

3.12

PUBLIC AND GOVERNMENTAL SERVICES

This section of the EIR addresses existing public services and facilities within unincorporated San Benito County and evaluates the potential environmental impacts associated with any physical expansion or alteration to public service facilities caused by implementation of the proposed project. Services examined for potential impacts include law enforcement, fire protection, schools, and solid waste. Environmental impacts associated with park and recreational facilities are evaluated in Section 3.13 of this EIR.

This analysis is based on information contained in the San Benito County General Plan, the project's application materials, and information supplied by the County of San Benito service providers.

3.12.1 ENVIRONMENTAL SETTING

Law Enforcement Services

Law enforcement services in the unincorporated County are provided by the San Benito County Sheriff's Department, which operates from its headquarters at 451 Fourth Street in Hollister, approximately 4 miles from the project site. The Sheriff's Department consists of eight units and divisions, and is staffed by 29 sworn officers operating 13 marked patrol cars. According to Lieutenant Roy Iler of the San Benito County Sheriff's Department (pers. comm. March 18, 2011), the adopted target ratio of officers to residents is one officer per 800 residents (1.25 officers per 1,000 residents), although the actual ratio at this time is well below this goal at approximately one officer for every 4,000 residents. Despite the lower than optimal staffing ratio, the Sheriff's Department has been able to provide adequate law enforcement services to the residents and businesses in the County, typically responding to calls within 10 minutes. The Department maintains an average response time of 8 minutes for emergencies and 15 minutes

for non-emergencies. Between the hours of 12:00 a.m. and 6:00 a.m., response times are reduced to an average of 5 minutes for emergencies and 12 minutes for non-emergencies. The Sheriff's Department also maintains mutual aid agreements with other local law enforcement agencies, including the City of Hollister Police Department, in order to maintain adequate response levels should the need arise.

Fire Protection Services

The San Benito County Fire Department is responsible for providing structural fire protection and emergency response within all areas of the County outside of city limits. The project site is located within the San Benito County Fire Department Service Area 26. The County Fire Department contracts with the California Department of Forestry and Fire Protection (CAL-FIRE) to manage and provide these services. The nearest CAL-FIRE station is located on Fairview Road, about two miles north of the project site; a City of Hollister Fire Department station is located about 3.4 miles west of the project site on Union Road, off Airline Highway.

According to Battalion Chief Paul Avila of the San Benito County Fire Department (Avila pers. comm. March 26, 2011), the estimated response time to the project site from the CAL-FIRE station on Fairview Road is anticipated to be about five to six minutes, at project buildout. Similar to the Sheriff's Department, the County Fire Department maintains mutual aid agreements with other fire protection agencies, including the City of Hollister Fire Department. According to Chief Avila, these two departments would serve the project site (Avila pers. comm. 2011).

Current staffing levels of the County Fire Department are five full time firefighters and 21 volunteer firefighters. Recognized standards are to employ one firefighter per every 1,500 residents, in accordance with National Fire Protection Association Standard (NFPA) 1710, or 0.67 firefighters per 1,000 persons. The population of the County Fire Department service area (unincorporated San Benito County) is approximately 18,500 persons (California Department of Housing and Finance, 2011); therefore, the actual staff to population ratio currently is below this goal, at approximately one employed firefighter per 3,700 residents. According to Chief Avila, the countywide average response time for the department is 17 minutes 90 percent of the time. The County responded to 900 incidents in 2010 (Avila pers. comm. 2011).

Per NFPA 1710 Standards of Cover, a fire in a single-family residence requires four firefighters on scene within four minutes and an additional 11 fire personnel on scene within eight minutes of the time of the report, for total personnel coverage of 15. Only two persons currently staff one fire engine at the County Fire Department. Although the County Fire Department is supplemented by volunteer paid-call firefighters, the above objective is rarely met. Volunteer paid-call firefighters typically respond from home in their personal vehicles, are not required to be available at any specific time, and may not be available for other reasons, such as being out of the area.

The San Benito County Department of Emergency Services oversees emergency medical response services (EMS) to ensure that emergency medical care is available and consistent at the emergency scene, during transport, and in the emergency room. The EMS system includes fire departments, ambulance companies, hospitals, police departments, the American Red Cross, and the American Heart Association. The nearest hospital is the Hazel Hawkins Memorial Hospital in Hollister, located about two miles northwest of the project site.

