

# Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH # 2020109022

Project Title: Ridgemark Subdivision County Planning file PLN170008

Lead Agency: San Benito County

Contact Name: Michael Kelly, Senior Planner

Email: mkelly@sanbenitocountyca.gov

Phone Number: 831.637.5313

Project Location: unincorporated  
*City*

San Benito County  
*County*

Project Description (Proposed actions, location, and/or consequences).

The proposed project, located within the approximate 618-acre Ridgemark Golf Course and Country Club property, south of State Route 25 (Airline Highway) in unincorporated San Benito County, includes a vesting tentative map to re-subdivide the project site to accommodate 175 maximum residential lots for eventual construction of 160 market-rate single-family residential units and 30 below-market-rate duplex or duet residential units (on 15 lots), commercial/non-residential development, recreational/open space improvements, roadway improvements, and related utility infrastructure improvements within the development area.

As a result of tribal consultation, the existing native habitat and open space area near the San Benito River will be preserved, reducing the size of residential Lots 50 and 51 to establish a permanently protected open space area, referred to as the proposed Ridgemark Ravine Open Space.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

## Air Quality

Impact: The Proposed Project May Be Inconsistent with the 2017 Clean Air Plan

Mitigation Measures:

AQ-1 To reduce operational ROG emissions below the air district threshold, prior to building permit issuance, the applicant shall include the following criteria air pollutant (ROG) emissions reduction features on the project plans:

a. Natural gas and wood-burning fireplaces and stoves shall be prohibited. Restrictions on natural gas and wood-burning heating appliances shall be included on deeds for individual parcels.

AQ-2 To reduce dust and equipment exhaust emissions from demolition, grading, and construction activities on the project site, the developer shall prepare a Construction Management Plan subject to the review and approval of the San Benito County Director of Planning, Building and Code Enforcement or his/her designate prior to issuance of a grading permit and shall implement the approved Construction Management Plan during construction activities. The approved Construction Management Plan, including Monterey Bay Air Resources District Dust Control Measures, shall be included on all bid documents,

grading and construction plans and permits prior to issuance of any permit. The Construction Management Plan shall include the following measures:

- a. Heavy-duty diesel vehicles shall be required to have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation, and shall not be staged within 500 feet of nearest sensitive receptors.
- b. All non-road diesel construction equipment shall, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment shall include the use of alternative fuels such as compressed natural gas, propane, electricity or biodiesel.
- c. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- d. Prior to issuance of a grading permit for each phase the contractor shall demonstrate that all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator.

Impact: Generate Criteria Air Pollutants During Operations that Exceed Air District Thresholds and Degrade Air Quality

Mitigation Measure: AQ-1

Impact: Demolition and Construction Activity Could Increase Sensitive Receptor Health Risks from Exposure to Toxic Air Contaminants

Mitigation Measure: AQ-2

### **Biological Resources**

Impact: Loss or Harm to Special-Status Plant Species (San Joaquin Spearscale)

Mitigation Measure:

BIO-1 Prior to approval of grading permits, a biologist qualified in botany shall conduct a focused survey for San Joaquin spearscale in accordance with current CDFW and CNPS rare plant survey protocols (CDFW 2018 and CNPS 2001). The survey shall occur during the peak blooming period for this species to determine its presence or absence (typically April through October). If possible, a known reference population of the target species in the project vicinity shall first be visited to verify that the species is observable, and the focused survey shall be conducted within two weeks of observing the reference population in full bloom.

The biologist shall then prepare a brief report documenting the results of the survey and, if appropriate, propose measures for avoiding or minimizing possible impacts to San Joaquin spearscale before and during construction, as included below. The report shall be submitted to the Director of Planning, Building and Code Enforcement or his/her designate. If the focused survey concludes the species is not present within the development area boundary, or if it is present but impacts to it can be completely avoided, then no mitigation would be required.

