APPENDIX A

FAIRVIEW CORNERS RESIDENTIAL SPECIFIC PLAN

Planning for Success.

NOTICE OF PREPARATION AND INITIAL STUDY

FAIRVIEW CORNERS RESIDENTIAL SPECIFIC PLAN

PREPARED FOR

County of San Benito

July 15, 2010

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831·649·1799 Fax 831·649·8399
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NOTICE OF PREPARATION

FAIRVIEW CORNERS RESIDENTIAL SPECIFIC PLAN

PREPARED FOR

County of San Benito
Lissette Knight, Senior Planner
County of San Benito Planning and Building Inspection Services
3224 Southside Road
Hollister, CA 95023

PREPARED BY

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FAIRVIEW CORNERS RESIDENTIAL SPECIFIC PLAN PROJECT DESCRIPTION

Description of Project

The proposed project is a specific plan that would amend the general plan and guide development, including road and utilities infrastructure, parks, and open space buffers, on the project site. County review and approval is required for the Specific Plan, General Plan Amendment and Zoning Change requests.

The proposed project does not include a tentative map. To respond to market conditions when tentative map(s) are proposed and to coordinate residential development with the planned San Benito Campus on the adjoining parcel, the proposed project allows a range of residential uses that may vary from apartments and small lot cluster homes to single-family ranchettes. Regardless of the final lotting arrangement, the maximum number of residential units would not exceed 220 units, excluding secondary dwelling units.

The proposed project would be constructed in two or more phases, and the initial two phases may be divided into additional phases of up to four per phase, for a maximum of eight phases. Each phase is anticipated to be implemented over a period of about two years, with project buildout occurring in five to 16 years from the time of tentative map approval.

The proposed project amends the San Benito County General Plan to allow development of uses described in the Specific Plan. Allowed uses would include detached single-family dwellings, attached single, duet, duplex, triplex, fourplex dwellings, multi-family dwellings (five units), a guesthouse or other secondary residential units, not to exceed one per lot, and accessory buildings and uses. The proposed project also includes policies that allow a potential for up to five acres of neighborhood commercial uses near Fairvew Road.

The minimum building site area for residential uses would be four-thousand (4,000) square feet. Proposed lot sizes range from 4,000 square feet to 5-acre lots to provide a variety of residential housing opportunities for ownership or rental adjacent to the San Benito Campus planned for by the Gavilan College District. The proposed project includes policies that require entering into an affordable housing agreement with the County of San Benito and requires the provision of an affordable housing program.

The proposed project provides parkland and open space exceeding County standards through physical construction and/or the payment of in-lieu fees. Proposed open space and parkland opportunities include a building exclusion zone near the Tres Pinos fault, buffer zones near the project boundaries, pocket parks, and drainage basins. The proposed project includes provisions to connect on-site open space and parks through a series of trails and provides connectivity with the adjoining San Benito Campus site.

The primary access to the site would be off of Fairview Road opposite Cielo Vista Drive, which would be extended along the southern edge of the plan area. Interior circulation is anticipated to be a loop pattern with access to and from Fairview Road.

Water service would be provided by SSCWD. Currently, there are no formal spheres of influence or service area boundaries for wastewater treatment for the project site. However, based on the MOU agreement described previously it is anticipated that the City of Hollister Sanitary Sewer District will provide wastewater treatment service to the project site, pending a formal application by the City of Hollister to the San Benito County Local Agency Formation Commission (LAFCO) for annexation of the project site into the City of Hollister Sanitary Sewer District. Will serve letters have been received from each of these service providers. The proposed project includes provisions for the use of septic systems on lots of one acre or more, consistent with County design and performance standards, and in no case more than 22 lots serviced by septic systems.

The proposed project includes provisions to install "purple pipe" to enable recycled water distribution on the site when it becomes available. On and off-site water, sewer and storm drain infrastructure improvements will be phased to coincide with project development.

Off-site Improvements. The proposed project includes an emergency vehicle access (EVA) road to Airline Highway, and a connection to the City of Hollister sanitary sewer system. A cultural resources analysis is required for the Caltrans encroachment permit for the emergency access point and the sanitary sewer line alternative on Airline Highway.

The proposed EVA road extends from the southeastern corner of the site through the adjacent parcel to Airline Highway. The proposed roadway improvements would occur on the adjacent parcel and within the Caltrans right-of-way on Airline Highway.

Two opportunities for connection to the City of Hollister sanitary sewer system are identified in the Specific Plan. The first requires the retrofitting and extension of existing mains within the Cielo Vista residential subdivision west of the site. This option (referred to in the Specific Plan as Alternative #1) would extend a new sewer main west from the site to the existing sewer mains in the Cielo Vista subdivision, and further extends the main west from the Cielo Vista pipe network to the existing sewer main on Enterprise Road. The second option (Alternative #2) is the construction of a new sewer main from Enterprise Road to the site along the north side of Airline Highway, and up Fairview Road to the project site. A portion of the Alternative #2 sewer main improvement construction would occur within the Caltrans right-of-way on Airline Highway. Alternative #2 would be implemented if the sewer main extension to and from the Cielo Vista subdivision is not feasible.

INITIAL STUDY

FAIRVIEW CORNERS RESIDENTIAL SPECIFIC PLAN

PREPARED FOR

County of San Benito
Lissette Knight, Senior Planner
County of San Benito Planning and Building Inspection Services
3224 Southside Road
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PREPARED BY

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July 15, 2010

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List of Acronyms and Abbreviations

AMBAG	Association of Monterey Bay Area Governments
AQMP	Air Quality Management Plan
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CO	Carbon Monoxide
CO_2	Carbon Dioxide
EIR	Environmental Impact Report
EVA	Emergency Vehicle Access

GHG	Greenhouse Gases
GP	General Plan
HCP	Habitat Conservation Plan
MBUAPCD	Monterey Bay Unified Air Pollution Control District
MOU	Memorandum of Understanding
NCCAB	North Central Coast Air Basin
NPDES	National Pollutant Discharge Elimination System
NO_x	Nitrous Oxides
OEHHA	Office of Environmental Health Hazard Assessment
Pb	Pleasanton Silty Loam, soil type
PM_{10}	Particulate Matter 10 microns or less
ROG	Reactive Organic Gases
SSCWD	Sunnyslope County Water District
TAC	Toxic Air Contaminant

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A. BACKGROUND

Project Title	Fairview Corners Residential Specific Plan
Lead Agency Contact Person and Phone Number	County of San Benito Planning and Building Inspection Services 3224 Southside Road Hollister, CA 95023
Date Prepared	July 15, 2010
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940 Sally Rideout, Senior Planner Christine Bradley, Associate Planner
Project Location	The project site is located near the northeast corner of the intersection of Airline Highway (State Route 25) and Fairview Road, in unincorporated San Benito County.
Project Sponsor Name and Address	Lissette Knight County of San Benito Planning and Building Inspection Services 3224 Southside Road Hollister, CA 95023 (831) 637-5313
General Plan Designation	San Benito County General Plan: R-Rural (5-acre minimum lot size) City of Hollister General Plan: R-Rural Residential (1-5 dwelling units/5 acres)
Zoning	San Benito County: Rural City of Hollister: none

Approach and Methodology

The proposed project is a Specific Plan (herein after "proposed project") that amends the San Benito County General Plan to allow future development of mixed residential uses on an approximately 60-acre site. The intent of this initial study is to determine if any new potentially significant impacts would result from the project which were not previously studied in and adequately mitigated by an EIR previously prepared for the project by the Gavilan College

District, and to focus a project specific EIR that has been requested by San Benito County. CEQA Guidelines Section 15152(b) encourages agencies to use tiering approaches to avoid repetitive discussions of the same issues and to focus later EIRs or Negative Declarations.

CEQA Guidelines Section 15152(f) also states that "A later EIR shall be required when the initial study or other analysis finds that the later project may cause significant effects on the environment that were not adequately addressed in the prior EIR."

CEQA Guidelines Section 15153(c) further states, "An EIR prepared for an earlier project may also be used as part of an Initial Study to document a finding that a later project will not have a significant effect…"

Previous Environmental Analysis

An EIR was prepared in November 2008 by the Gavilan College District, entitled *Gavilan San Benito Campus and Fairview Corners Projects EIR* (David J. Powers & Associates, Inc.). This EIR analyzed the individual and combined environmental effects for two projects on adjoining sites: the Gavilan San Benito Campus located at the northeast corner of Airline Highway and Fairview Road, and the Fairview Corners residential development project located on Fairview Road. The EIR analyzed the environmental effects of both projects because the two projects have been planned concurrently and have a relationship of shared roadways, infrastructure, open space, and mitigation requirements. However, each project site is subject to the requirements of two different public agencies. In December 2008, the Final EIR (hereinafter "Gavilan EIR") was certified by the Gavilan College District Board of Trustees as the Lead Agency for the San Benito Campus project. San Benito County, however, is the permitting authority for the residential component studied in the Gavilan EIR and is therefore the Lead Agency for the proposed project.

However, because San Benito County is the permitting authority and Lead Agency for the residential component studied in the Gavilan EIR, review and approval by the County was also required for the residential project. In its review of the Gavilan EIR and proposed Fairview Corners General Plan and Zone Change applications, San Benito County determined that a specific plan is required for the proposed residential project, due to its location within the designated Area of Special Study. Subsequently, environmental review of the Specific Plan and related approval requests is required prior to the County's consideration of project-related discretionary approvals.

However, since development of the project site with uses consistent with the proposed project was studied in the Gavilan EIR, technical studies, analysis and conclusions of the Gavilan EIR that are relevant and applicable to the proposed project are incorporated herein.

Setting

The proposed project site is located southeast of the City of Hollister, in unincorporated San Benito County, as seen in Figure 1, Regional Location. The project site is located directly east of Fairview Road and approximately one-quarter mile to the north of Airline Highway (State Route 25). The project site is located outside of the city limit of the City of Hollister and the City's Sphere of Influence, but within the City's Planning Area Boundary. Figure 2, Project Vicinity, presents the project site in relationship to the vicinity road network and surrounding existing and planned land uses. Figure 3, Aerial Photograph, presents an aerial view of the project site and its surroundings.

The property is bound by rural residences, small farms, and grassland along Old Ranch Road to the north, rural residential uses and grassland along Harbern Way to the east, the 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 292-acre Santana Ranch Specific Plan area is located approximately one mile to the north.

The project site consists of one parcel of land (APN 025-190-068). The site is currently unimproved rangeland and consists of an agricultural field of cultivated barley that 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 development on the site. The site does not support overhead or underground utility transmission lines; however, a water pump station, operated by the SSCWD, is located in the northwestern corner of the site along Fairview Road. A former stock pond is located in the northeast corner of the site. Figure 4, Site Photographs, shows the existing conditions on the site.

The eastern portion of the project site is located within the Alquist-Priolo Earthquake Fault Zone for the Tres Pinos Fault. This fault runs across the northeastern portion of the project site and is considered potentially active. The proposed project includes a building exclusion zone adjacent to the fault. Figure 5, Topography and Earthquake Fault Building Exclusion Zone, shows the topography of the site and the location of the earthquake fault building exclusion zone.

The topography of the project site consists of undulating hills with a relative elevation change of about 45 feet. As indicated by Figure 5, 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. These soils have moderate to highly expansive soils, which are discussed in the Geology and Soils section of this document. The topography of the site project site is not subject to landslides. The project site is not located within a 100-year flood zone.

Existing drainage patterns on the site follows the topography and consists of dispersed overland flow concentrating through areas of lower elevation. In general, the project site drains toward Fairview Road to the west and on the east into a low point on the northeastern corner of the property. Drainage from the western portion of the site ultimately flows to a tributary of the Santa Ana Creek. Drainage from eastern se area flows to a tributary of the San Benito River. According to the County of San Benito 1994 Environmental Resources and Constraints Inventory, the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Surrounding properties are designated Urban and Built-up Land, Other Land, or Grazing Land, by the California Department of Conservation. The proposed project site is not located within a recorded archaeological or cultural deposit and there are no known historic or cultural resources on the project site.

The project site is located within the range of the San Joaquin kit fox, a federally protected species. The site provides suitable habitat for the San Joaquin kit fox, although individuals of the species have not been observed on the site. The project applicant is currently working with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) to determine the need, extent and location of off-site mitigation for the loss of kit fox habitat. The project site is within the range of other special status species including California tiger salamander, burrowing owls, American badger, and nesting raptors. The project site is a State identified site for the California tiger salamander and the proposed project includes provisions for an on-site conservation/open space easement to mitigate for the loss of California tiger salamander habitat. A discussion of potential impacts to biological resources are found in Section 4, Biological Resources.

The project site is within the San Benito County Fire Department Service Area 26 and is located in a medium fire hazard zone. The nearest fire station is located at 1979 Fairview Road, approximately two miles north of the site. The project site is also located within the San Benito County Sheriffs Department service area. The project site is also located within the Sunnyslope County Water District (SSCWD) service area. The SSCWD prepared a water supply assessment for a larger project that includes the project site in 2008. A water main is present in Fairview Road, west of the site.