Schools

The project would be served by two school districts: the Hollister School District for students in grades Kindergarten through eighth grade and the San Benito High School District for students in grades nine through 12. According to Jack Bachofer, Chief Business Officer of the Hollister School District, the district serves a student population of approximately 5,533 students and operates a total of eight elementary schools, including two magnet schools, within six elementary school campuses (Pers. Comm. March 24, 2011). The two magnet schools are located within the Gabilan Hills Elementary School and Ladd Lane Elementary School campuses. Currently, of the six non-magnet schools, four are grades kindergarten through fifth and two are grades kindergarten through eighth. The school district also operates two middle schools (grades 6-8). The school district recently made the decision to shift all sixth grade students from the two middle schools to all of the elementary schools, and has received approval to increase class sizes at all schools within the district.

Elementary school-aged students from the project site, estimated at 124 students at project build-out, would attend Cerra Vista Elementary School, located at 2151 Cerra Vista Drive in Hollister, approximately two miles northwest of the project site. Middle school-aged students from the project site would attend Rancho San Justo Middle School, located at 1201 Rancho Drive in Hollister, approximately 2.5 miles northwest of the project site. The Hollister School District would provide school bus service to elementary students residing more than 1.5 miles from school, and to middle school students residing more than two miles from school.

The San Benito High School District serves a student population of approximately 2,940 students and operates a single school, San Benito High School. This school is located at 1220 Monterey Street in Hollister, approximately three miles to the northwest of the project site. The project site is estimated to have 42 high-school-aged students at project build-out.

[Table 29, San Benito County School Enrollment and Capacity, School Year 2010-2011](#), shows the current school enrollment and capacity for the school year. As indicated in the table, San Benito High School is currently over its design capacity.

Table 29 San Benito County School Enrollment and Capacity, School Year 2010-2011

School	Existing Enrollment	Capacity	% of Capacity
<i>Hollister School District</i>			
Cerra Vista Elementary (K-5)	610	634	96%
Rancho San Justo Middle School (6-8)	859	952	90%
<i>San Benito High School District</i>			
San Benito High School (9-12)	2,830	2,600	109%

Source: Hollister School District (2011), San Benito High School District (2011).

Although Cerra Vista Elementary School and Rancho San Justo Middle School were at 96 percent and 90 percent capacity, respectively, for the 2010-2011 school year, the school district's decision to increase class sizes and shift all sixth grade students from the two middle schools to several of the elementary schools will alleviate this situation. As a result, Cerra Vista will now be allowed to have more students per classroom, resulting in an increase in capacity of 264, for a total capacity of 898 students. Rancho San Justo Middle School is also going to be allowed to have more students per classrooms and they will be losing sixth graders, resulting in an additional capacity of 396, for a total capacity of 1,348 students. Therefore, both schools are currently under, and are projected to stay under, capacity and the proposed project would not result in either school going over its capacity.

Solid Waste

Solid waste generated in San Benito County is collected by franchise hauler Recology San Benito and taken to the John Smith Road Landfill, a County-owned facility located approximately two miles east of the project site on John Smith Road.

Landfill Capacity

The projected remaining capacity of the landfill, as of April 2010, is approximately 1,553,000 tons, or 17 years based on the average daily refuse acceptance rate of 250 tons. In December 2010, the Board of Supervisors approved the initiation of an expansion of the existing landfill that could expand the capacity by an additional 2,000,000 cubic yards. In a related action, the Board of Supervisors approved increasing the daily tonnage to 500 tons per day, and upon completion of the expansion of up to 1,000 tons per day. Consequently, depending on timing of

the expansion, remaining capacity would not increase beyond the stated 17 years. Furthermore, San Benito County also owns an approximate 130-acre site adjacent to the landfill, which is currently being proposed to be developed into a Resource Recovery Park (30 acres) and a new landfill (100 acres). CEQA compliance for the re-zoning of the Resource Recovery Park is pending as of this writing. The construction of the new landfill has not been scheduled at this time. (Mandy Rose, Integrated Waste Management, April 2010).

Waste Generation Rates

Waste generation rates for single family residential uses are based upon San Benito County Integrated Waste Management waste disposal rates. According to information provided to the Gavilan College District by Mandy Rose, Director of Integrated Waste Management, the single-family disposal rate is 1.48 tons per year per residence and the multi-family disposal rate is 0.46 tons per year per residence (Gavilan College District 2008).