If the focused surveys identify San Joaquin spearscale within the development area boundary and it would be affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the applicant prior to issuance of a grading permit. Measures may include, but are not limited to:

- a. A qualified biologist shall identify an on-site or off-site mitigation area suitable for restoration of habitat and seed transplantation for this annual herb. The applicant shall be responsible for the placement of a conservation easement over the mitigation area and the provision of funds to ensure the restoration of the

mitigation area and its preservation in perpetuity.

b. Prior to approval of a grading permit, a qualified biologist or native plant specialist shall perform seed collection from all special-status plants located within the impact areas and implement seed installation at the mitigation area at the optimal time. Additionally, topsoil from the special-status species occurrence area(s) shall be salvaged (where practical) for use in the mitigation area.

c. A maintenance and monitoring program shall be developed by a qualified biologist and established for a minimum of five years after mitigation area installation to verify that restoration activities have been successful. Maintenance activities may include, but not be limited to, watering during the plant establishment period, supplemental seed planting as needed, and removal of non-native plants. Monitoring shall include, at a minimum, quarterly monitoring reports for the first year and annual reports for the remaining four years. The performance standard for successful mitigation shall be a minimum 3:1 replacement ratio (i.e., three plants observed in mitigation area for each plant lost from the development area) achieved in at least one of the five years of monitoring.

Impact: Loss or Harm to Special-Status Wildlife Species (California Tiger Salamander and California Red-Legged Frog)

Mitigation Measures:

BIO-2 The project applicant will coordinate with the USFWS and CDFW to determine the appropriate course of action per the requirements of FESA and/or CESA (e.g., obtaining Incidental Take Permits for impacts to California tiger salamander and California red-legged frog) and implement the permit requirements prior to ground disturbance.

In the event southwestern pond turtle is federally listed prior to ground disturbance, southwestern pond turtle shall be included in the federal Incidental Take Permit (please see impact 7-3, below).

BIO-3 Before construction activities begin at a development area, a qualified biologist, shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of special-status species potentially occurring in the project vicinity, including, but not limited to California red-legged frog, California tiger salamander, western pond turtle, San Joaquin coachwhip, burrowing owl, American badger, San Joaquin kit fox, and nesting birds and raptors. Their habitats, general measures that are being implemented to conserve species as they relate to the project, and the boundaries within which construction activities will occur shall be explained. Informational handouts with photographs clearly illustrating the species' appearances shall be used in the training session. All new construction personnel shall undergo this mandatory environmental awareness training. The applicant shall submit evidence of completion of this training to the San Benito County Director of Planning, Building and Code Enforcement or his/her designate, prior to issuance of a grading permit.

The qualified biologist shall train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor shall check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor shall also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If an animal is observed within an active construction zone, the qualified biologist shall be notified immediately and all work within 100 feet of the individual shall be halted and all equipment turned off until the individual has left the construction area. The applicant shall submit documentation of the sighting, measures taken to protect the individual, and communication with the California Department of Fish and Wildlife and US Fish and Wildlife Service to San Benito County Director of Planning, Building and Code Enforcement or his/her designate within 24 hours of the sighting.

BIO-4 A qualified biologist shall conduct preconstruction surveys for California tiger salamander and California red-legged frog no more than two weeks (14 days) prior to the start of construction activities. The development areas will be surveyed for potential breeding, migratory and/or upland activity. The qualified biologist shall prepare a report documenting the results of the preconstruction surveys for submittal to San Benito County Director of Planning, Building and Code Enforcement or his/her designate prior to issuance

of a grading permit.

BIO-5 Subject to revision per any Incidental Take Permits, protective measures shall be implemented, including, but not be limited to, the following:

- a. A qualified biologist shall be on site during all activities within 200 feet of aquatic habitat that may result in take of the California red-legged frog or California tiger salamander.
- b. To the extent possible, all ground-disturbing work within 200 feet of aquatic habitat shall be avoided between November 1 and March 31, the time period when California tiger salamanders and/or California red-legged frogs are most likely to be moving through upland areas.
- c. All ground-disturbing work within 200 feet of aquatic habitat should be accomplished during the dry season, with no construction activities occurring during rain events or within 24-hours following a rain event.
- d. To minimize harassment, injury, death, and harm in the form of temporary habitat disturbances, all project-related vehicle traffic shall be restricted to established roads, construction areas, equipment staging, storage, parking, and stockpile areas.
- e. If a California red-legged frog or California tiger salamander is encountered, all activities which have the potential to result in the harassment, injury, or death of the individual shall be immediately halted. A qualified biologist shall then assess the situation and select a course of action that shall avoid or minimize adverse effects to the animal.
- f. Uneaten human food and trash attracts crows, ravens, coyotes, and other predators of the California red-legged frog or California tiger salamander. A litter control program shall be instituted at each development area. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash are deposited in covered or closed trash containers. The trash containers shall be removed from the development area at the end of each working day.
- g. Loss of soil from run-off or erosion shall be prevented with straw bales, straw wattles, or similar means provided they do not entangle, block escape or dispersal routes of the California red-legged frog or California tiger salamander.
- h. No insecticides or herbicides shall be used in the development area during construction or long-term operational maintenance where there is the potential for these chemical agents to enter aquatic habitat or uplands that contain potential habitat for the California red-legged frog or California tiger salamander.
- i. No pets shall be permitted in the development area, to avoid and minimize the potential for harassment, injury, and death of California red-legged frog or California tiger salamander.
- j. For on-site storage of pipes, conduits, and other materials that could provide shelter for special-status species, an open-top trailer shall be used to elevate the materials above ground. This is intended to reduce the potential for animals to climb into the conduits and other materials.
- k. To the maximum extent possible, night-time construction shall be minimized or avoided because dusk and dawn are often the times when the California red-legged frog and California tiger salamander are most actively moving and foraging.
- l. Plastic monofilament netting (erosion control matting), loosely woven netting, or similar material in any form shall not be used in the development area to avoid California red-legged frogs or California tiger salamanders becoming entangled and trapped in them. Materials utilizing fixed weaves (strands cannot move), polypropylene, polymer, or other synthetic materials shall not be used.
- m. Trenches or pits one foot or deeper that are going to be left unfilled for more than 48 hours shall be securely covered with boards or other material to prevent the California red-legged frog or California tiger salamander from falling into them.
- n. The qualified biologist shall prepare monthly reports documenting compliance with protective

measures for submission to the San Benito County Building Official or his/her designate during construction activities.

Impact: Loss or Harm to Special-Status Wildlife Species (Western Spadefoot and Southwestern Pond Turtle)

Mitigation Measures:

BIO-3

BIO-6 The project applicant shall implement the following measures for the protection of southwestern pond turtle and western spadefoot:

- a. Within 24 hours prior to vegetation removal or ground-disturbing activities within 200 feet of aquatic habitat, the project applicant shall retain a qualified biologist to conduct a pre-construction survey of the area in and adjacent to the development area for southwestern pond turtle and western spadefoot. If any southwestern pond turtles and/or western spadefoot are found in or adjacent to the development area, construction activities shall not commence until the individuals have left the area or the qualified biologist relocates the southwestern pond turtle or western spadefoot to nearby suitable habitat a minimum of 300 feet from the development areas. Southwestern pond turtle and western spadefoot relocation shall only be conducted with California Department of Fish and Wildlife authorization.
- b. During all initial ground-disturbing activities within 200 feet of aquatic habitat, the qualified biologist shall monitor construction activity to assess the potential impacts to turtles and/or spadefoot, if present. If a southwestern pond turtle nest is discovered during initial ground-disturbing activity, all work shall stop and the California Department of Fish and Wildlife shall be contacted for guidance on how to proceed. Relocation of pond turtles, their nests, or western spadefoot shall only be conducted with California Department of Fish and Wildlife authorization.
- c. Disturbance to aquatic vegetation shall be avoided to the extent possible. Placement of all staging areas, access roads, and other construction related facilities shall be located a minimum of 100 feet away from aquatic habitat.
- d. Within 200 feet of aquatic habitat, all construction-related holes shall be covered at the end of each workday to prevent entrapment of western pond turtles.
- e. The qualified biologist shall prepare a report documenting the results of the preconstruction survey for submittal to San Benito County Director of Planning, Building and Code Enforcement or his/her designate prior to issuance of a grading permit. The qualified biologist shall submit monthly reports documenting compliance with the measures above to San Benito County Building Official or his/her designate during construction within 200 feet of aquatic habitat.

Impact: Loss or Harm to Special-Status Wildlife Species (San Joaquin Coachwhip)

Mitigation Measure:

BIO-3

BIO-7 Within 14 days prior to vegetation removal or ground-disturbing activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for San Joaquin coachwhip in and adjacent to the development areas. If any coachwhip(s) are found in or adjacent to the development areas, construction activities shall not commence until the coachwhip(s) have left the area or the qualified biologist relocates the coachwhip to nearby suitable habitat a minimum of 300 feet from the development area. Coachwhip relocation shall only be conducted with California Department of Fish and Wildlife authorization.

