Wastewater Service Area Boundaries.

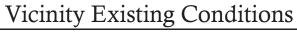
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Source: EMC Planning Group 2010, Google Earth 2009

Figure 3











City of Hollister Sphere of Influence City of Hollister Planning Area

ighway/State Route 25

Ridgemark Golf

Project Site

Old Ranch Rd

Fairvew Road

Award Homes Project site













(1) Looking east across the northern boundary of the project site.



(2) Looking southwest across the site towards the Cielo Vista subdivision.



(3) Looking east along the northern boundary of the project site.



Source: EMC Planning Group Inc. 2010, Google Earth 2009



4 Looking west along the northern boundary of the project site.



(5) Looking south across project site from the northeastern boundary.



6 Looking southeast across the project site from the northeastern corner.

Figure 5





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## **Project Site Planning Designations**

According to the County of San Benito 1998 General Plan Land Use Element, Policy 9, the site is located within an Area of Special Study, and is designated by the County's General Plan as "R-Rural," with a 5-acre minimum lot size. According to the definitions listed in the County General Plan Land Use Element, the intent of the Area of Special Study is as follows:

...direct development from natural resources and environmentally hazardous areas, to provide for mixed land uses to reduce vehicle emissions, to effectively plan the design, development and financing of services, and to develop open space programs. Increased development density over base density may be awarded based on specified programs. New development will not be allowed within an Area of Special Study until there is full mitigation of public services, infrastructure and facility impacts.

The County General Plan Land Use Element Policy 9 also identifies the types of land uses envisioned for the site as "residential, agricultural and open-space. Trails, parks, and public facilities including schools and churches, may be allowed subject to use permits."

The project site is located outside of the City of Hollister's municipal boundaries and sphere of influence but within its Planning Area. The project site is designated "Residential Estate" on the City of Hollister General Plan Land Use Map. According to the Hollister General Plan Table LU2, the development intensity of Residential Estate uses is categorized as one single-family residential dwelling unit with a five-acre minimum lot size.

# 1.3 EIR USES AND APPROVALS

## Intended Uses of this EIR

This Draft EIR has been prepared in accordance with CEQA and is consistent with the most recent edition of the CEQA Guidelines. This document will be used by San Benito County and other responsible and trustee agencies to identify and evaluate significant environmental impacts of the project.

As mandated by CEQA Guidelines Section 15124(d), this section contains a list of agencies that are expected to use this Draft EIR in their decision-making, and a list of the discretionary actions for which this Draft EIR will be used. Other ministerial permits and approvals that would be required are also listed below.

#### **Local Agencies**

- County of San Benito
  - General Plan Amendment(s)
  - Specific Plan Adoption
  - County Code Amendment(s)
  - Zone Change
  - Parcel, Tentative and/or Final Subdivision Maps
  - Development Agreement
  - Conditional Use Permits
  - Design Review
  - Grading Permits

#### **Regional Agencies**

- Sunnyslope County Water District
  - Approvals related to water connections

#### **State Agencies**

- California Department of Fish and Game
  - Potential Take Permit California tiger salamander
- Central Coast Regional Water Quality Control Board
  - Coverage under the Statewide NPDES General Permit for Stormwater Discharges Associated with Construction Activity
- Caltrans District 5
  - Encroachment Permit (State Route 25 Airline Highway)
- U.S. Fish and Wildlife Service
  - Potential Take Permit California tiger salamander
- San Benito Local Agency Formation Commission
  - LAFCO action required for the proposed wastewater and recycled water services provision to the project.

Source: EMC Planning Group Inc. 2010, Google Earth Pro 2009 City of Hollister General Plan 2006, 2008



2500 feet

Sunnyslope County Water District Service Area Project Site Boundaries

Hollister Urban Area











## 1.4 ENVIRONMENTAL REVIEW PROCESS

The CEQA statute, the CEQA Guidelines, and San Benito County's local CEQA procedures encourage public participation in the planning and environmental review processes. Opportunities will be provided for the public to present comments and concerns regarding the project and this environmental review document through a 45-day CEQA public review and comment period, as well as at public hearings or meetings before the County Planning Commission and Board of Supervisors.

The review and certification process for the EIR will involve the following procedural steps, as described more fully below.