3.12.2 REGULATORY SETTING

School Facilities Act of 1998

The School Facilities Act of 1998, also known as SB 50, provides state funding for new school construction projects that can satisfy criteria for such funding, including eligibility due to growth, Division of State Architect plan approval, and California Department of Education site approval. However, the Act limits the maximum amount of impact fees that can be charged by school districts or imposed by local jurisdictions as mitigation for school impacts resulting from new residential, commercial, and industrial development. The Act also prohibits local agencies from denying a development application on the basis of the applicant's refusal to provide school facilities mitigation that exceeds the fee amount and prohibits local agencies from refusing to approve any legislative or adjudicative act on the basis that school facilities are inadequate.

County General Plan and County Code

Construction and maintenance of public services and facilities in unincorporated San Benito County are regulated by the San Benito County General Plan and the County Code. The following relevant policies from the San Benito County General Plan address the provision of public services and facilities:

Land Use Element

Policy 37: School Facilities. The individual and cumulative effects of development proposals that generate population growth shall be evaluated and all available means shall be used to assist full mitigation of school facility impacts.

Safety Element

Policy 5: State of Readiness. It will be the County's policy to maintain local police, fire and health forces in a state of readiness to insure adequate protection for the citizens of San Benito County.

3.12.3 STANDARDS OF SIGNIFICANCE

The following thresholds for evaluating a project's environmental impacts are based on the State CEQA Guidelines and the County's local CEQA standards. Public service impacts may be considered significant if implementation of the project would result in substantial adverse physical impacts associated with the provision of 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 following public services:

- Fire protection
- Police protection
- Schools
- Other public facilities, such as solid waste treatment facilities

3.12.4 PROJECT IMPACTS AND MITIGATION MEASURES

Law Enforcement Services

Impact PUB-1: The proposed project would increase service demands for law enforcement patrol and incident response. This increase in demand, however, would not trigger the need for new or expanded law enforcement facilities to serve the project, in order to maintain acceptable service ratios, response times, or other performance objectives. Therefore, this would be a **less than significant impact**.

Buildout of the Fairview Corners project is anticipated to increase the Sheriff's Department service area population by approximately 678 persons based on 220 proposed new residences with an average of 3.081 persons per household (Department of Finance 2011). Applying the optimal ratio (one officer per 800 residents), this population increase would result in the need for less than one additional officer in the Sheriff's Department.

The developer would be required to pay the applicable law enforcement impact fee for residential uses. The Sheriff's Department has indicated, however, that no new or altered facilities would be required to accommodate any such additional staffing or equipment to serve the project in order to maintain acceptable response times or service capacity. Any additional staff and equipment required to serve the project could be accommodated by existing facilities (Iler pers. comm. 2011).

Therefore, as no new facilities would need to be constructed, the project would not result in any physical environmental impacts associated with the construction of any new facilities. Therefore, the project's impacts in connection with law enforcement services would be **less than significant**.

No mitigation is required.

Fire Protection Services

Impact PUB-2: The project would increase the demand for fire protection services. This increase in demand, however, would not trigger the need for new or expanded facilities to serve the project, in order to maintain acceptable service ratios, response times, or other performance objectives. This would be a **less than significant impact**.

The development of the project would increase demand for fire fighting and emergency response services as a result of the increase in population in the unincorporated area of the County. Assuming the optimal ratios (one fire fighter per 1,500 residents), the project would increase staffing demands by less than one additional firefighter. The developer would be required to pay the applicable fire service impact fee to offset the increased demand for fire department services as a result of the project.

While there would be a nominal increase in demand, this would not be expected to affect the Fire Department's current response time of 17 minutes 90 percent of time, and no new facilities would be required to maintain an adequate response time as a result of the project. Any additional staff and equipment required to serve the project could be accommodated by existing facilities (Avila. pers. comm. 2011). As no new facilities would need to be constructed, the project would not result in any physical environmental impacts associated with the construction of any new facilities. Therefore, the project's impacts in connection with fire protection services would be **less than significant**.

No mitigation is required.

Schools

Impact PUB-3: The project would result in the development of new residences and therefore require school services, potentially resulting in the demand for new or expanded facilities to serve the project, in order to maintain acceptable service ratios or other performance objectives. This would be a **less than significant impact**.

As discussed above, the project would be served by two school districts: the Hollister School District for students in grades kindergarten through eighth and the San Benito High School District for students in grades nine through twelfth.