The qualified biologist shall prepare a report documenting the results of the preconstruction survey for submittal to San Benito County Director of Planning, Building and Code Enforcement or his/her designate prior to issuance of a grading permit. If coachwhip(s) are found during the preconstruction surveys and/or

during construction, documentation of coordination with the California Department of Fish and Wildlife shall be provided to San Benito County Director of Planning, Building and Code Enforcement or his/her designate as needed.

Impact: Loss or Harm to Special-Status Wildlife Species (Burrowing Owl)

Mitigation Measure:

BIO-3

BIO-8 To avoid/minimize impacts to burrowing owls potentially occurring on or adjacent to the development areas, the project applicant shall retain a qualified biologist to conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the development areas no less than 14 days prior to the start of construction or ground disturbance activities. Verification of presence/absence of burrowing owl at the burrow identified in 2023 near the eastern gatehouse shall be completed prior to construction in the vicinity. Surveys shall be conducted according to methods described in the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). The applicant shall submit evidence of completion of the preconstruction survey to San Benito County Director of Planning, Building and Code Enforcement or his/her designate prior to issuance of a grading permit.

Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the California Department of Fish and Wildlife verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

If burrowing owls are found to occupy the development areas and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Occupied burrows shall be replaced with artificial burrows at a ratio of one collapsed burrow to one constructed artificial burrow (1:1). Evicted burrowing owls may attempt to colonize or re-colonize an area that will be impacted, thus ongoing surveillance of the development areas during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.

If surveys locate occupied burrows in or near construction areas, consultation with the California Department of Fish and Wildlife shall occur to interpret survey results and develop a project-specific avoidance and minimization approach. The applicant shall submit evidence of consultation with California Department of Fish and Wildlife and compliance with minimization measures to San Benito County Director of Planning, Building and Code Enforcement or his/her designate prior to issuance of a grading permit.

Impact: Loss or Harm to Special-Status Wildlife Species (Nesting Birds and Raptors)

Mitigation Measures:

BIO-3

BIO-9 Prior to issuance of grading and construction permits, to avoid impacts to nesting birds during the nesting season (January 15 through September 15), construction activities that include any vegetation removal or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction activities must commence during the bird nesting season, then a qualified biologist shall conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

If construction activities are scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), nesting bird surveys shall be conducted by a qualified biologist.

a. Two surveys for active nests of such birds shall occur within 10 days prior to start of grading or construction, with the second survey conducted within 48 hours prior to start of grading or construction. Appropriate minimum survey radius surrounding the work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. The applicant shall submit evidence of completion of the preconstruction survey to the San Benito County Director of Planning, Building and Code Enforcement or his/her designate, prior to issuance of a grading permit.

b. If the qualified biologist documents active nests within the development areas or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. This measure shall be implemented by the applicant prior to start of grading and construction activities and compliance shall be documented and submitted to the San Benito County Director of Planning, Building and Code Enforcement or his/her designate.

Impact: Loss or Harm to Special-Status Wildlife Species (American Badger)

Mitigation Measures:

BIO-3

BIO-10 Prior to issuance of a grading permit and within 14 days prior to vegetation removal or ground-disturbing activities, the project applicant shall retain a qualified biologist to conduct a pre-construction survey for American badger and their sign (dens, scat, etc.) in and adjacent to annual grassland within the development areas. If the species or a potential den is found in or adjacent to the development areas, the following measures shall be implemented:

If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction.

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

passive relocation program shall only be conducted with California Department of Fish and Wildlife authorization.

Impact: Loss or Harm to Special-Status Wildlife Species (San Joaquin Kit Fox)

Mitigation Measures:

BIO-3

BIO-11 The U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented prior to initiation of and during any construction activity in the development areas to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted by a qualified biologist no less than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity that may impact San Joaquin kit fox. The surveys shall include all work and staging areas and a minimum 200-foot buffer of the development areas. The preconstruction surveys shall identify kit fox habitat features in the development areas, evaluate use by kit fox and, if possible, assess the potential impacts of the proposed activity. The status of all dens shall be determined and mapped.