The Hollister Domestic Wastewater Treatment Plant 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. Coordination between the City of Hollister, the San Benito County Water District, and the Sunnyslope County Water District has determined that the City of Hollister would provide wastewater treatment service to the project site. The three entities entered into a Memorandum of Understanding (MOU) and a Statement of Intent in 2005 to develop and maintain the Hollister Urban Area Water and Wastewater Master Plan. One of the key objectives of the MOU, as agreed to by the

above parties, is for the City of Hollister's new Water Reclamation Facility to provide a regional wastewater treatment facility for the Hollister Urban Area. The agencies are working on a number of issues; such as preparation of an environmental document and determining the appropriate administrative/organizational mechanism to provide regional treatment. It is expected that once these issues are resolved wastewater treatment will be available for properties in the identified Hollister Urban Area.

Planning and Zoning

The site is located within an Area of Special Study identified in the County of San Benito 1998 General Plan Land Use Element, Policy 9. The general plan designation for the project site is "Rural" (5-acre minimum lot size) and the site is located in the "Rural" zone district. Other general plan land use designations in the immediate vicinity of the project site include Agricultural Rangeland to the northeast, Agricultural Productive to the east, Rural/Urban to the south, and Rural Residential to the west between the site and the City of Hollister. The County's General Plan Policy 9 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."

Description of Project

The proposed project is a specific plan that would amend the general plan and guide development, including road and utilities infrastructure, parks, and open space buffers, on the project site. County review and approval is required for the Specific Plan, General Plan Amendment and Zoning Change requests.

The proposed project does not include a tentative map. To respond to market conditions when tentative map(s) are proposed and to coordinate residential development with the planned San Benito Campus on the adjoining parcel, the proposed project allows a range of residential uses that may vary from apartments and small lot cluster homes to single-family ranchettes. Regardless of the final lotting scheme, the maximum number of residential units would not exceed 220 units, excluding secondary dwelling units.

The proposed project would be constructed in two or more phases, and the initial two phases may be divided into additional phases of up to four per phase, for a maximum of eight phases. Each phase is anticipated to be implemented over a period of about two years, with project buildout occurring in five to 16 years from the time of tentative map approval.

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attached single, duet, duplex, triplex, fourplex dwellings, multi-family dwellings (five units), a guesthouse or other secondary residential units, not to exceed one per lot, and accessory buildings and uses. The proposed project also includes policies that allow a potential for up to five acres of neighborhood commercial uses near Fairvew Road.

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The proposed project provides parkland and open space exceeding County standards through physical construction and/or the payment of in-lieu fees. Proposed open space and parkland opportunities include a building exclusion zone near the Tres Pinos fault, buffer zones near the project boundaries, pocket parks, and drainage basins. The proposed project includes provisions to connect on-site open space and parks through a series of trails and provides connectivity with the adjoining San Benito Campus site.

The primary access to the site would be off of Fairview Road opposite Cielo Vista Drive, which would be extended along the southern edge of the plan area. Interior circulation is anticipated to be a loop pattern with access to and from Fairview Road. Conceptual circulation improvements illustrated in Figure 6, Land Use and Circulation Diagram, show the proposed land uses and conceptual circulation plan for the project site.

Water service would be provided by SSCWD. Currently, there are no formal spheres of influence or service area boundaries for wastewater treatment for the project site. However, based on the MOU agreement described previously it is anticipated that the City of Hollister Sanitary Sewer District will provide wastewater treatment service to the project site, pending a formal application by the City of Hollister to the San Benito County Local Agency Formation Commission (LAFCO) for annexation of the project site into the City of Hollister Sanitary Sewer District. Will serve letters have been received from each of these service providers. The proposed project includes provisions for the use of septic systems on lots of one acre or more, consistent with County design and performance standards, and in no case more than 22 lots serviced by septic systems.

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The locations of possible off-site improvements are included in Figure 7, Off-site Improvements. The proposed EVA road extends from the southeastern corner of the site through the adjacent parcel to Airline Highway. The proposed roadway improvements would occur on the adjacent parcel and within the Caltrans right-of-way on Airline Highway.

Two opportunities for connection to the City of Hollister sanitary sewer system are identified in the Specific Plan. The first requires the retrofitting and extension of existing mains within the Cielo Vista residential subdivision west of the site. This option (referred to in the Specific Plan as Alternative #1) would extend a new sewer main west from the site to the existing sewer mains in the Cielo Vista subdivision, and further extends the main west from the Cielo Vista pipe network to the existing sewer main on Enterprise Road. The second option (Alternative #2) is the construction of a new sewer main from Enterprise Road to the site along the north side of Airline Highway, and up Fairview Road to the project site. A portion of the Alternative #2 sewer main improvement construction would occur within the Caltrans right-of-way on Airline Highway. Alternative #2 would be implemented if the sewer main extension to and from the Cielo Vista subdivision is not feasible.

Project Background

The project applicant originally owned 137 acres located at the northeast corner of Airline Highway and Fairview Road. In 2008, the applicant and the Gavilan Joint Community College District (hereinafter "Gavilan College District") entered into a purchase and sale agreement for approximately 78-acre parcel between the project site and Airline Highway, upon which the Gavilan College District plans to construct a new full-service junior college campus (hereinafter "San Benito Campus"). The San Benito Campus is intended to serve the area, meet community needs, and prevent overcrowding at the existing Gavilan College Campus in Gilroy. The San Benito Campus project also includes a campus housing component of 70 dwelling units. The two entities have worked together to prepare and implement a development plan for sharing infrastructure and other development costs between the San Benito Campus and the Fairview Corners residential project.

Other Public Agencies Whose Approval is Required

California Department of Fish and Game (Authorization of Incidental Take Permit for state protected species)

Caltrans District 5 (Encroachment Permit)

City of Hollister (Authorization of sewer service connection)

Regional Water Quality Control Board (NPDES Permit)

Sunnyslope Water District (Authorization of water service connection)

U.S. Fish and Wildlife Service (Authorization of Incidental Take Permit for federally protected species)

Not to Scale

Source: EMC Planning Group Inc. 2009

Figure 1

Regional Location

Fairview Corners Residential Specific Plan Initial Study

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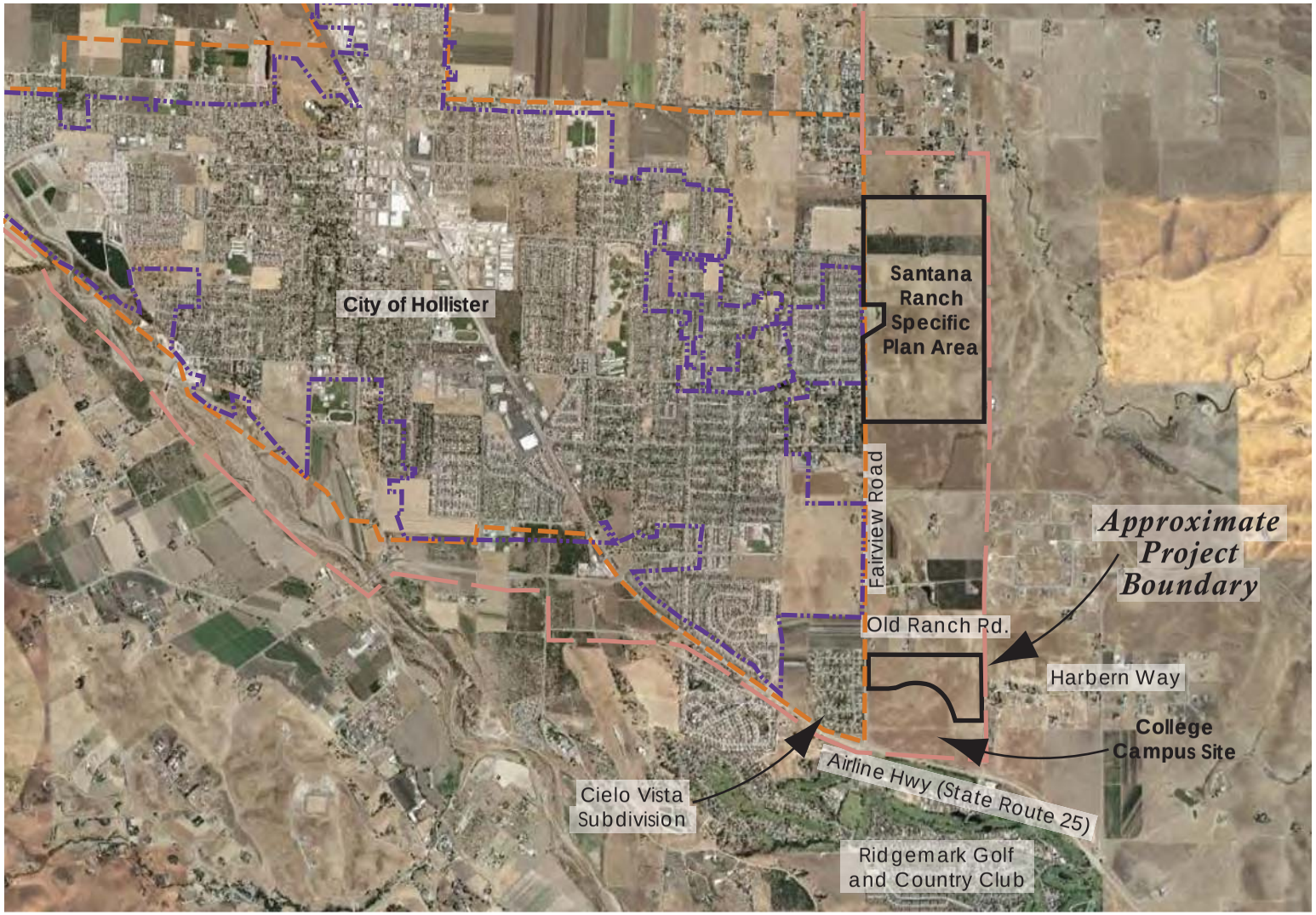

0 2000 feet

City of Hollister City Limits
City of Hollister Sphere of Influence
City of Hollister Planning Area

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

Figure 2
Project Vicinity

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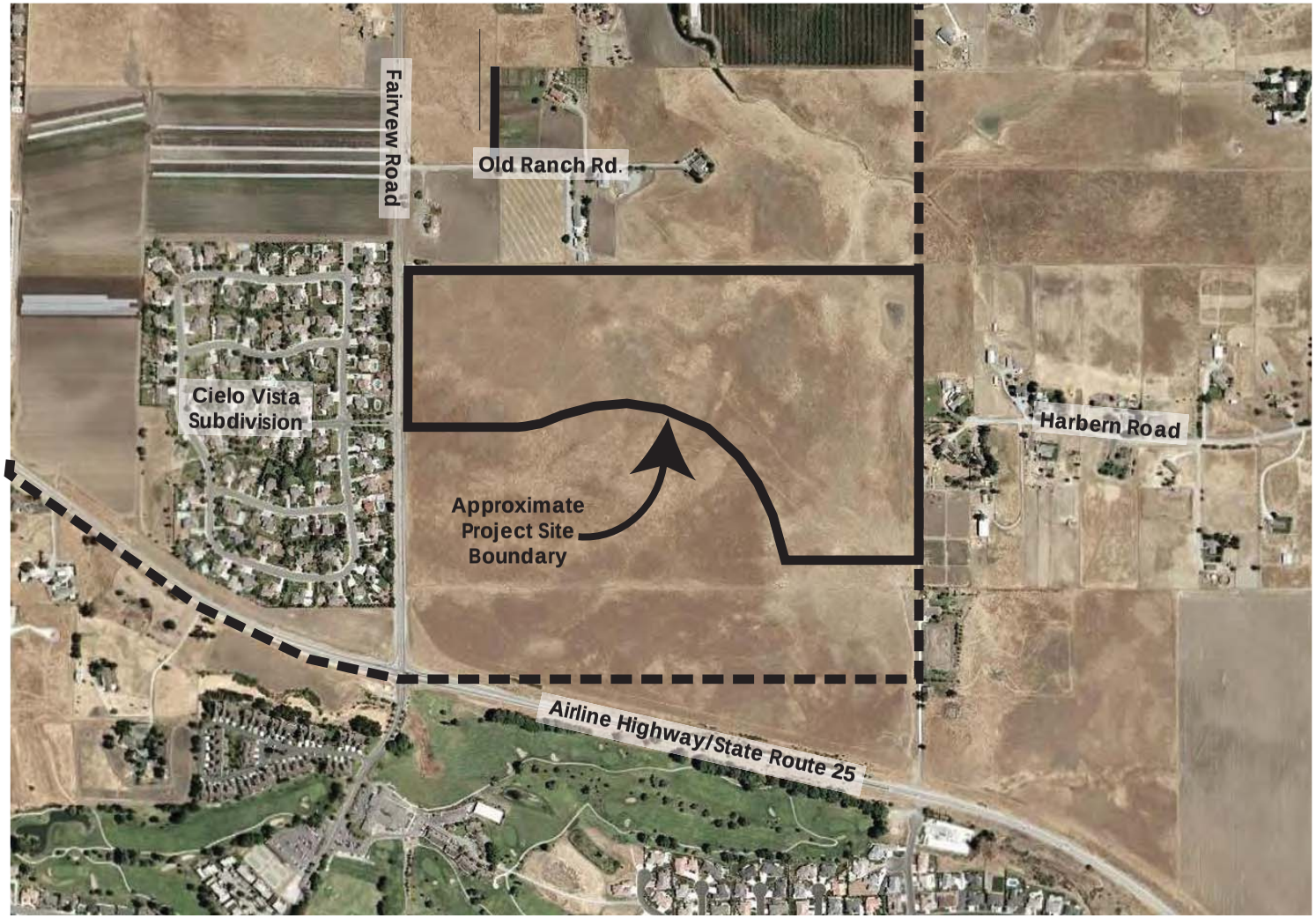