## Notice of Preparation

In accordance with Public Resource Code Sections 21100, 21151 and Section 15064(a)(1) and (f)(1) of the CEQA Guidelines, the County determined that an EIR would be necessary for the project since it is not exempt from CEQA review and may cause a significant effect on the environment. As discussed above, the County circulated the NOP to the public; local, state, and federal agencies; and other interested parties as required under the law to solicit comments on the proposed project and the scope of environmental review. Comments raised in response to the NOP were considered during preparation of this Draft EIR and also are included in Appendix B.

#### Draft EIR

The Draft EIR contains a description of the project, description of the environmental setting, and identification of the project's potentially significant environmental effects, including direct, indirect, and long-term effects. It briefly sets forth the reasons that possible environmental impacts were found to be insignificant and therefore not discussed in detail. The Draft EIR also includes a discussion and analysis of potentially significant cumulative impacts, as well as an identification and description of any feasible measures that can be implemented to reduce or avoid each potentially significant environmental effect of the project. It also describes a reasonable range of alternatives to the project that could feasibly attain most of the project's basic objectives while reducing or avoiding any of its significant impacts, as well as an examination of any growth-inducing impacts and significant irreversible environmental changes.

Upon completion and publication of this Draft EIR, the County filed a Notice of Completion (NOC) with the State Office of Planning and Research, in accordance with Section 15085 of the CEQA Guidelines. This began the 45-day public review period (Pub. Res. Code § 21161) for the Draft EIR.

#### Public Notice/Public Review

Concurrent with the filing of the NOC, the County provided public notice of the availability of the Draft EIR for public review in accordance with CEQA Guidelines Section 15087(a), and invited comment from the general public, responsible agencies, trustee agencies, and other organizations and interested parties. As discussed above, the Draft EIR public review and comment period is 45 days. Although no public hearings on the Draft EIR are required by CEQA, the County will hold a Planning Commission public review meeting during the 45-day review period at which time public comment on the EIR will be accepted both in written form and orally. Notice of the time and location of this meeting will be published in accordance with the applicable noticing procedures.

All comments or questions regarding the Draft EIR should be addressed to:

Ann Dolmage, Assistant Planner Phone: 831-637-5313

County of San Benito Email: adolmage@cosb.us

3224 Southside Road Hollister, CA 95023

## Response to Comments/Final EIR

Following the public review and comment period for the Draft EIR, a Final EIR (FEIR) will be prepared. The County will evaluate the comments received on the Draft EIR during the 45-day comment period and will prepare written responses for inclusion in the FEIR as required under CEQA. These responses will describe the disposition of any significant environmental issues raised by the commenters.

## Certification of the EIR

If the County finds that: (1) the FEIR is "adequate and complete"; (2) it reflects the County's independent judgment and analysis; and (3) it was presented to the Board of Supervisors, which reviewed and considered the information in the FEIR, the County will certify the FEIR.

# **Project Consideration**

Upon review, consideration, and certification of the FEIR, the County will decide whether to approve, revise or reject the project. A decision to approve the project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091, and if applicable, Section 15093 (Statement of Overriding Considerations).

## **Mitigation Monitoring**

The County of San Benito must also adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures that have been incorporated into or imposed on the project to reduce or avoid significant effects on the environment (Pub. Res. Code § 21081.6(a)). This MMRP will be designed to ensure compliance with these measures during project implementation. Throughout the Draft EIR, mitigation measures have been clearly defined and presented in a language that will facilitate establishment of a monitoring and reporting program. Any mitigation measures adopted by the County as part of the certified FEIR will be considered as conditions of approval of the project and will be included in the MMRP to ensure and verify compliance.

## 1.5 TERMINOLOGY USED IN THE EIR

# Characterization of Impacts

This Draft EIR uses the following terminology to denote the significance of environmental impacts of the proposed project:

- "Standards of Significance" refers to a set of criteria used by a lead agency to determine at what level, or "threshold," an impact would be considered significant. Significance criteria used in this Draft EIR include the CEQA statute and Guidelines; factual or scientific information; and regulatory and performance standards of local, state, and federal agencies, including the County's local CEQA procedures.
- "No impact" means that no change from existing conditions is expected to occur.
- A "less than significant impact" would cause no substantial adverse change in the physical environment, and no mitigation is required.
- A "significant impact" or "potentially significant impact" would, or would potentially, cause a substantial adverse change in the physical environment. Significant impacts are identified by the evaluation of project effects using specified standards of significance. Feasible mitigation measures and/or project alternatives are identified to reduce the project's significant effects to the environment.
- A "significant and unavoidable impact" would cause a substantial change in the physical environment for which no feasible mitigation is available to reduce the impact to a less than significant level, although mitigation may be available to lessen the degree of the impact.