If a natal/pupping den is discovered within the development area or within 200 feet of the development area, the applicant shall consult with the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) to establish an appropriate avoidance buffer. The avoidance buffer shall be maintained until such time as the burrow is no longer active and/or an incidental take permit is determined to be required and is obtained.

In addition, the following measures shall be observed:

- Project-related vehicles shall observe a 20-mph speed limit in all development areas; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction shall be minimized. Off-road traffic outside of designated development area shall be prohibited.
- To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 11 of the Construction and Operational Requirements in the Standardized Recommendations must be followed.
- Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the U.S. Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
- All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or development area.
- No firearms shall be allowed on the development area during construction activities.
- To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on site during construction activities.
- Use of rodenticides and herbicides on the development area during construction shall be restricted.

This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of proven lower risk to kit fox.

- In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the qualified biologist and the San Benito County Building Official or his/her designate, as well as CDFW and USFWS.
- A letter report shall be submitted to San Benito County documenting the results of the preconstruction surveys. If San Joaquin kit fox is encountered during construction, documentation of coordination with CDFW and USFWS shall be provided to the San Benito County Building Official or his/her designate.

Impact: Loss or Harm to Special-Status Wildlife Species (Protected Bat Species)

Mitigation Measures:

BIO-3

BIO-12 Approximately 14 days prior to disturbance activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees or structures to be removed, in trees within 50 feet of the development footprint, and within and surrounding any structures that will be demolished by the project.

Trees and habitat adjacent to ponds and drainages shall be surveyed thoroughly. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the development areas, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an "Anabat" unit. Potential roosting features found during the survey shall be flagged or marked.

a. If no roosting sites or bats are found, a letter report shall be prepared by the qualified biologist confirming absence and no further mitigation is required. The applicant shall submit the letter report to the San Benito County Director of Planning, Building and Code Enforcement or his/her designate prior to issuance of a grading permit.

b. If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with the California Department of Fish and Wildlife.

c. If bats are found roosting outside of the nursery season (May 1 through October 1), the California Department of Fish and Wildlife shall be consulted prior to any eviction or other action. If avoidance or postponement is not feasible, a Bat Eviction Plan shall be submitted to the California Department of Fish and Wildlife for written approval prior to project implementation. A request to evict bats from a roost includes details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to the start of activity and are unable to re-enter the roost until activity is completed. Any bat eviction shall be timed to avoid lactation and young-rearing. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-

foot buffer zone (or different size if determined in consultation with the California Department of Fish and Wildlife) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance will occur until after the nursery season.

Impact: Impacts to Sensitive Natural Communities (Oak Woodland, Wetland/Riparian)

Mitigation Measures:

BIO-13 All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 50 feet from aquatic habitat. Prior to the onset of work, the construction contractor shall provide written documentation to the San Benito County Director of Planning, Building and Code Enforcement or his/her designate that a plan to allow a prompt and effective response to any accidental spills has been prepared. All spills shall be cleaned up immediately with contaminated materials disposed of offsite in an appropriate facility.

BIO-14 On-site landscaping shall be limited to drought-tolerant species, fire-resistant species, and species capable of increasing soil stability, with preference to plant species endemic to San Benito County. Species from the California Invasive Plant Council's (Cal-IPC) Invasive Plant List (Cal-IPC 2019) shall be removed if present and not included in any new landscaping. The plant palette used for on-site landscaping shall be reviewed and approved by the San Benito County Director of Planning, Building and Code Enforcement or his/her designate to confirm no invasive species shall be planted prior to occupation of the residences or commercial areas.

Impact: Disturbance of Jurisdictional Wetlands and Waters

Mitigation Measure:

BIO-15 Prior to issuance of a grading permit within the project boundary, the extent of potential wetlands and waterways regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) shall be determined. If the USACE claims jurisdiction on any wetland or waters of the U.S., the applicant shall obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage features do not qualify for a Nationwide Permit, an Individual Permit shall be obtained from the USACE. If wetlands or waters of the State are present, the applicant shall coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If impacts to wetlands, riparian areas, or streams are identified, the applicant shall coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to jurisdictional waters that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits.

Mitigation would be provided through one of the following mechanisms:

- A Wetland Mitigation and Monitoring Plan shall be developed that will outline mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.
- To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 mitigation to impact ratio would apply to projects for which mitigation is provided in advance.