0 70 feet

Project site boundary

City of Hollister Planning Area boundary

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

Figure 3

Aerial Photograph

Fairview Corners Residential Specific Plan Initial Study

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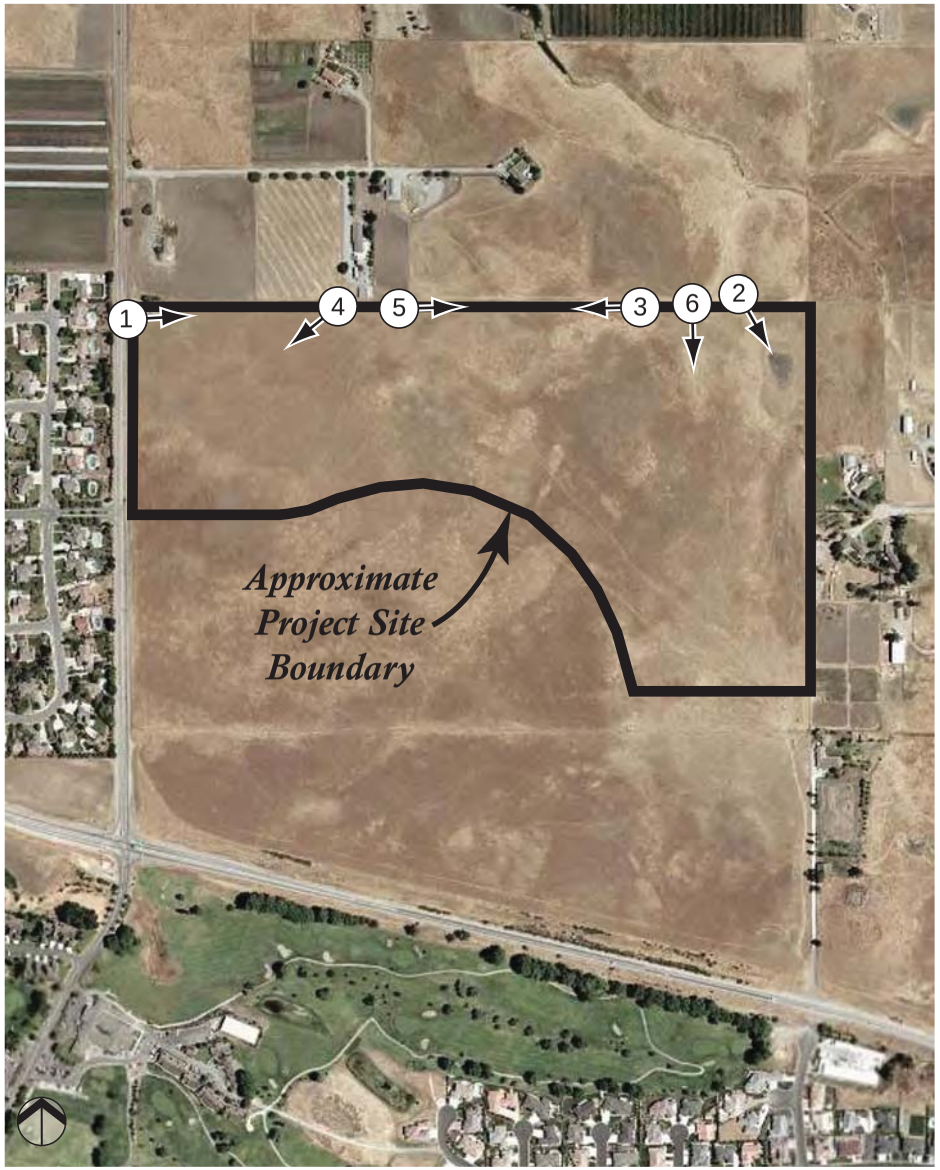
1 Looking east across the northern portion of the project site.

2 Looking southeast across the project site.

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



4 Looking southwest across the site towards the Cielo Vista subdivision.

5 Looking east along the northern boundary of the project site.

6 Looking south across project site from the northern boundary.

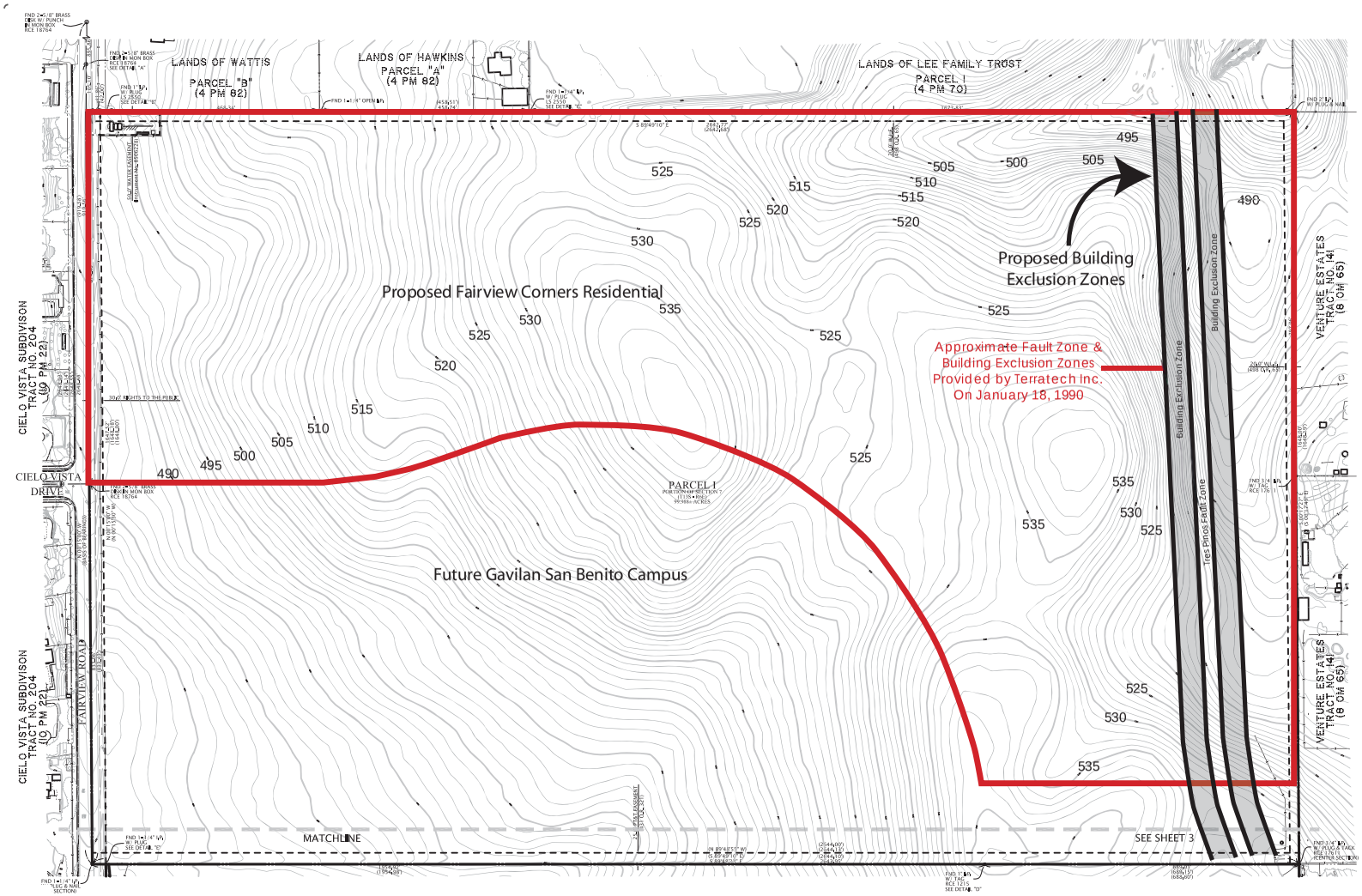
Source: EMC Planning Group Inc. 2009, Google Earth 2009

Figure 4

Site Photographs

Fairview Corners Residential Specific Plan Initial Study

This side intentionally left blank.



Not to Scale

Approximate project site boundary

Source: EMC Planning Group Inc. 2010, Kier & Wright Civil Engineers and Surveyors, Inc. 2008

Figure 5

Topography and Proposed Earthquake Fault Building Exclusion Zones

Fairview Corners Residential Specific Plan Initial Study

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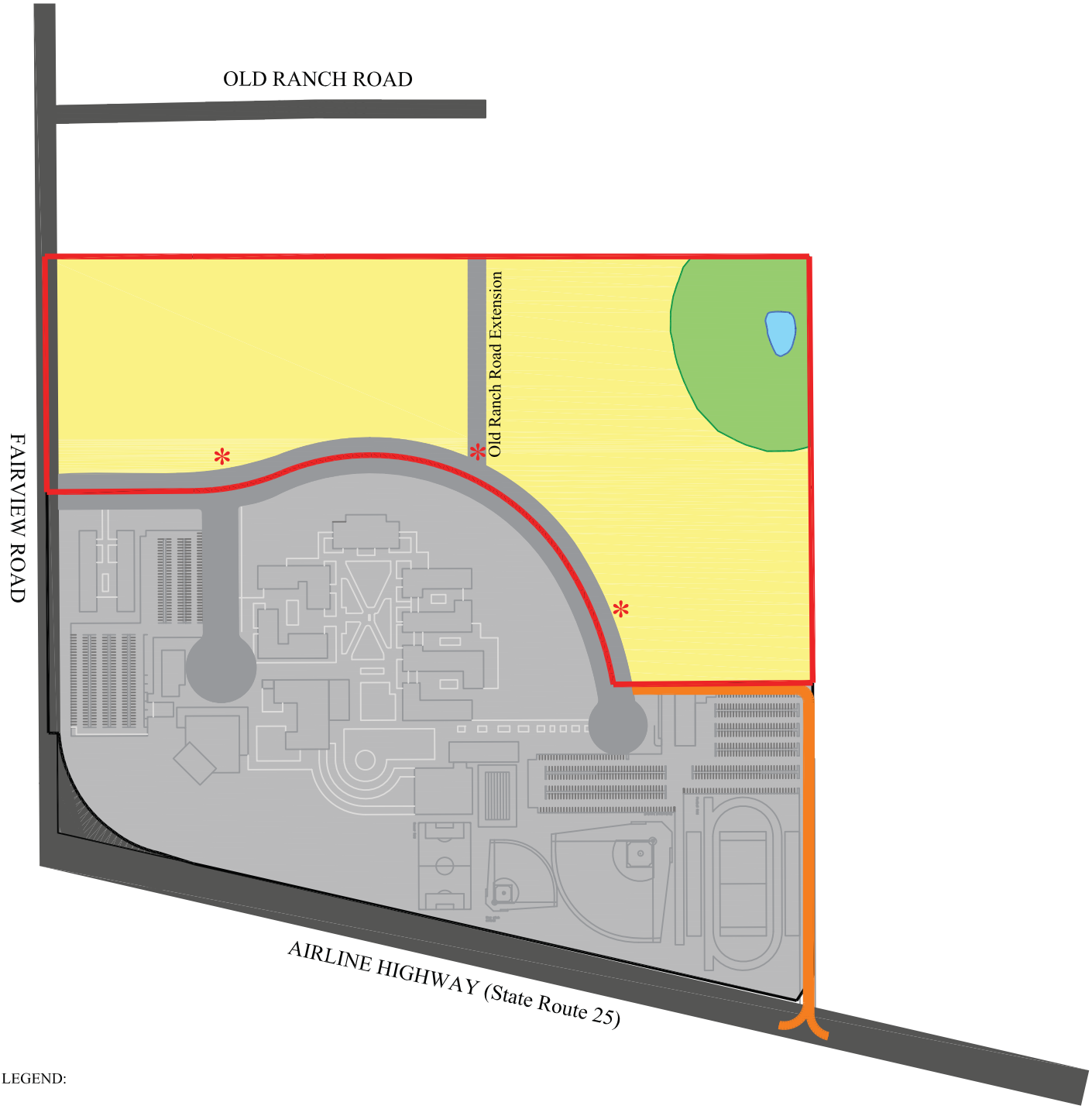

LEGEND:

- Plan Area Boundary
- Fairview Corners Residential
- Former Stock Pond
- 100m Buffer of Pond (in Plan Area)
- Onsite Mitigation for CTS
- Existing Roads
- Proposed Roads (as approved by Gavilan College)
- Emergency Vehicle Access (EVA)
- Gavilan San Benito College Campus (outside plan area boundary)
- Main Access Points (to Fairview Corners Residential)

Source: EMC Planning Group Inc. 2009
For illustrative purposes only

Figure 6

Land Use and Circulation Diagram

Fairview Corners Residential Specific Plan Initial Study

E M C

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Source: EMC Planning Group 2010, Google Earth 2010

Figure 7

Potential Off-site Improvements

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B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- ✓ Aesthetics
- ❑ Agriculture and Forestry Resources
- ❑ Air quality
- ✓ Biological Resources
- ❑ Cultural Resources
- ❑ Geology/Soils
- ✓ Greenhouse Gas Emissions
- ❑ Hazards & Hazardous Materials
- ✓ Hydrology/Water Quality
- ❑ Land Use/Planning
- ❑ Mineral Resources
- ✓ Noise
- ✓ Population/Housing
- ❑ Public Services
- ❑ Recreation
- ✓ Transportation/Traffic
- ✓ Utilities/Service Systems
- ✓ Mandatory Findings of Significance

C. DETERMINATION

On the basis of this initial evaluation:

❑ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

❑ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

❑ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

✓ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

❑ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Lissette Knight, Senior Planner

July ____, 2010

D. Evaluation of Environmental Impacts

Notes

1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well a project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, "Earlier Analyses," may be cross-referenced).