Hollister School District

Based on the composite yield rate of 0.376 for kindergarten through fifth grade students per single-family dwelling unit, the project is anticipated to generate about 83 kindergarten through fifth grade students at buildout. Based upon the composite yield rate of 0.187 for sixth through eighth grade students, buildout of the project is anticipated to generate about 41 new sixth through eighth grade students. Based on the yield rate of 0.190 for high school students (grades 9-12) per dwelling unit, buildout of the project is expected to generate approximately 42 new high school students.

It is anticipated that students from the project would attend existing public schools in the area. At the present time, the combined kindergarten through eighth grade school capacity in the district is below maximum capacity. As noted above, although Cerra Vista Elementary School and Rancho San Justo Middle School are at 96 percent and 90 percent capacity, respectively (refer to Table 29), the school district's decision to shift all sixth grade students from the two middle schools to several of the elementary schools combined with increased class size, will alleviate this situation. After these changes are in place, Cerra Vista Elementary School is projected to have capacity for an additional 264 students, and Rancho San Justo Middle School is projected to have capacity for an additional 396 students. Therefore, both schools are currently under, and are projected to stay under, capacity and the proposed project would not result in either school going over its capacity (Bachofer pers. comm. 2011).

Furthermore, the recently approved Santana Ranch project has reserved an elementary school site within its project to serve 700 students, in order to help accommodate the school children from its project and surrounding areas. The design and funding for this new potential elementary school have not yet been identified, and the school would ultimately be constructed and operated by the Hollister School District.

San Benito High School District

As discussed above, the project would generate approximately 42 new high school students. San Benito High School is currently overcapacity by 230 students, and the project would exacerbate this overcapacity. Therefore, it is anticipated that the project would contribute to the need to expand high school facilities to serve the additional students associated with the development of the project, as well as other district students, over time.

School Impact Fees

The project's proposed residential development would be subject to the applicable school impact fees as calculated by the school districts, per statute, and due prior to issuance of occupancy permits. The school districts currently collect impact fees of \$2.97 per square foot of residential living space for new residential construction, as provided by state law. Of this amount, approximately two-thirds are allocated to elementary/middle schools and one-third is allocated to the high school. The developer would be required to pay the applicable school impact fees, which would ultimately be programmed by the school districts, in combination with fees collected from other projects, to improve or expand school facilities. The payment of school district fees would mitigate the impacts of the proposed project's contribution to the need for expanded facilities.

Specific improvements as a result of the construction of a new school project, however, have not been identified; therefore, environmental analysis of specific potential impacts associated with development of any future facilities would be speculative at this time. However, it is anticipated that a range of environmental impacts would be required to be analyzed, including those typically associated with the construction and operation of school facilities. Examples of these impacts include traffic generation, noise and air quality. It also is anticipated that any school facilities proposed in the future would be required to undergo separate environmental analysis within their physical environmental contexts, during which specific impacts would be identified and mitigated based on project plans.

Therefore, project impacts associated with the construction and operation of school facilities would be **less than significant**.

Solid Waste

Impact PUB-4: The project would increase the generation of solid waste at the project site, thereby reducing the estimated long-term disposal capacity at the local landfill site, and potentially triggering the need to expand the facility, in order to maintain acceptable

service ratios or other performance objectives, the construction and operation of which could result in environmental impacts. This would be a **less than significant impact**.

As discussed above, the projected remaining capacity of the John Smith Road Landfill, as of August 2010, is approximately 1,553,000 tons, or 17 years of capacity based on the average daily refuse acceptance rate of 250 tons. As noted above, according to Integrated Waste Management Department, the single-family disposal rate is 1.48 tons per year per residence and the multi-family disposal rate is 0.46 tons per year per residence (Gavilan College District 2008). Using the single-family disposal rate the proposed project would generate approximately 326 tons per year of solid waste.

Regulations contained in Title 14 of the California Code of Regulations require the maintenance of a minimum of 15 years of permitted disposal capacity for each city and county jurisdiction. At the time of Specific Plan preparation, the projected remaining landfill service life was 17 years as of August 2010. However, more recent communications with Recology San Benito (see discussion above) indicate the site adjacent to the existing landfill has been identified as a future landfill site, and this site will be utilized to fulfill the obligation of the County and its incorporated Cities to maintain a 15-year minimum disposal capacity for the County as a whole. An analysis of the potential impacts of expansion of the existing facility or the construction of a new facility would require environmental review under CEQA once the application is initiated. It is anticipated that funding for the landfill expansion/construction will be derived from landfill franchise fees held in reserve. The new landfill is slated to be financed by the landfill contract operator, Waste Connections, Inc. under agreement with the County of San Benito.