### **Cultural and Tribal Cultural Resources**

Impact: Potential to Cause a Substantial Change to the Significance of an undiscovered Historic or Archaeological Resource

Mitigation Measures:

CR-1 Prior to issuance of a tree removal permit or grading permit, because the possibility that significant buried cultural resources might incidentally be found during construction activities, the developer shall include the following language on all construction documents and on any permits issued for the project, and the contractor shall implement the following measures:

If archaeological resources are unexpectedly discovered during grading or construction, work shall be halted immediately within 50 meters (160 feet) of the find, and the Planning Department notified, until it can be evaluated by a qualified professional archaeologist. If the find is determined to be unique, appropriate mitigation measures shall be formulated and implemented subject to the review and approval of the County Director of Planning, Building and Code Enforcement.

The Amah Mutsun Tribal Band shall also be notified in the event that archaeological resources are unexpectedly discovered during grading or construction. If the discovered resource is of Tribal interest, the County and applicant shall consult with the Tribe regarding the development of appropriate mitigation measures for the resource. The avoidance of the newly discovered archaeological resource will be prioritized when feasible.

Impact: Potential Disturbance to Undiscovered Native American Remains During Grading and Construction

Mitigation Measure:

CR-2 Due to the possibility that Native American human remains may be discovered during project construction activities, the following language shall be included in all permit documents and implemented and implemented during tree removal, grading, and building permits:

If human remains are encountered during construction, the project contractor shall immediately notify the County of San Benito Coroner and County Director of Planning, Building and Code Enforcement, and the following steps shall be taken:

- Subject to the legal process, grant all duly authorized representatives of the Coroner and Director of Planning, Building and Code Enforcement permission to enter onto the property and to take all actions consistent with this County Code 19.05 and consistent with Cal. Health and Safety Code Section 7050.5 and Cal Gov't Code Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3.

- If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98.

- The landowner or authorized representative will rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being allowed access to the site; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Impact: Potential to Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource as Defined in Public Resources Code § 21074

Mitigation Measure:

TCR-1 Prior to implementation of Phase 2, the County and the Applicant will work with the Amah Mutsun Land Trust to conduct an Integrative Cultural Resource Survey of the ravine and adjacent uplands. The County shall also grant the Amah Mutsun Tribal Band/Amah Mutsun Land Trust a cultural

conservation easement and shall enter into a Memorandum of Understanding with the Tribe to provide Amah Mutsun Tribal Band members with the opportunity to visit and conduct specific cultural, educational, stewardship, and habitat restoration-oriented activities within the open space area. Refer to Figure 4-1, which identifies the location of the proposed Ridgemark Ravine Open Space, shown in green as the contiguous area between Lot 51 and Ridgemark Drive, including the two ponds south of Marks Drive.

### **Geologic Hazards**

Impact: Damage or Destroy Previously Undetected Paleontological Resources During Construction

Mitigation Measure:

GEO-1 The following language shall be included in any permits issued for future development within the development area:

If paleontological resources are unexpectedly discovered during construction, work shall be halted within 50 meters (160 feet) of the find until it can be evaluated by a qualified professional paleontologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated, with concurrence of San Benito County, and implemented.

### **Greenhouse Gas Emissions**

Impact: Generate Substantial GHG Emissions

Mitigation Measure:

GHG-1 Prior to issuance of building permits for the proposed project, the applicant shall prepare a Greenhouse Gas (GHG) Reduction Plan. The GHG Reduction Plan shall demonstrate, with substantial evidence, that GHG emissions will be reduced to the year 2035 service population threshold of significance of 5.09 MT CO<sub>2</sub>e per year per service population. This would require that the project annual total GHG emissions of 5,065.49 MT CO<sub>2</sub>e per year be reduced by 254 MT CO<sub>2</sub>e per year [5,065.49 MT CO<sub>2</sub>e – (5.09 MT CO<sub>2</sub>e per service population x 945 service population)].