5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:

    a. "Earlier Analysis Used" identifies and states where such document is available for review.

b. "Impact Adequately Addressed" identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.

c. "Mitigation Measures"—For effects that are "Less-Than-Significant Impact with Mitigation Measures Incorporated," mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.

7. "Supporting Information Sources"—A source list is attached, and other sources used or individuals contacted are cited in the discussion.

8. This is the format recommended in the CEQA Guidelines as amended March 2010.

9. The explanation of each issue identifies:

   a. The significance criteria or threshold, if any, used to evaluate each question; and

   b. The mitigation measure identified, if any to reduce the impact to less than significant.

1. AESTHETICS

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Have a substantial adverse effect on a scenic vista? (1,2,3)	❑	❑	❑	✓
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (1,2,3,4,5)	❑	❑	✓	❑
c. Substantially degrade the existing visual character or quality of the site and its surroundings? (2,3,7)	✓	❑	❑	❑
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (2,3,9)	✓	❑	❑	❑

Comments:

a. The site is not identified as a scenic vista in the County of San Benito 1995 General Plan Open Space and Conservation Element.

b. The project site is not located within a Scenic Highway zoning district identified in the San Benito 1995 General Plan Roads and Highways Element. Limited views of the site are available from Airline Highway and Fairview Road. Fairview Road and Airline Highway/State Route 25 are not identified as scenic roadways in the San Benito County General Plan Scenic Roads and Highways Element. State Route 25 is not officially designated as a State Scenic Highway, but is listed by the Caltrans mapping system as a candidate for state scenic highway status. The scenic characteristics of State Route 25 would be expected to be of higher quality in rural areas of the county as opposed to the more urbanized areas near the City of Hollister. As such, future development on the site would not detract substantially from the overall scenic quality of State Route 25, because site does not adjoin the highway and is adjacent to established urban development in proximity to the City of Hollister. No further analysis is required.

c. The County of San Benito 1994 General Plan Environmental Resources and Constraints Inventory identifies the County's overall rural landscape, framed by the Gabilan Mountains to the west and the Diablo Mountain range to the north and east, as important and character-defining visual resources (page 1). The project site is

undeveloped and consists of non-native grassland. The topography of the site undulates with an overall gradual change in elevation from west to east. From Fairview Road, the topography slopes gradually upward before dropping down toward the eastern portion of the site. These visual features of the project site contribute to the visual character of the rural landscape. There are no significant visual or aesthetic resources on the project site, except for the open space characteristic of the property itself.

Existing views of the site from Fairview Road looking northeast are limited to only that portion of the site closest to the roadway, which is framed by distant views of the Mount Diablo mountain range. Existing views from Fairview Road looking east are limited by the gradual rise in the site topography, but also afford views of distant hills. The site is in the foreground of public views from Old Ranch Road, but public views of the site are not available from Harbern Way. The site, when viewed from Airline Highway, is visible as the crest of the hill above the Gavilan San Benito Campus property, which dominates the foreground view.

The proposed project would interrupt public views of Mount Diablo from Fairview Road and public streets within the Cielo Vista residential subdivision to the west, as well as from public roadways within the new development itself. The planned Gavilan College San Benito Campus project would interrupt views of the site and distant mountains from Airline Highway; however, if the residential project is constructed prior to the campus project, the residential development would be within the line of sight from Airline Highway and would interrupt currently unimpeded views of the Diablo mountain range. The Gavilan EIR (pp 152-153) determined that construction of the project individually and combined with the Gavilan College San Benito Campus project would result in a significant impact to the overall scenic quality of the site and surroundings. A Statement of Overriding Considerations was made by the District Board in its consideration of the San Benito Campus project.

Development of the proposed project site would result in a significant impact to the overall scenic quality of the site and its surroundings. The individual and cumulative effects of the proposed project's impact to the scenic quality of the site and surroundings will be studied in the EIR.

d. The Gavilan EIR also found that the proposed project would introduce new sources of light and glare to the project site (pp 152-153). The Gavilan EIR noted in avoidance measure AM VIS-2, that the "residential project would be subject to County design review, County Architectural Site Approval process." which would reduce the impact to less than significant. However, because the proposed project site is located in an area that has "unique nighttime viewing conditions" as identified in the County general plan, the individual and cumulative contribution of the proposed project's impacts of light and glare will be reviewed further in the project EIR.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (5,7)	❑	❑	❑	✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (3,5,7)	❑	❑	❑	✓
c. 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))? (9)	❑	❑	❑	✓
d. Result in the loss of forest land or conversion of forest land to non-forest use? (2,3)	❑	❑	❑	✓
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (2,3,9)	❑	❑	❑	✓

Comments:

a. According to the County of San Benito 1994 Environmental Resources and Constraints Inventory, the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. According to the analysis contained in the Gavilan FEIR (page 48), the project site does not have a high agricultural value and the adjacent surrounding properties are designated Urban and Built-up Land, Other Land, or Grazing Land, by the California Department of Conservation. Therefore the proposed project would not result in the loss of prime, unique, or important farmland. No further analysis is required.

b. No portion of the project site is under a Williamson Act contract. The project site is currently unimproved rangeland and consists of an agricultural field of cultivated barely that is annually diced and periodically grazed by cattle.

c. There are no trees on the project site and it is not located within an area zoned for Timberland Production. Therefore, the proposed project would not conflict with existing forest land zoning or cause the rezoning of forest or timberland.

d. There are no forest lands on the project site. Therefore, the proposed project would not result in any loss of forest land or result in the conversion of forest land to non-forest use.

e. The proposed project would result in the conversion of the site from agricultural uses to residential uses; however, the proposed project would not result in the loss of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. As noted above in Items c and d, the proposed project would not result in the conversion of forest land to a non-forest use. The project would have a less than significant impact on agricultural resources and would have no impact on forest resources. No further analysis is required.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Conflict with or obstruct implementation of the applicable air quality plan? (3,10,11,12)	❑	❑	❑	✓
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (2,3,7,10)	❑	❑	✓	❑
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (2,3,7,10)	❑	❑	✓	❑
d. Expose sensitive receptors to substantial pollutant concentrations? (2,3,7,13,16)	❑	✓	❑	❑
e. Create objectionable odors affecting a substantial number of people? (2,3,7,10)	❑	❑	✓	❑

Comments:

a. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is responsible for monitoring air quality in the North Central Coast Air Basin (NCCAB). The NCCAB is designated, under state criteria, as a non-attainment area for particulate matter 10 microns in diameter or smaller (PM_{10}) and is in non-attainment-transitional for the state 1-hour ozone (O_3) standard. To achieve compliance with state air quality standards, the MBUAPCD adopted the Air Quality Management Plan (AQMP) in 1991 (latest revision August 2008).

Conformity of population-related projects with the AQMP is assessed by comparing the projected population growth associated with the project to population forecasts adopted by Association of Monterey Bay Area Government (AMBAG). These population projections are used to generate emission forecasts upon which the AQMP is based. According to the California Department of Finance, the current population for unincorporated San Benito County is estimated to be 19,071, with an average persons

per household of 3.081 persons. The proposed project would result in a population increase of up to approximately 678 persons. The proposed Santana Ranch Specific Plan to the north and San Benito Campus residential projects are anticipated to include a combined total of 1,162 dwelling units, which would result in a population increase of approximately 3,580 people. These two projects, along with the proposed project, would contribute to a total increase in population of about 4,258 persons over a period of ten to 16 years. The AMBAG population forecast for the unincorporated San Benito County for 2020 is an estimated 24,720 persons, and for 2025 is estimated to be 26,671. Over the next 16 years, AMBAG forecasts indicate that the county population should grow by about 7,600 people. The proposed project's individual and cumulative contribution to population growth is consistent with the forecast and would not conflict with the AQMP.

b,c. The project site is located in the NCCAB, which is currently in non-attainment status for PM_{10} and ozone. The MBUAPCD has developed criteria pollutant emissions thresholds, which meet or exceed state and federal air quality thresholds. State thresholds are enforced by the California Air Resources Board (CARB) as mandated by the California Clean Air Act. The thresholds are used to determine whether or not the proposed project would violate an air quality standard or contribute to an existing violation. An air quality analysis for the project was prepared for the Gavilan EIR by Illingworth & Rodkin, Inc. in May 2008, and is found in Appendix B of the Gavilan EIR.

Operational Impacts. The proposed project could result in the development of the site with up to 220 single-family residential units. Table 5-4 in the MBUAPCD CEQA Guidelines identifies indirect sources that could significantly affect regional air quality if not mitigated. Projects that exceed the thresholds listed in Table 5-4 would contribute to a significant cumulative impact. According to Table 5-4, the threshold of significance for single-family residential projects, is 810 dwelling units. The proposed project, with 220 dwelling units is below the nine ppm threshold. According to the MBUAPCD thresholds, the project's contribution of indirect source ozone precursor and PM_{10} emissions to regional air quality impacts is not cumulatively considerable. Therefore the impact is less than significant. No further analysis is required.

The air quality analysis prepared for the Gavilan EIR addresses the development of 220 residential units on the project site, and evaluated the project's direct contribution to regional air quality. Emissions were predicted using the URBEMIS 2007 model (Version 9.2.4.). The analysis looked at emissions of volatile organic compounds (VOC), also known as reactive organic gases (ROG), nitrogen oxides (NO_x), carbon monoxide (CO), and PM_{10}. The results of the URBEMIS analysis of the proposed project can be found in Table 1, Daily Project Emissions in Pounds Per Day.

Table 1 Daily Project Emissions in Pounds Per Day

Scenario	Modeled Daily Emissions in Pounds Per Day (lbs/day)			
	Reactive Organic Gases (ROG) - Summer	**Nitrogen Oxides (NOx) – Summer**	**Carbon Monoxide (CO) – Winter**	**Respirable Particulates (PM_{10}) - Winter**
Residential (2020)				
Area Source Emissions	14.9	2.9	11	27.8
Operational Emissions	14.4	23.1	--	--
Total	29.3	26	11	28
MBUAPCD Thresholds	*137*	137	5501	822

Source: URBEMIS2007 Air Emissions From Land Use Ver. 9.2.4 in the year 2020 and 2035, David Powers & Associates Gavilan San Benito Campus/Fairview Corners AFEIR November 2008

Note: 1 For stationary sources only
2 Applies only to on-site emissions

According to the analysis, the proposed project would result in 29.3 pounds per day (lbs/day) of ROG, 26 lbs/day of NO_x, 11 lbs/day of CO, and 28 lbs/day of PM_{10}. NO_x, ROG and CO emissions are predicted to be below MBUAPCD significance thresholds. The majority of NO_x emissions (over 90 percent) would come from project traffic. The proposed project emissions does not exceed MBUAPCD thresholds and proposed impacts from project emissions are individually less than significant. The URBEMIS results are included in Appendix B of the Gavilan EIR.

Based upon the MBUAPCD Thresholds, the proposed project ozone precursor and PM_{10} emissions would contribute to a cumulative impact on regional air quality; however, the project's contribution to that impact would not be cumulatively considerable. Therefore, cumulative impacts to regional air quality would be less than significant.

The air quality analysis prepared for the Gavilan EIR also analyzed the impacts of the proposed project on local air quality. Carbon monoxide emissions from traffic would be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high localized concentrations of carbon monoxide. The highest carbon monoxide concentrations typically occur during winter in areas where traffic congestion occurs. The California ambient air quality standard for mobile sources of carbon monoxide is nine (9) parts per million (ppm). The

highest carbon monoxide level measured in the air basin is one (1) ppm for an eight-hour exposure. The Gavilan EIR reported that the highest concentration of mobile source carbon monoxide would be 2.5 ppm, which would occur at the intersection of Fairview Road and Airline Highway (page 94). This level is well below state standards and the Gavilan EIR concluded that the impacts on local air quality resulting from the proposed project individually and in combination with the San Benito Campus project are less than significant. No further analysis is required.

Short-Term Construction Emissions. The proposed project would result in potentially significant air quality impacts with regard to dust (PM_{10}). The primary sources of construction-related dust include grading, excavation, building of roads, and travel on unpaved surfaces. Emissions produced during grading and construction activities are considered "short-term" as they occur only during the construction phase of the project. Construction emissions include mobile source exhaust emissions, emissions generated during the application of asphalt paving material and architectural coatings, as well as emissions of fugitive dust associated with earthmoving equipment. Short-term emissions include on- and off-site generation of fugitive dust, on-site generation of exhaust emissions from construction equipment, and off-site generation of mobile source emissions during the construction phase of the project. "Worst case" construction phase emissions typically occur during initial site preparation, including grading, and excavation, due to the increased amount of surface disturbance that can generate dust and to construction equipment emissions.