The amount of refuse produced by the project could reduce the current landfill's service life, potentially triggering the need for expanded landfill capacity within a shorter timeframe. However, the contribution of the project to the overall solid waste stream accepted by the John Smith Landfill is relatively small when compared to that produced within the County as a whole.

In addition, Article 6.0 (Public Facilities) of the Specific Plan contains a number of policies, which are summarized below, that are designed to reduce the project's solid waste disposal rates:

- As a condition of approval of any subdivision tentative or parcel map, the master developer and/or individual neighborhood developer(s) shall obtain verification from Recology San Benito that it can provide solid waste collection services to meet demand from build out of the Plan Area. Waste collection services shall be financed through the most recently adopted fee program of Recology San Benito. (Policy PF-7.1, Action #1)
- It is anticipated that Recology San Benito will provide curbside recycling service to residential neighborhoods. Where curbside pick-up is not practical, conveniently located

centralized recycling collection and storage facilities will be provided by the developers. (Policy PF-7.1, Action #2)

- The master developer and/or individual neighborhood developer(s) shall distribute, to all home buyers, the educational program provided by the service providers as part of a countywide waste reduction, reuse and recycling effort. (Policy PF-7.1, Action #3)
- Require all construction contracts to include construction waste reduction and recycling clauses. (Policy PF-7.1, Action #4)
- Require public-use recycling cans at all locations where public-use refuse cans are provided. (Policy PF-7.1, Action #5)

Therefore, based on the above analysis and with implementation of relevant Specific Plan policies, the project’s impacts associated with overall landfill capacity and solid waste disposal would be **less than significant**.

No mitigation is required.

3.12.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

Impact PUB-5: The proposed project, in combination with past, present, and reasonably foreseeable, probable future projects within San Benito County, may result in the need for new, expanded, or altered public service facilities, in order to maintain acceptable service ratios, response times, or other performance objectives, the construction and operation of which could result in environmental impacts. These impacts would be **less than significant**.

The proposed project, in combination with past, present, and reasonably foreseeable, probable future development in the County, would generate additional demand on existing public services and facilities, including fire and police protection, schools, and refuse disposal. Current and reasonably foreseeable, probable future projects include:

- **Gavilan College San Benito Campus:** This project involves the construction of a 3,500 full-time equivalent (FTE) student college facility, as well as approximately 70 residential units and 35,000 square feet of retail space, on a 77-acre site at the northeast corner of Fairview Road and Airline Highway.

- **Award Homes Project:** This project involves the construction of 595 single-family homes and 100 apartment units have been approved on the west side of Fairview Road, south of St. Benedict's Church and east of Calistoga Drive within the City of Hollister.
- **Santana Ranch Project:** This project involves the construction of a maximum of 1,092 dwelling units, 65,000 square feet of neighborhood commercial uses, up to an additional 41,000 square feet of commercial mixed uses, and related community facilities and project infrastructure on a 292-acre site adjacent to the City of Hollister.

The cumulative projects list (Section 3.0) also includes a number of smaller residential projects within the City of Hollister, as well as a number of industrial and warehousing projects in the vicinity of the Hollister Municipal Airport.

All cumulative projects would be required to pay the applicable impact fees or service fees for the purpose of providing new and/or expanded facilities (fire, police, schools, and landfill). These fees are programmed for the development of new, expanded or altered facilities by the providers of these public services, at their individual discretion, in response to increased demand for services resulting from these planned projects. While the proposed project, in combination with other cumulative development in the County, may ultimately result in the need for new or expanded facilities, specific improvements as a direct result of these projects have not been identified at this time and therefore any environmental analysis would be speculative. It is anticipated, however, that a range of environmental issues typically associated with facility expansion projects would be identified within the physical environmental context of these potential future projects, including traffic, biological resources, and aesthetics. Further, specific public facility improvements would be identified as part of the capital facilities planning process undertaken by the individual agencies, and these improvements would be subject to environmental review at the time they are proposed.

For the reasons discussed above, cumulative environmental impacts as a result of the construction of new, expanded or altered public facilities are anticipated to be **less than significant**.

No mitigation is required.