The GHG Reduction Plan shall prioritize implementing on-site GHG reduction measures that are within the control of the applicant. The Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (California Air Pollution Control Officers Association 2021) provides reference to representative on-site mitigative measures in transportation, energy, water, construction, solid waste, and landscaping that may be applicable to the project. In lieu of or in addition to one or more on-site measures, the applicant may include in the Reduction Plan and take credit for GHG reductions resulting from making direct investments in off-site GHG reduction activities/programs in the vicinity. Examples of direct investments include building retrofit programs that pay for cool roofs, solar panels, solar water heaters, smart meters, energy efficient lighting energy efficient windows, and insulation. Other examples include financing programs for installing electric vehicle charging stations, electrifying school buses, or planting local urban forests.

The applicant may choose to retain a qualified air quality/GHG professional to quantify the GHG reductions that would result from implementing the Reduction Plan based on substantial evidence to be included in the Reduction Plan. The GHG reduction measures should be implemented even if their implementation would result in a GHG reduction, but the reduction cannot be reliably quantified. The resulting GHG emissions reduction volume must be equal to or greater than 254 MT CO<sub>2</sub>e per year to avoid the significant GHG impact.

If feasible on-site and/or direct investments in off-site reduction activities/programs are not available to mitigate the impact, the applicant may then secure the balance of the required GHG emissions reduction volume by purchasing and retiring carbon offset credits. The carbon offset credits shall meet the following performance standards:

Carbon offset credits shall be issued by a recognized, reputable and accredited registry that mandates the use of established protocols for quantifying and issuing the offset credits. Credits issued based on

protocols approved by CARB should be prioritized. Examples of such registries include the Climate Action Reserve, American Carbon Registry, and Vierra.

□ The carbon offset credits should be generated from projects developed in the United States. Credits from projects developed internationally should not be used unless the applicant demonstrates with substantial evidence that sufficient carbon offsets from projects in the United States are unavailable. International offsets must be quantified and issued using established protocols that are recognized in the United States and that are issued by recognized, reputable and accredited registries.

All carbon offset credits purchased to reduce GHG emissions, must meet the criteria of being real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code section 38562, subdivisions (d)(1) and (d)(2).

Prior to County approval of building permits for the proposed project, the applicant shall submit the GHG Reduction Plan for review and approval of the San Benito County Director of Planning, Building and Code Enforcement. If carbon offset credits are proposed, the applicant shall, prior to approval of occupancy permits, provide documentation in the form of an executed contract or other certification that the credits have been obtained, subject to the performance standards listed above.

### **Hydrology and Water Quality**

Impact: Erosion and Runoff During Construction and Operations That Violates Water Quality Standards or Waste Discharge Requirements

Mitigation Measure:

HYD-1 The applicant shall include the following information on all improvement plans and construction documents:

Prior to issuance of a grading permit for each phase, the applicant shall prepare a detailed Final Drainage Plan for the control of operational storm water runoff that demonstrates compliance with general plan policies, County Code requirements and standards established by the regional water quality control board for compliance with non-point source storm water discharge. The Final Drainage Plan shall demonstrate that basin capacity, percolation rates, and storm water treatment meets the post-construction performance objectives and design criteria requirements of the Central Coast Regional Water Quality Control Board. The drainage plan shall outline best management practices and low impact development strategies that will be utilized by the developer to control and treat storm water runoff, including but not limited to methods to reduce impervious surfaces such as vegetated swales, permeable paving, landscaping, and other strategies. The drainage plan shall be subject to the review and approval of the San Benito County Engineer or his/her designate prior to issuance of any grading permit.

Impact: Increase Impervious Surfaces that Prevent or Interfere with Groundwater Recharge

Mitigation Measure: HYD-1

Impact: Runoff That Exceeds the Capacity of Existing or Planned Off-Site Stormwater Systems

Mitigation Measure: HYD-1

### **Noise**

Impact: Expose New Sensitive Receptors to Traffic Noise that Exceeds Noise Level Standards

Mitigation Measure:

N-1 Prior to building permit issuance, the developer shall prepare at their expense, a site-specific acoustical analysis for residential development of Lots 145 and 146 to determine the appropriate location of building setbacks and appropriate noise attenuation to reduce exterior noise levels to less than 65 dB and reduce interior noise levels to 45 dB.

Acceptable exterior noise attenuation may include berms and/or sound walls, the height and placement of

which will be analyzed in the acoustical analysis. Acceptable interior noise attenuation may include sound-rated windows, sound-rated doors and wall assemblies; and/or increased setbacks between habitable buildings and the traffic noise source. The acoustical analysis may include all or a combination of these attenuation measures. Noise attenuation features shall be incorporated into the final improvement plans prior to issuance of a building permit.