Table 5-2 of the MBUAPCD CEQA Guidelines identifies the level of construction activity that could result in significant impacts if not mitigated. Within the NCCAB, construction PM_{10} emission impacts on regional air quality are assessed based on the quantity of earth movement that would take place on a given day of construction. Grading in excess of 2.2 acres in a given day is considered to result in a potentially significant impact. Implementation of the Specific Plan will require grading and site contouring to accommodate the proposed improvements. A grading plan for the proposed project is not yet available; however, the proposed project's construction emissions were studied in the air quality analysis prepared for the Gavilan EIR. That EIR determined that it is possible that more than 2.2 acres may be disturbed on the project site on any given day during construction, which would be a significant impact (page 95). The Gavilan EIR includes a mitigation measure (MM Air-2.1) to reduce PM_{10} emissions from grading and construction on each site. Implementation of the following mitigation measure would reduce this impact to a less than significant level:

Mitigation Measure

AQ-1. Prior to the start of construction, the project applicant shall provide a construction dust mitigation plan to San Benito County. The plan shall specify the methods of dust control that would be utilized, demonstrate the availability of needed equipment and personnel, use reclaimed water for dust control, and identify a responsible individual who, if needed, can authorize implementation of additional measures. The plan shall be included on all construction documents and plans. The construction dust mitigation plan shall, at a minimum, include the following measures:

1. *Limit grading activity to a maximum of 2.2 acres daily. As more detailed construction information becomes available, emissions from grading activities could be reassessed to determine if the area of grading could be increased. Such an assessment would be completed using appropriate assumptions and mitigation measures.*
2. *Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to existing residences should be kept damp at all times. If necessary, during windy periods, watering is to occur on all days of the week regardless of onsite activities.*
3. *Cover soil or maintain at least two feet of freeboard on all hauling trucks.*
4. *Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.*
5. *Sweep daily all paved access roads, parking areas and staging areas at construction sites.*
6. *Sweep streets daily if visible soil material is deposited onto the adjacent roads.*
7. *Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).*
8. *Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles.*
9. *Limit traffic speeds on unpaved roads to 15 mph.*
10. *Replant vegetation in disturbed areas as quickly as possible.*
11. *Suspend excavation and grading activity when hourly-average winds exceed 15 mph and visible dust clouds cannot be contained within the site.*

Use of the measures above and limiting size of areas to be graded during a single day would reduce the impacts of short term dust emissions to a less-than-significant level.

d. According to the MBUAPCD CEQA Guidelines, a sensitive receptor is generically defined as a location where human populations, especially children, seniors, and sick persons, are located where there is reasonable expectation of continuous human exposure. These typically include residences, hospitals, and schools. The nearest sensitive receptors to the project site are the single-family residences in the Cielo Vista subdivision on Fairview Road and the rural residential homes located to the north and the east. These homes would be about 100 to 150 feet or further from the closest construction activities. In addition, construction of the residential uses on the project site would occur in phases, meaning some of the residences will be completed and in use while construction is still occurring. Residents on the site also may be exposed to construction dust from ongoing construction activities as each phase of the proposed project is constructed. This is a potentially significant impact. The implementation of mitigation measure AQ-1 would reduce this impact to a less than significant level.

Diesel Emissions. The air quality analysis prepared for the Gavilan EIR also analyzed the air quality impacts of the proposed project in regard to Toxic Air Contaminants (TACs). Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Diesel engines emit a complex mix of pollutants including NOX, particulate matter, and TACs. The most visible constituents of diesel exhaust are very small carbon particles or "soot," known as diesel particulate matter (DPM). Diesel exhaust also contains over 40 cancer-causing substances, most of which are readily adsorbed on the soot particles. Among the TACs contained in diesel exhaust are dioxin, lead, polycyclic organic matter, and acrolein.

Short-term exposure to DPM is associated with variable irritation and inflammatory symptoms. Diesel engine emissions are responsible for a majority of California's estimated cancer risk attributable to air pollution. In 2000, CARB identified an average potential cancer risk of 540 excess cases per million people, statewide, from DPM. In addition, DPM is a significant fraction of California’s particulate pollution. Assessments by CARB and the U.S. Environmental Protection Agency estimate that DPM contributes to approximately 3,500 premature respiratory and cardiovascular deaths and thousands of hospital admissions annually in California. Diesel exhaust contains several chemicals detrimental to visibility and vegetation (OEHHA 2001).

Based upon the information provided by the air quality analysis, the Gavilan EIR concludes that the proposed project could result in significant construction related air quality impacts from diesel exhaust. The Gavilan EIR includes a mitigation measure (MM Air-2.2) to reduce the impact to less than significant (pp 98-99). However, since the Gavilan EIR was prepared, the MBUAPCD has suspended the use of its recommended mitigation measures for diesel exhaust, in lieu of changes in diesel emissions thresholds and control measures at the state and federal level, and the increasing availability of low emissions diesel fuel.

EPA regulates diesel engine design and fuel composition at the federal level, and has implemented a series of measures since 1994 to reduce NOX and particulate emissions from off-road diesel equipment. EPA Tier 2 diesel engine standards were implemented from 2001 and 2006, Tier 3 standards from 2006-2008, and Tier 4 standards are being phased in through 2014. Ultralow sulfur off-road diesel fuel (15 ppm) will become standard in 2010, replacing the current 500 ppm fuel. The Tier 4 engines and ultralow sulfur fuels will reduce emissions by up to 65 percent compared to older engines and fuel (EPA 2004). CARB's Regulation for In-use Off-road Diesel Vehicles establishes a state program to reduce emissions from older construction equipment. Although the implementation phasing for this regulation was delayed by budget legislation in early 2009, the regulation is in effect and will reduce construction equipment emissions over time.

Although the project buildout is likely to occur in several phases over a period of five to 16 years, the duration of construction activities per phase would occur over relatively short periods of time. During the construction phases, the closest sensitive receptors would be about 100 to 150 feet from construction activities, and typically would be more than 500 feet away from active construction activities. Exposure of sensitive receptors to diesel emissions during construction would be limited and, combined with improvements in low emissions diesel fuel, is anticipated to be low. The impact is less than significant and no further analysis is required.

e. According to the MBUAPCD CEQA Air Quality Guidelines, "Odors are objectionable emissions of one or more pollutants (sulfur compounds, methane, etc.) that are a nuisance to health persons and may trigger asthma episodes in people with sensitive airways." Nuisance odors are commonly associated with refineries, landfills, sewage treatment, agriculture, etc. The proposed project may result in some short-term construction-related odors (e.g., asphalt during paving), but is not anticipated to produce offensive odors during operation. The impact would be less than significant. No additional analysis is necessary.

4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (2,7,14)	✓	❑	❑	❑
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (2,7,14)	✓	❑	❑	❑
c. 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, filing, hydrological interruption, or other means? (2,7)	❑	❑	✓	❑
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (2,7)	❑	❑	✓	❑
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2,7)	❑	❑	❑	✓
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2,7)	❑	❑	✓	❑

Comments:

a,b. A biotic evaluation was prepared for the Gavilan EIR to document the results of wildlife and botanical surveys and to analyze potential impacts to biological resources at or

within the project vicinity as a result of the project. The report is titled Gavilan College/Fairview Corners ADEIR/DEIR Biotic Evaluation, City of Hollister, California ("Biological Report," Live Oak Associates 2008). The report is found in Appendix G of the Gavilan EIR. The following analysis is based on the results contained in this report as well as subsequent research and investigation conducted by EMC Planning Group associated with preparation of a Habitat Conservation Plan (HCP) for the proposed project.

A reconnaissance level field survey of the study area was conducted on October 23, 2007 by Live Oak Associates. Additional site visits were conducted by Live Oak Associates on February 5, 2008 to delineate aquatic features on and adjacent to the site and in April and May 2007 to survey for special status plant species.

The project site primarily consists of a field of cultivated barley (*Triticum aestivum*) that is annually disced and periodically grazed by cattle. Common grasses and forbs observed throughout the field include, but are not limited to, soft chess (*Bromus hordeaceus*), Mediterranean barley (*Hordeum marinum ssp. gussoneanum*), yellow star thistle (*Centaurea solstitialis*), vinegarweed (*Trichostema lanceolatum*), and field bindweed (*Convolvulus arvensis*). Surrounding land uses include open space, agricultural, and low-density, rural residences to the north and east; a golf course to the south; and residential development to the west. The site itself is regularly disced, planted, and grazed and retains little of its natural character.

Traces of a former stock pond persist within the northeast corner of the agricultural field. The remnant stock pond is a relict feature that is known to have held water as of 2000; the most recent occurrence of ponding is unknown. Under current land management practices (i.e., regular discing), this feature does not appear to pond water. It was dry at the time of the October 2007 survey and was only slightly moist (i.e., the soils were damp) at the time of the February 2008 survey within a week following a storm event in the region; however, surface water was not present. The vegetation that exists within the remains of this stock pond is comprised of the same species that occur on the rest of the site; however, it also features poison hemlock (*Conium maculatum*) and spiny cocklebur (*Xanthium spinosum*). EMC Planning Group also conducted site visits on June 15, 2007, April 30th, 2009, June 1, 2009, September 26, 2009, December 12, 2009, January 14, 2010, and February 1, 2010. At the time of these site visits, the stock pond also did not contain water.

Special Status Species. Special status species generally occur in relatively undisturbed areas and are largely found within unique vegetation communities and/or habitats such as vernal pools or alkali flats. A table identifying the species known to occur within the

project vicinity and an assessment of their likelihood to occur within the project area is included in the Biological Report. The dominance of non-native annual and perennial plant species and frequent disturbance from maintenance activities likely preclude the presence of most special status species, however based on the field surveys suitable habitat for California tiger salamander (*Ambystoma californiense*), burrowing owl (*Athene cunicularia*), San Joaquin kit fox (*Vulpes macrotis mutica*), American badger (*Taxidea taxus*), and nesting migratory birds and raptors was identified.

California Tiger Salamander. California tiger salamander is federally listed as threatened and is currently designated as a "species of special concern" by the CDFG, although an increase to this listing is under review. California tiger salamanders typically occur in the California Central Valley and in surrounding foothills of both the Coast Range and Sierra Nevada mountains. Adult California tiger salamanders spend the majority of the year below ground in ground squirrel burrows or other rodent burrows. The salamanders are only above ground during the winter and spring rainy season when they feed and move to aquatic breeding sites, such as seasonal ponds, stock ponds, reservoirs, lakes, and occasionally stream pools that are devoid of fish. The larvae spend two to four months in the water before transforming to the adult form and seeking suitable terrestrial habitat. California tiger salamanders can migrate considerable distances (more than one mile) to aestivation (summer) habitat (typically ground squirrel burrows in open grasslands). Although California tiger salamanders do not currently breed on the site, salamander breeding was observed on the site in 2000 and the project site is located within USFWS-designated critical habitat. Without extensive surveys, it is not possible to conclude the absence of the species from the site. In the absence of such surveys, it is assumed that the proposed project would impact 78 acres of salamander aestivation habitat. If salamanders occur on the site, the proposed project could result in the loss of individuals, which would likely be considered a take under the state and federal endangered species acts.

This is considered a potentially significant impact and additional analysis will be conducted in the EIR.

San Joaquin Kit Fox. San Joaquin kit fox is federally listed as endangered and state listed as threatened. San Joaquin kit fox typically inhabits annual grasslands or grassy open spaces with scattered shrubby vegetation, but can also be found in some agricultural habitats and urban areas. San Joaquin kit foxes need loose-textured sandy soils for burrowing, and they also need areas that provide a suitable prey base, including black-tailed hare, desert cottontails, and California ground squirrels, as well as birds, reptiles, and carrion. No burrows possessing the dimensions suitable for the kit fox were observed on the project site. It is possible, though highly unlikely, that an individual kit fox could move onto the site incidentally prior to construction. Construction-related activities may result in harm or injury to individual kit foxes if they were to occur on the project site.

This is considered a potentially significant impact and additional analysis will be conducted in the EIR.

Burrowing Owl. Burrowing owl is a CDFG "Species of Special Concern." Burrowing owls live and breed in burrows in the ground, especially in abandoned ground squirrel burrows. Optimal habitat conditions include large open, dry and nearly level grasslands or prairies with short to moderate vegetation height and cover, areas of bare ground, and populations of burrowing mammals. Although no burrowing owls were seen during the surveys small mammal burrows present within the grassland areas are considered potential habitat. The project site provides marginally suitable nesting habitat for burrowing owls, however, if a burrowing owl were to occupy burrows on or near the project site prior to project-related development activities, these activities could result in the abandonment of active burrows or direct mortality to owls. Construction activities may adversely affect the nesting success of raptors or result in mortality of individual owls constitutes a violation of state and federal laws.

This is considered a potentially significant impact and additional analysis will be conducted in the EIR.

American Badger. The American badger is an uncommon, permanent resident found throughout most of the state, with the exception of the north coast. The American badger is listed as a species of special concern in California. The badger is most abundant in grassland and the drier, more open successional stages of shrub, forest, and herbaceous habitats with friable soils. Although no American badgers were observed on the site, if a badger were to occupy burrows on or near the project site prior to project-related development activities, these activities could result in the abandonment of active burrows or direct mortality to badgers. Construction activities may result in harm or injury to individual badgers.