A "cumulative impact" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

## 1.6 SCOPE AND ORGANIZATION

Sections 15122 through 15132 of the CEQA Guidelines identify the content requirements for Draft and Final EIRs. As set forth more fully therein, an EIR must include a project description and a description of the environmental setting. In addition, the EIR must include consideration and discussion of environmental impacts, including significant impacts; feasible mitigation measures proposed to minimize significant impacts; a reasonable range of alternatives; significant irreversible environmental changes; growth-inducing impacts; and cumulative impacts.

The consideration and discussion of the environmental issues addressed in the Draft EIR were the result of the preparation and documentation and supporting technical reports in connection with the project, as well as comments provided by public agencies and the public in response to the NOP. Based on technical reports, other relevant documentation, NOP comments, agency consultation, and review of the project application materials, the County has determined the scope of this Draft EIR, which is organized as follows.

## Chapter S - Executive Summary

This chapter summarizes the characteristics of the proposed project and provides a concise summary matrix of each of the project's significant environmental impacts with proposed mitigation measures. This chapter also summarizes project alternatives; areas of controversy known to the County, including issues raised by agencies and the public; and issues to be resolved including the choice among alternatives and whether and how to mitigate the significant impacts.

# Chapter 1.0 – Introduction

This chapter provides an introduction and overview describing the intended uses of the Draft EIR, the environmental review and certification process, and the scope and organization of the Draft EIR.

# Chapter 2.0 - Project Description

This chapter provides a detailed description of the proposed project, including an overview of the project, its regional location, project characteristics, the project's relationship to existing planning documents, project objectives, and requested actions and required approvals.

# Chapter 3.0 – Environmental Setting, Impacts, and Mitigation Measures

This chapter contains an analysis of environmental topic areas to be addressed, as identified below. Each subsection contains a description of the existing setting of the project site and vicinity, identifies individual project level and cumulative impacts, and recommends feasible mitigation measures as required.

The following environmental topics are addressed in this chapter:

- 3.1 Aesthetics
- 3.2 Agricultural Resources
- 3.3 Air Quality
- 3.4 Biological Resources
- 3.5 Climate Change
- 3.6 Cultural Resources
- 3.7 Geology and Soils
- 3.8 Hazards and Hazardous Materials
- 3.9 Hydrology and Water Quality
- 3.10 Land Use and Planning
- 3.11 Noise
- 3.12 Public and Governmental Services
- 3.13 Parks and Recreation
- 3.14 Traffic and Circulation
- 3.15 Wet and Dry Utilities and Energy

The County determined that the project would not result in any impacts on mineral resources. This environmental topic is, therefore, not addressed in this chapter, and instead, is discussed briefly in Section 5 (effects found not to be significant).

## Chapter 4.0 – Alternatives

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to a project, which could feasibly attain the basic objectives of the project and avoid or lessen the project's environmental impacts. This Draft EIR's alternatives analysis compares the proposed project and the selected alternatives. These alternatives are discussed in Chapter 4.0, Alternatives to the Project, and include:

- Alternative 1: No Project No Build
  - Alternative 2: No Project -- Development Consistent with the General Plan Land Use Designation
- Alternative 3: Reduced Maximum Residential Units/Increased Open Space
- Alternative 4: Alternative Location: Northeast of San Benito Street/Union Road

## Chapter 5.0 - Other Sections Required by CEQA

This chapter contains required discussions and analysis of various topical issues mandated by CEQA Guidelines Section 15126.2, including: significant and unavoidable environmental impacts, growth-inducing impacts, significant irreversible environmental changes, and effects found not to be significant.

# Chapter 6.0 – Report Preparers and References

The purpose of this chapter is to provide a list of all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation. It also itemizes supporting and reference data used in the preparation of the Draft EIR and lists all governmental agencies, organizations, and other individuals consulted in preparing the Draft EIR.

# **Appendices**

This section involves all notices and other procedural documentation pertinent to the Draft EIR, as well as all technical reports and other documents as appropriate or as otherwise required by CEQA to be included in the EIR's appendices, which have been prepared and/or received in connection with or are otherwise relevant to the Draft EIR.

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