Impact: Expose Existing Receptors to Commercial Noise that Exceeds Noise Level Thresholds

Mitigation Measure:

N-2 Site- and project-specific acoustical analysis is required for commercial development in any phase once commercial improvement plans have been submitted and prior to approval of any commercial building permit. The required acoustical analysis shall be prepared by the applicant and shall identify the geographical relationship between new or expanded sources of noise and existing residential receptors and identify noise-producing characteristics of the sources such as activities or and the path of transmission between noise sources and sensitive receptors. Ambient noise levels without and with commercial development shall be quantified. The acoustical analysis shall include quantifiable noise reduction measures that reduce unacceptable noise levels to meet the County's 65 Ldn dB noise threshold for residential uses, and reduce increases in ambient noise levels to less than three dB. Options for noise mitigation include the use of building setbacks, the construction of berms and/or sound walls and the use of noise source equipment enclosures. The acoustical analysis shall be subject to review and approval of the San Benito County Director of Planning, Building and Code Enforcement prior to issuance of building permits. All approved noise reduction measures shall be included on all construction documents prior to issuance of building permits.

Impact: Exposure to Unacceptable Noise Levels During Construction

Mitigation Measure:

N-3 The project applicant shall include the following language on all bid and construction documents:

The developer shall prepare and the contractor shall implement a Construction Noise Control Plan during all demolition, grading and construction activities that occur within 500 feet of residential development. The Construction Noise Control Plan is subject to review and approval of the County of San Benito Director of Planning, Building and Code Enforcement or his/her designate shall include but not be limited to the following best management practices noise reduction measures:

- Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists;
- Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
- Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from existing residences;
- Locate staging areas and construction material areas as far away as possible from existing residences. The locations of construction staging areas shall be noted on the construction site plan for each phase of construction prior to issuance of any grading permit;
- Prohibit all unnecessary idling of internal combustion engines;
- Notify all abutting land uses of the construction schedule in writing; and
- Designate a "disturbance coordinator" (e.g., contractor foreman or authorized representative) who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

## **Transportation**

Impact: Conflict with Transportation Programs, Plans, Ordinances, or Policy Leading to Adverse Impacts

Mitigation Measures:

TRAN-1 Prior to County acceptance of the final map, and subject to review and approval of the Director of Planning, Building and Code Enforcement, the applicant shall submit proof of consultation with Caltrans determining if land area is needed for right-of-way improvements necessary to accommodate the planned SBCOG Class II bike lane along the project frontage on State Route 25. If right-of-way is required, the applicant shall identify the land area and method of dedication on the final map and all improvement plans.

TRAN-2 Prior to submittal of improvement plans on Commercial Parcel B, and subject to review and approval of the Director of Planning, Building and Code Enforcement, the applicant shall submit proof of consultation with Caltrans determining if land area is needed for right-of-way improvements associated with Caltrans planned widening of SR 25 between Fairview Road and Sunset Drive. If right-of-way is required, the applicant shall identify the land area and method of dedication on all improvement plans.

Impact: Generate Home-based VMT per Resident that is Greater than 19.6 VMT per Resident

Mitigation Measure:

TRAN-1

TRAN-3 Prior to issuance of occupancy certificates for residential development, the project developer shall coordinate with the County, the San Benito Council of Governments and the Ridgemark Owners Association to provide \$2,000.00 and establish a program to offer free transit passes for residents to use the Inter-County Transit service to the Gilroy Caltrain and Greyhound Stations. The program shall be approved by the San Benito County Director of Planning, Building and Code Enforcement. Information regarding this program shall be provided to each resident of a new house in the project.

TRAN-4 Prior to issuance of an occupancy certificate for any commercial use, the developer shall construct a Class II bicycle lane on Ridgemark Drive between the intersection of State Route 25 and Ridgemark Drive and Commercial Area C.

TRAN-5 All commercial development shall provide bike racks for each use. The locations of bike racks shall be shown on the project improvement plans.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

The County is aware of potential controversy regarding an increase in traffic on the street system within the project site and on Southside Road.

Provide a list of the responsible or trustee agencies for the project.

USFWS

CDFW

USACE

RWQCB

Amah Mutsun Tribal Band

Caltrans