This is considered a potentially significant impact and additional analysis will be conducted in the EIR.

Nesting Raptors and Migratory Birds. Although no tree nests or ground nests were observed on or adjacent to the site, large trees immediately to the east and south of the site provide potential nesting habitat for tree-nesting raptors, such as merlin, Cooper's hawk, white-tailed kite, prairie falcon, ferruginous hawk, and red-tailed hawk, which are known in the project vicinity. Grassland may also provide foraging habitat for these species. In addition, migratory birds may also nest within trees and vegetation present on the project site. Birds may nest in urban ornamental trees and shrubs or on the ground. A total of 836 bird species are protected by the Migratory Bird Treaty Act and the CDFG (http://www.fws.gov/migratorybirds/ intrnltr/mbta/mbtandx.html). If a raptor were to

nest on or adjacent to the site prior to construction, construction activities could result in the abandonment of active nests or direct mortality. Construction activities that adversely affect the nesting success of raptors or other special status birds constitute a violation of state and federal law.

This is considered a potentially significant impact and additional analysis will be conducted in the EIR.

c. Natural drainage channels and wetlands are considered Waters of the United States. The U.S. Army Corps of Engineers regulates the filling or grading of such waters by authority of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Potential waters of the U.S. and wetlands were assessed during the surveys. The only aquatic feature occurring on the site is the stock pond remnant in the site's northeast corner. However, this appears to be a relict feature, as it does not appear to become inundated following major storm events. Additionally, the stock pond is hydrologically isolated from known Waters of the U.S. and their tributaries, does not replace the functions and values of historic waters, and does not meet the USACE's technical criteria for jurisdictional wetlands. A Waters of the U.S. analysis was completed for the site, and the USACE determined that no waters, including the remnant stock pond, meet the definition of a Water of the U.S (Live Oak Associates 2008, USACE 2008). Therefore, no features on the site are subject to regulation by the USACE.

d. Wildlife corridors provide connectivity between habitat areas, enhancing species richness and diversity. Impacts from development, such as habitat fragmentation and/or isolation, as well as the creation of impassable barriers can cause a significant impact to wildlife corridors. Impacts from the proposed project on wildlife corridors are expected to be minimal, as the project site is surrounded by rural and low density residences.

e. The proposed project does not include tree removal and would not conflict with any local policies or ordinances protecting trees.

f. The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. There are currently no adopted applicable plans affecting the County of San Benito. San Benito County adopted Ordinance 541 in 1988 to establish and collect fees for financing a county-wide HCP and for San Joaquin kit fox protection measures. These fees are paid by the applicant as a condition of the issuance of a building permit. Fees paid through this ordinance do not provide take authorization under the federal or state Endangered Species Acts.

To obtain take authorization a draft Habitat Conservation Plan (HCP) is currently being prepared for the proposed project and further analysis will be required in the EIR.

5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5? (2,3,7,19)	❑	✓	❑	❑
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (2,3,7,19)	❑	✓	❑	❑
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (2,3,7,19)	❑	✓	❑	❑
d. Disturb any human remains, including those interred outside of formal cemeteries? (2,3,7,19)	❑	✓	❑	❑

Comments:

a-d. A cultural resource evaluation of the proposed project site and the adjacent San Benito Campus project site was prepared by Archaeological Resource Management in January 2008 for the Gavilan EIR. An archaeological literature review for both project sites was completed to search for evidence of recorded archaeological and/or historic sites in and around either project area. No recorded archaeological sites are located within the projects' boundaries. A recorded historic site (CA-SBN-151H) is located approximately one-half mile east of the project site. This site is described as the Best Ranch Complex, a historic complex consisting of a residence constructed in the 1890's, a large barn, five outbuildings, and several historic trees.

On-site Improvements. A general surface reconnaissance was also completed by a field archaeologist on all open land surfaces on each project site. A "controlled intuitive reconnaissance" was completed in places where burrowing animals, exposed banks and inclines, and other activities have revealed subsurface indicators of cultural materials and soil contents. Traces of both prehistoric and historic cultural materials were noted on both sites during the surface reconnaissance. Historic cultural materials observed during the reconnaissance included whiteware fragments, thick aqua glass vessel fragments, large mammal bone fragments (bovine), a rusted horseshoe, a rusted metal ring, as well as concrete and asphalt fragments. Prehistoric cultural materials consisted of three

fragments of fire-cracked rock, two chipped lithic flakes, and a stone artifact which shows indication of long-term abrasion by narrow objects which may be associated with the preparation of basketry materials.

A test excavation program was conducted on each site to determine the presence of a possible subsurface deposit within either project area. The test trenches revealed no indications of a subsurface prehistoric or historic deposit on either site. The results of the cultural evaluation reveal that the proposed project would not result in a significant impact to cultural resources. Nevertheless, the Gavilan EIR (pp 142-143) includes a n avoidance measure (AM CUL-1), applicable to the project site, that reduces potential impacts to unknown buried prehistoric resources, should they be encountered during site preparation activity. Implementation of the following mitigation measure (consistent with AM CUL-1) would reduce the impacts to previously unknown buried prehistoric resources on the project site to a less than significant level. No additional analysis of on-site cultural resources is required.

Mitigation Measure

C-1. The following measures shall be completed in the event prehistoric traces (human remains, artifacts, concentrations of shell/bone/rock/ash) are encountered during construction:

In the event that cultural artifacts are discovered, all construction within a 50-meter radius of the find shall be stopped, the County Planning Department notified, and an archaeologist retained to examine the find and make appropriate recommendations.

In the event that Native American human remains or funerary objects are discovered, the provisions of the California Health and Safety Code shall be followed. Section 7050.5(b) of the California Health and Safety Code states:

In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

The County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the Native American Heritage Commission within twenty-four hours. The Commission has various powers and duties to provide for the ultimate disposition of any Native American remains, as does the assigned Most Likely Descendant. Sections 5097.98 and 5097.99 of the Public Resources Code also call for "protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction." A combination of preconstruction worker training and intermittent construction monitoring by a qualified archaeologist will serve to achieve compliance with this requirement for protection of human remains. Worker training typically instructs workers as to the potential for discovery of cultural or human remains, and both the need for proper and timely reporting of such find, and the consequences of failure thereof. Once the find has been identified, the archaeologist will make the necessary places for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be significant according to CEQA.

Off-site Improvements. The proposed project includes improvements on Airline Highway/State Route 25 for the emergency access route and possibly sewer and water main extensions that were not analyzed in the cultural evaluation prepared for the Gavilan EIR. A cultural evaluation of these areas was conducted in 2010 by Archaeological Resource Management. A field investigation was undertaken and archival records reviewed. This secondary report confirmed that there are no records of known deposits on or near the project site other than the recorded historic Best Ranch Complex east of the project site. The field survey found no surface indicators or evidence of historic cultural resources along the Airline Highway right-of-way. The evaluation concluded that there is always a potential to unearth historic and/or prehistoric resources during excavation activity, which would be a significant impact and mitigation is required. Implementation of mitigation measure C-1, described previously, would reduce the impact to a less than significant level.

6. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (2,3,7)	❑	✓	❑	❑
(2) Strong seismic ground shaking? (2,3,7)	❑	✓	❑	❑
(3) Seismic-related ground failure, including liquefaction? (2,3,7,17)	❑	❑	❑	✓
(4) Landslides? (2,3,7,17)	❑	❑	❑	✓
b. Result in substantial soil erosion or the loss of topsoil? (2,3,7,17)	❑	❑	❑	✓
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (2,3,7,17)	❑	❑	✓	❑
d. 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? (2,3,7,17)	❑	✓	❑	❑
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (2,3,7,17)	❑	❑	❑	✓

Comments:

a.(1)-(2). A Combined Geotechnical and Fault Investigation was prepared by Terratech, Inc. in November 1989, and a Geotechnical Investigation was prepared by Terrasearch, Inc. in January 2008 for the Gavilan EIR. These reports are found in Appendix E of the Gavilan EIR.

The active 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. Based upon the 1989 fault investigation, which considered the results of several previously investigations, a trace of the Tres Pinos Fault was mapped on the project site. According to the geotechnical reports, future ground displacement would probably be confined to an area very close to the zone of fault-generated ground deformation as mapped in the 1989 investigation. Terratech recommended a 50-foot wide building setback on each side of the fault. Refer to Figure 5, Topography and Earthquake Fault Building Exclusion Zone, for the location of the proposed earthquake fault building exclusion zone on the project site.

The project site is expected to experience destructive ground shaking during seismic events associated with the San Andreas and Calaveras faults. The 35-foot wide Tres Pinos Fault and the area immediately adjacent to the fault could be subject to ground displacement during a strong seismic event on this fault, which could expose people and structures to substantial adverse effects from seismic activity. This is a significant impact. The following mitigation measure would reduce the impact to a less than significant level.

Mitigation Measure

GEO-1. Development of the project site will comply with the most recent California Building Code guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic ground shaking. All recommendations included in the 1989 fault investigation and in the 2008 geotechnical investigation prepared by Terrasearch, Inc. will be incorporated into the project design.

a.(3). Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a substantial loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained soils that

lie close to the ground surface. There are three soils types on the project site: Rincon silty clay loam, two to nine percent slopes (RsC), Antioch loam, two to five percent slopes (AnB), and San Benito clay loam, 15 to 30 percent slopes, eroded (SbE2). These soils are moderate to highly expansive soils, but are not considered susceptible to liquefaction. No further analysis is required.

a.(4). The topography of the project site consists of undulating hills with a relative elevation change of about 45 feet. As indicated by Figure 5, 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 gradual slopes of the site topography are not prone to landslide or erosion activity. No further analysis is required.

b. During construction, vegetation removal and grading would increase the potential for erosion on the site. The impacts associated with grading and erosion are analyzed in the Hydrology and Water Quality section of this document.

c. Although the project is susceptible to expansive soils, seismic shaking, and fault rupture, the implementation of mitigation measure GEO-1, listed at the end of this section, would reduce the impact to a less than significant level. No further analysis is required.

d. According to the Gavilan EIR geotechnical investigations, moderate to highly expansive soils are present on the site. Expansive soils can experience significant volume changes with variations in moisture content usually during seasonal wet and dry cycles. Expansive soils swell when wet, and shrink when dried. Such changes can cause distress to building foundations, slabs on grade, pavements, and other surface structures if not designed properly. Potential damage to structures on the site will be minimized through standard design and construction techniques as specified in the geotechnical report, and as stipulated in Mitigation Measure GEO-1. The impact of construction on expansive soils is reduced to less than significant by complying with the building code and County design and performance standards for construction on expansive soils.

e. The proposed project allows the use of septic systems for residential development on lots that are greater than one acre in size consistent with County regulations. A maximum of 22 lots would be served by septic tanks. A hydrological report prepared by Schaaf and Wheeler for the Gavilan EIR analysis, determined that groundwater below the project site is located at depths of approximately 120 feet below ground surface and on-site soils have a low infiltration rate. Therefore, soils on the project site are capable of supporting septic systems; however, the design and placement of septic systems are subject to review and approval by the County Health Department and County Engineer. Compliance with the County's design and constructions standards would reduce the effects of on-site septic systems and no additional mitigation is required.

7. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (2,3,7)	✓	❑	❑	❑
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (2,3,7)	✓	❑	❑	❑

Comments:

a,b. The Gavilan EIR analyzed the impact of the project on global climate change, as well as the impacts of climate change on the project. The analysis concluded that globally, the impact of the proposed project on greenhouse gas emissions is relatively small and that the impact of climate change on the project would be primarily economic, rather than an environmental impact. The previous analysis includes an avoidance measure that calls for the residential development to include energy conserving design and construction techniques that meet or exceed Title 24 requirements and to incorporate Green Building Practices including pre-wiring and/or installing some houses with solar power. The analysis concludes that the impact of the project on global climate change is less than significant. However, the project's impacts on climate change will need to be revaluated to reflect recently adopted changes to the CEQA Guidelines.

The potential impacts of the project's contribution to greenhouse gases that affect climate will be addressed in the EIR.

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (2,3,7)	❑	❑	❑	✓
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (2,3,7,18)	❑	❑	✓	❑
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (2,3,7)	❑	❑	❑	✓
d. 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? (15,18)	❑	❑	❑	✓
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or a public-use airport, result in a safety hazard for people residing or working in the project area? (2,3)	❑	❑	❑	✓
f. For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area? (2,3)	❑	❑	❑	✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (2,3,7)	❑	❑	❑	✓
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands area adjacent to urbanized areas or where residences are intermixed with wildlands? (5)	❑	❑	✓	❑

Comments:

a. The proposed project includes the development of up to 220 residential units and would not result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b. The proposed project would not 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. However, a Caltrans encroachment permit is required for the proposed emergency access lane approach and possible sewer main extension infrastructure improvements along Airline Highway. Caltrans typically requires an Initial Site Assessment to provide preliminary investigation as to whether the improvements within the Caltrans right-of-way would result in a release of hazardous materials. The Initial Site Assessment: Proposed EVA Lane Driveway Approach on Airline Highway - Gavilan College San Benito Campus/Fairview Corners Residential Project was prepared by EMC Planning Group Inc. (2010) and is included in Appendix A. The assessment found that the proposed off-site improvements within the Caltrans right-of-way would not result in the release of hazardous materials into the environment. The before the risks associated with hazardous materials and their release into the environment are less than significant.

c. The project site is not located within one-quarter mile of a school; however, the San Benito Campus project site is adjacent to the project site. The proposed Santana Ranch project includes a potential school site approximately two miles north of the project site. The proposed project is the development of residential units and would not 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.

d. The project site is not listed on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5.

e,f. The proposed project is not located within two miles of a public airport or within the vicinity of a private airstrip.

g. The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

h. According to the San Benito County General Plan 1994 Environmental Constraints Inventory, the project site is located in a medium fire hazard zone (page 29). The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

9. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Violate any water quality standards or waste discharge requirements? (2,3,7)	✓	❑	❑	❑
b. 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., would the production rate of preexisting nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted? (2,3,7)	❑	❑	✓	❑
c. 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?* (2,3,7)	✓	❑	❑	❑
d. 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 run-off in a manner which would result in *flooding on- or off-site?* (2,3,7)	✓	❑	❑	❑
e. Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off? (2,3,7)	✓	❑	❑	❑
f. Otherwise substantially degrade water quality? (2,3,7)	✓	❑	❑	❑
g. Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (7)	❑	❑	❑	✓

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (7)	❑	❑	❑	✓
i. 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? (7)	❑	❑	❑	✓
j. Cause inundation by seiche, tsunami, or mudflow? (2,7)	❑	❑	❑	✓

Comments:

a. The project site drains into two drainage basins, the San Benito River tributary and the Santa Ana Creek tributary. Section 303(d) of the federal Clean Water Act requires the state to develop a list of water bodies that do not meet water quality standards. The San Benito River is listed as 303(d) impaired waters. The river is impaired by fecal coliform and sedimentation/siltation.

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. EPA and the state Water Resources Control Board have been developed to fulfill the requirements of this legislation. EPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by water quality control boards, which for the project area is the Central Coast Regional Water Quality Control Board (RWQCB).

The State NPDES General Construction Permit requires development and implementation of Storm Water Pollution Prevention Plan (SWPPP) and uses storm water Best Management Practices (BMPs) to control runoff, erosion, and sedimentation from the site both during and after construction. The SWPPP has two major objectives: 1) the help identify the sources of sediments and other pollutants that affect the quality of storm water discharges; and 2) to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges.

The proposed project would alter existing drainage patterns on the site to discharge solely to the San Benito River tributary. A hydrological analysis was completed for the Gavilan EIR by Schaaf & Wheeler (2008) to determine if increased runoff from the

proposed project could result in substantial flooding, erosion and siltation impacts to the San Benito River tributary. The report is found in Appendix F of the Gavilan EIR. The report concluded that the project has the potential to impact water quality in the San Benito tributary from both construction (transport of eroded soils) and post-development (transport of urban pollutants). The report notes that on-site soils have slow infiltration rates and therefore, detention of storm water is not recommended. The Gavilan EIR found that the proposed project would increase impermeable surfaces on the site which have the potential to increase runoff and transport urban pollutants and sediments to drainage areas. The RWQCB, in their comments on the Gavilan EIR, identified concerns regarding potential impacts to the water quality of the already impacted San Benito River and the feasibility of mitigation measures proposed in the Gavilan EIR. A copy of the RWQCB comment letter is included in Section 15.0 of the Gavilan EIR.

The Gavilan EIR included Mitigation Measure HYD-1, which was intended to reduce the impacts to water quality. The implementation of Mitigation Measure HYD-1 would reduce the level of impact; however, based on the concerns raised by the RWQCB in their comments on the Gavilan EIR, revised and/or additional analysis and mitigation measures may be necessary to address storm water runoff and downstream water quality impacts. These issues and project-related impacts to water quality will be discussed in the project EIR.

b. According to the Gavilan EIR analysis, groundwater in the project area is located at depths of approximately 120 feet below ground surface. Due to the depth of groundwater and the low infiltration rates of soils on the site, the proposed project would not substantially interfere with groundwater recharge (page 120). The proposed project allows a limited number of septic systems on the site. As discussed in Section 6(d) of this initial study, soil and groundwater conditions indicate that the site can support septic systems without interfering with groundwater recharge, subject to compliance with standard County design and construction standards for septic systems. The project site is located within the service area for potable and recycled water service from the Sunnyslope County Water District (SSCWD) and the project would connect to the existing water distribution system. Water mains are present within Airline Highway and Fairview Road. The SSCWD obtains water from surface water sources and groundwater wells.

According to the Gavilan EIR, the proposed project would require about 71,550 gallons per day (page 161). Recycled water is not yet available from SSCWD. State law requires the preparation of an SB 610 Water Supply Assessment for new residential projects that include 500 dwelling units or more. The proposed project is less than 500 dwelling units; however, to consider the combined water demand for the proposed project and the San

Benito Campus, the SSCWD prepared an SB 610 water supply assessment that assesses the combined needs of each project. The assessment determined that well improvements and new well construction already planned by SSCWD would ensure that the capacity requirements of both projects can be met during an extended drought. Therefore, the No additional analysis is required. The water supply assessment is found in Appendix H of the Gavilan EIR.

c-e. According to the Gavilan EIR, the removal of vegetation during construction would increase erosion potential on the site. The existing drainage pattern on the project site, as inferred from the site topography, is dispersed overland flow concentrating through areas of lower elevation. These drainage patterns would be altered by the project and would contribute to increased runoff in lower elevations on or near the site.

As part of the hydrological report by Schaaf and Wheeler for the Gavilan EIR, models were set up to measure for both pre- and post-development conditions for the San Benito River tributary. According to the modeling results, the report concluded that runoff flows for a portion of the watershed would increase as a result of the increase in pavement and other impervious surfaces, and would make their way to the tributary prior to a peak flow condition. The report notes that the increase in flow from the combined projects' watershed would reduce off-site erosion, siltation and flooding effects due to the more rapid runoff. As noted in item a, previously, the EIR will provide additional analysis focusing on the proposed project's effects to the impacted San Benito River and will address related concerns raised by the RWQCB in their comments on the Gavilan EIR.

f. Grading of the project site during construction will alter natural drainage patterns and result in increased runoff from the site into the San Benito River tributary. An increase in impervious surfaces would also increase the amount of runoff from the site. Storm water runoff from urban uses contains metals, pesticides, herbicides, and other contaminants such as oil, grease, lead, and animal waste. Pollutants and chemicals associated with urban development could be transported into the tributary from new roadways, sidewalks and driveways. These pollutants could include, but may not be limited to, heavy metals from automobile emissions, oil, grease, debris, and air pollution residue. Contaminated urban runoff that remains relatively untreated could result in incremental long-term degradation of water quality. Short-term adverse impacts to water quality would occur during construction of the project when areas of disturbed soils become susceptible to water erosion. Grading and vegetation removal could affect both water quality and could lead to downstream sedimentation in the tributary. These would be significant impacts.

The Gavilan EIR analysis included mitigation measure HYD-1 to reduce construction-related impacts to a less than significant level; however, the mitigation measure may not be feasible to effectively mitigate impacts to water quality over the long term, as discussed in item a, above. Impacts to long term water quality will be discussed in the EIR.

g-j. According to the Gavilan EIR analysis, the project site is not located within a 100-year flood zone (page 122). The project site is not at risk of inundation by a dam, seiche, tsunami, or mudflow.

10. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Physically divide an established community? (2,3,7,8)	❑	❑	❑	✓
b. 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? (2,3,7,8)	❑	❑	❑	✓
c. Conflict with any applicable habitat conservation plan or natural community conservation plan? (7)	❑	❑	❑	✓

Comments:

a. The proposed project is located on an undeveloped site adjacent to existing single-family uses (Cielo Vista single-family residential) in the County (Ridgemark Golf Course and Country Club gated residential community and the rural residential uses along Harbern Way and Old Ranch Road). The existing general plan land use designations in the immediate vicinity of the project site include Agricultural Rangeland to the northeast, Agricultural Productive to the east, Rural/Urban to the south, and Rural Residential to the west. The proposed project would not divide an existing community.

b. The site is located within a designated Area of Special Study adjacent to an existing urban area and has been contemplated by the County for development because of its location near the eastern city limit line of the City of Hollister. The Specific Plan would guide development consistent with the envisioned residential, agricultural and/or open space uses allowed within the designated Area of Special Study. Allowed uses include detached single family dwellings, attached single, duet, duplex, triplex, fourplex dwellings, multi-family dwellings (ifive units or more), a guesthouse or other secondary residential units, not to exceed one per lot, and accessory buildings and uses. The minimum building site area would be four-thousand (4,000) square feet. Proposed lot sizes range from 4,000 square feet to 5-acre lots to provide a variety of residential housing opportunities for ownership or rental in proximity to the future college campus. The proposed project amends the County's general plan and guides development on the

approximately 60-acre site. The proposed project would not conflict with any applicable land-use plan, policy, or regulation of any agency with jurisdiction over the site.

c. No Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans include the proposed project site, and therefore, the project would not conflict with any habitat conservation plan or natural community conservation plan. San Benito County adopted Ordinance 541 in 1988 to establish and collect fees for financing a county-wide HCP and for San Joaquin kit fox protection measures. These fees are paid by the applicant as a condition of the issuance of a building permit. Fees paid through this ordinance do not provide take authorization under the federal or state Endangered Species Acts. To obtain take authorization a Habitat Conservation Plan is currently being jointly prepared by the applicant and the Gavilan Community College District. The EIR will include a discussion of the Habitat Conservation Plan as mitigation for impacts to biological resource habitat on the site.

11. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1)	❑	❑	❑	✓
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan? (1)	❑	❑	❑	✓

Comments:

a,b. According to the San Benito County General Plan 1995 Open Space and Conservation Element there are no known mineral resources on the project site. The proposed project would not result in the loss of availability of a known mineral resources or a locally important mineral resource recovery site. No further analysis is required.

12. NOISE

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies? (2,3,7)	✓	❑	❑	❑
b. Result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels? (2,3,7)	❑	❑	❑	✓
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (2,3,7)	✓	❑	❑	❑
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (2,3,7)	✓	❑	❑	❑
e. For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public-use airport, expose people residing or working in the project area to excessive noise levels? (2,3)	❑	❑	❑	✓
f. For a project located within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? (2,3)	❑	❑	❑	✓

Comments:

a-d. A noise analysis was prepared by Illingworth & Rodkin, Inc. (2008) for the combined San Benito Campus project and the proposed project for the Gavilan EIR. The noise analysis is found in Appendix C of the Gavilan EIR. The Gavilan EIR analysis concluded that the combined projects would expose new and existing residents to unacceptable noise levels, would increase the ambient noise levels in the vicinity of the site, and would result in new sources of construction noise. Noise generated by

construction typically does not involve the use of equipment that would create ground-borne vibration or noise and the proposed project would not result in any ground-borne vibrations once developed. Noise generated by the residential units would be similar to nearby residential land uses; however, there would be an increase in traffic-related noise as a result of the project. The Gavilan EIR found that the increase in traffic noise would be a significant and unavoidable impact.

A supplemental noise analysis will be prepared for the proposed project and will include an analysis of the required size of sound walls and off-site impacts to adjacent land uses. The supplemental noise analysis will be utilized in the EIR evaluation.

e,f. The project site is not located within two miles of a public airport or within the vicinity of a private airstrip. No further analysis is required.

13. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (2,3,11,12)	✓	❑	❑	❑
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (2,3)	❑	❑	❑	✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (2,3)	❑	❑	❑	✓

Comments:

a. According to the California Department of Finance, the current population estimate for unincorporated San Benito County is estimated at 19,071, with an average persons per household of 3.081 persons. The proposed project would result in a population increase of up to approximately 678 persons. The proposed Santana Ranch Specific Plan to the north and San Benito Campus projects are anticipated to include a total of 1,162 dwelling units, which would result in a population increase of approximately 3,580. These two projects, along with the proposed project, would contribute to a total increase in population of about 4,258 persons from the three projects over a period of five to 16 years.

The proposed project would contribute to population growth by constructing water and sewer infrastructure to the site. Growth-inducing impacts will be analyzed in the EIR.

b,c. The project site is currently undeveloped grazing land and would not displace existing housing or residences. No further analysis is required.

14. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or 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 following public services:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Fire protection? (2,3,7)	❑	❑	✓	❑
b. Police protection? (2,3,7)	❑	❑	✓	❑
c. Schools? (2,3,7)	❑	❑	✓	❑
d. Parks? (2,3,7)	❑	❑	✓	❑
e. Other public facilities? (2,3,7)	❑	❑	✓	❑

Comments:

a. **Fire Protection:** The project site is located within the San Benito County Fire Department Service Area 26. San Benito County Fire Department operates under contract with CAL-Fire and has a mutual aid agreement with the City of Hollister. The nearest CAL-Fire station is located on Fairview Road about two miles north of the project site and a Hollister Fire Department station is located about 3.4 miles west of the site on Union Road, off Airline Highway. According to the Gavilan EIR analysis (, the estimated response time to the site from the Fairview Road Station is about three to five minutes and San Benito County Fire Department facilities are sufficient to provide service to the site if staffing levels are increased (page 156). The construction of new facilities would not be required to meet these goals. Therefore the proposed project would not result in substantial adverse physical impacts associated with the provision of or 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 following public services. The impact to fire protection services is less than significant and no further analysis is required.

b. **Police Protection:** Police protection in unincorporated San Benito County is provided by the San Benito County Sheriff's Department, which is headquartered in downtown Hollister, about four miles from the site. According to the public services analysis in the Gavilan EIR, the Department maintains an emergency response time of eight minutes,

and operates on a standard service ratio of one deputy for every 4,000 residents. The proposed project developer would participate in the County's Law Enforcement Impact fee program to offset the costs of new facilities and equipment upgrades necessary to maintain adequate service to the site (page 156). No further analysis is required.

c. **Schools:** The proposed project would increase the number of school-age children within the Hollister Elementary School District and the San Benito High School District. According to the Gavilan EIR, the proposed project could generate about 124 kindergarten through eighth grade students and about 42 high school students. The project developer would participate in the state mandated school impact fee program to offset project-related increases in enrollment in the two school districts (page 157). Participation in the school impact fee program reduces the impacts to school facilities to less than significant. No further analysis is required.

d. **Parks:** The proposed project includes open space and recreational amenities on the site and is anticipated to generate an increased demand for utilization of local and regional parks and recreational facilities. The County of San Benito operates five park facilities with the closest to the site being the Veterans Memorial Park, about 3.5 miles northwest of the project site. The closest City-operated park is the Cerra Vista School Park, located about two miles northwest of the site. The Gavilan EIR concluded that an increase in residents on the site would not substantially affect the demand for recreational amenities to the extent that new facilities would be required (page 157). The San Benito County Code Section 17-59(b) requires the provision of five acres of parkland for every 1,000 new residents. The proposed project would provide parkland consistent with County standards, or, if the open space and parkland standard is not met, the master developer would be responsible for the payment of in-lieu fees subject to county approval. No further analysis is required.

e. **Other Public Facilities:** The City of Hollister is the nearest wastewater treatment provider to the site. The City is currently working with SSCWD and the County to provide regional wastewater treatment services with the City's Urban Service Area, and nearby unincorporated areas in the vicinity. The proposed project would require connection to the City of Hollister sanitary sewer system. Sewer mains are not present near the site and extension of existing mains to the site, either through the Cielo Vista residential neighborhood, or along Airline Highway is necessary. These impacts of constructing infrastructure improvements will be discussed in the EIR.

15. RECREATION

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (2,3,9)	❑	❑	✓	❑
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (2,3,9)	❑	❑	✓	❑

Comments:

a,b. The proposed project would create housing for up to 678 residents; however, an increase in population from the project is not anticipated to substantially affect usage of existing local and regional parks. The San Benito County Code Section 17-59(b) requires the provision of five acres of parkland for every 1,000 new residents. The proposed project would be required to provide 3.4 acres of parkland. The proposed project includes open space and parkland consisting of a system of connected setback buffers, open space for habitat, open space for fault zone, pocket parks and retention basins for drainage. The proposed project includes provisions for connectivity of on-site park and recreational resources with the neighboring San Benito Campus recreational facilities. The proposed project intends to meet or exceed the County standard.

16. TRANSPORTATION/TRAFFIC

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. 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? (2,3,7)	✓	❑	❑	❑
b. 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? (2,3,7)	✓	❑	❑	❑
c. 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? (2,3)	❑	❑	❑	✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (2,3)	❑	❑	❑	✓
e. Result in inadequate emergency access? (2,3,7)	❑	❑	❑	✓
f. Result in inadequate parking capacity? (2,3)	❑	❑	❑	✓
g. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decreased the performance or safety of such facilities? (2,3,7)	✓	❑	❑	❑

Comments:

a,b,g. Access to the project site is provided from Fairview Road and Airline Highway/State Route 25, which also provide regional access. The proposed primary access to the project site will be from Fairview Road opposite Cielo Vista Drive, which will be extended along the southern edge of the project site as part of the San Benito Campus project. Proposed internal circulation is a loop roadway network with cul-de-sacs. The onsite circulation network is designed to integrate pedestrian, bicycle and vehicular modes of transportation. An emergency vehicle access roadway is proposed between Airline Highway and the southeast corner of the site along the eastern boundary of the San Benito Campus site.

A traffic impact analysis was prepared by Hexagon Transportation Consultants Inc. in July 2008 for the Gavilan EIR. The results of the analysis are presented in the report: *Fairview Corners/Gavilan College Master Plan Transportation Impact Analysis*, which is found in Appendix A of the Gavilan EIR. According to that analysis, the proposed project would contribute to significant traffic impacts on several adjacent and nearby intersections, signals, and roads. The Gavilan EIR determined that a number of off-site improvements will be necessary to accommodate development of both the San Benito Campus project and the proposed project, and maintain acceptable LOS at the intersection of Airline Highway and Fairview Road and other nearby intersections. Improvements to Fairview Road along the project frontage will include dedicating the necessary right-of-way along the Fairview Road frontage to allow for the future construction of a four-lane roadway.

An updated traffic impact analysis is being prepared by Hexagon Transportation Consultants Inc for the proposed project. The traffic analysis will include site traffic projections, an evaluation of project and cumulative conditions, impacts on state highways, site access and on-site circulation, a signal warrant analysis, and a qualitative analysis of the project's effect on transit service in the area and on bicycle and pedestrian circulation in the study area. The analysis will include a description of impacts and recommendations to mitigate significant project impacts. The results of this traffic impact analysis report will be analyzed in the EIR.

c. The proposed project would not result in a change in air traffic patterns.

d. The proposed project includes the construction of new roads to accommodate residential uses on the site. Design and construction of the proposed roadways would be subject to the review and approval of the San Benito County Department of Public Works. No further analysis is required.

e. Emergency vehicle access from the project site would be provided from Airline Highway to the southeast corner of the college campus. The proposed project includes two access routes to the site and one emergency vehicle access route to Airline Highway and would not result in inadequate emergency access. No further analysis is required.

f. The proposed project includes zoning provisions for off-street parking consistent with County of San Benito off-street parking requirements, which is two spaces per single-family dwelling. No further analysis is required.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2,3,7,8)	❑	❑	❑	✓
b. 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? (2,3,7)	✓	❑	❑	❑
c. 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? (2,3,7)	✓	❑	❑	❑
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (2,3,7)	✓	❑	❑	❑
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2,3,7)	✓	❑	❑	❑
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid-waste disposal needs? (7)	❑	❑	✓	❑
g. Comply with federal, state, and local statues and regulations related to solid waste? (7)	❑	❑	✓	❑

Comments:

a. The proposed project would connect to the City of Hollister sanitary sewer system and would not exceed wastewater treatment requirements of the Regional Water Quality Control Board.

b. According to the Gavilan EIR, the City of Hollister, the San Benito County Water District, and the Sunnyslope County Water District have executed a MOU and a Statement of Intent (2005) to develop and maintain the Hollister Urban Area Water and Wastewater Master Plan. The Hollister Domestic Wastewater Treatment Plant is the primary wastewater treatment plant for the Hollister Urban Area including areas within the County, including the project site, that are designated to be served by that facility. The project will comply with the requirements of the Hollister Urban Area Water and Wastewater Master Plan including the use of non-salt based water treatment systems. No additional analysis is required.

The proposed project also includes provisions to allow limited use of septic systems on a maximum of 22 lots, consistent with County standards for minimum lot size, placement, design and construction. Review and approval by the Department of Health and County Engineer and compliance with standard conditions of approval is required for septic systems, prior to issuance of building permits. No additional analysis is required.

Off-site infrastructure requirements for the proposed project will be discussed and further analyzed in the EIR.

c. The proposed project will alter existing drainage patterns on the site and will increase paved surfaces that require the construction of new storm drain facilities. As discussed in Section D.9.c-e, previously, the RWQCB raised several concerns over proposed storm water infrastructure improvements including conveyance, detention and treatment. These issues will be further analyzed in the EIR.

d. The project site is located within the SSCWD service area for domestic water and recycled water. An SB 610 Water Supply Assessment (WSA) was completed for the Gavilan EIR by the SSCWD in July 2008, which concluded that project water demand will be met once well improvements planned by SSCWD are made. These improvements insure that SSCWD has sufficient well capacity to meet the additional capacity requirements during and extended drought when surface water capacity is reduced. Therefore, SSCWD would be able to adequately supply the project site without substantial improvements to facilities or operations. Although recycled water is not currently available for the site, the project includes dual piping provisions to facilitate connection to a recycled water distribution system when it becomes available in the future. The WSA, as it relates specifically to the proposed project, will be discussed in the EIR.

e. The project site is not located in a wastewater treatment service area. As noted above, the proposed project is anticipated to connect to the City of Hollister sanitary sewer system. Infrastructure improvements are proposed both on and off the site to provide

service to both the San Benito Campus project and the proposed project. Project-related impacts to treatment capacity and on and off-site infrastructure needs will be evaluated in the EIR.

f,g. Solid waste generated by the proposed project would be collected by Nor Cal Waste Systems and would be disposed of at the John Smith Road Landfill about two miles east of the project site. According to the Gavilan EIR, the landfill has an estimated 20 years of remaining capacity (page 159).

18. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	*Less-than-Significant Impact with Mitigation Measures Incorporated*	*Less-Than-Significant Impact*	*No Impact*
a. Does the project have the potential to degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory? (1,2,3,4,5,6,7,9,14)	✓	❑	❑	❑
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) (1,2,3,5,7,13)	✓	❑	❑	❑
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (2,3,7)	✓	❑	❑	❑

Comments:

a. The proposed project includes excavation on and off the site that could disrupt potentially significant subsurface cultural materials. Mitigation measures are included herein that reduce potentially significant impacts cultural resources to a less than significant level. The proposed project will permanently alter the visual characteristics of the site by introducing urban structures and new sources of light and glare. Potentially significant impacts to scenic quality of the project site, potentially significant light and glare impacts to the unique clarity of the night sky will be discussed within the EIR. The proposed project also has the potential to modify the habitat of a number of special status plant and animal species. Impacts to special status species and their habitat will be studied in the EIR.

b. The proposed project would contribute cumulatively to impacts to the scenic qualities of the site and uninterrupted public views from Fairview Road. The proposed project would also contribute to the cumulative impacts of greenhouse gas emissions (energy consumption and direct emissions) that affect climate change, erosion and water quality impacts to the San Benito River, an increase in ambient noise levels, and unacceptable levels of service on area roadways. The project's contributions to these potentially significant cumulative impacts may be cumulatively considerable and will be discussed in the EIR.

c. The proposed project would expose sensitive receptors on and off the site to unacceptable levels of noise due to traffic and construction. This is a potentially significant impact that will be addressed in the EIR. The proposed project also has the potential to expose sensitive receptors to dust during construction. With implementation of mitigation measure AQ-1, exposure to dust emissions is reduced to less than significant. The proposed project also has the potential to expose people and property to significant seismic events. With incorporation of mitigation measure G-1, the risks of damage or harm from exposure to seismic events is reduced to a less than significant level.

E. Sources

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2. Site Visit. EMC Planning Group. 2009.

3. **Project Application and Plans**

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5. **County of San Benito. *San Benito County General Plan Environmental Resources and Constraints Analysis*. 1994.**

6. State of California, Department of Transportation, California Scenic Highway System. Found November 19, 2009 at http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm.

7. **David J. Powers and Associates, *Gavilan San Benito Campus and Fairview Corners Projects Final EIR*. November 2008. Available on the County of San Benito website: http://www.san-benito.ca.us/**

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10. Monterey Bay Unified Air Pollution Control District. *Air Quality Management Plan & CEQA Guidelines*. 2008.

11. Association of Monterey Bay Area Governments (AMBAG), *Monterey Bay Area 2008 Regional Forecast Population, Housing Unit and Employment Projections for Monterey, San Benito and Santa Cruz Counties to the Year 2035,* June 11, 2008

12. State of California, Department of Finance, *Demographic.* Found online on November 23, 2009 at http://www.dof.ca.gov/research/demographic/reports/.

13. Environmental Protection Agency. *Clean Air Nonroad Diesel Rule* (EPA420-F-04-032). May 2004.

14. California Department of Fish and Game. *California Natural Diversity Database for San Benito County.* June 12, 2009.

15. State of California, Department of Toxic Substances Control. Envirostor website. Found on December 1, 2009 at http://www.envirostor.dtsc.ca.gov/public.

16. California Office of Environmental Health Hazard Assessment. OEHHA Lists 5 Toxic Air Contaminants of Concern for Children. September 18, 2001.

17. United State Department of Agriculture. *Soil Survey for San Benito County*. 1969.

18. EMC Planning Group Inc. ***Initial Site Assessment: Proposed EVA Lane Driveway Approach on Airline Highway - Gavilan College San Benito Campus/Fairview Corners Residential Project*****. 2010.**

19. Archaeological Resource Management. *Archaeological Survey Report for the Fairview Corners Highway 25 Emergency Encroachment Permit Project.* April 2010.

All documents indicated in bold are available for review at the **San Benito County Planning and Building Inspection Services, 3224 Southside Road, Hollister, CA 95023, (831)637-5313** during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.

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