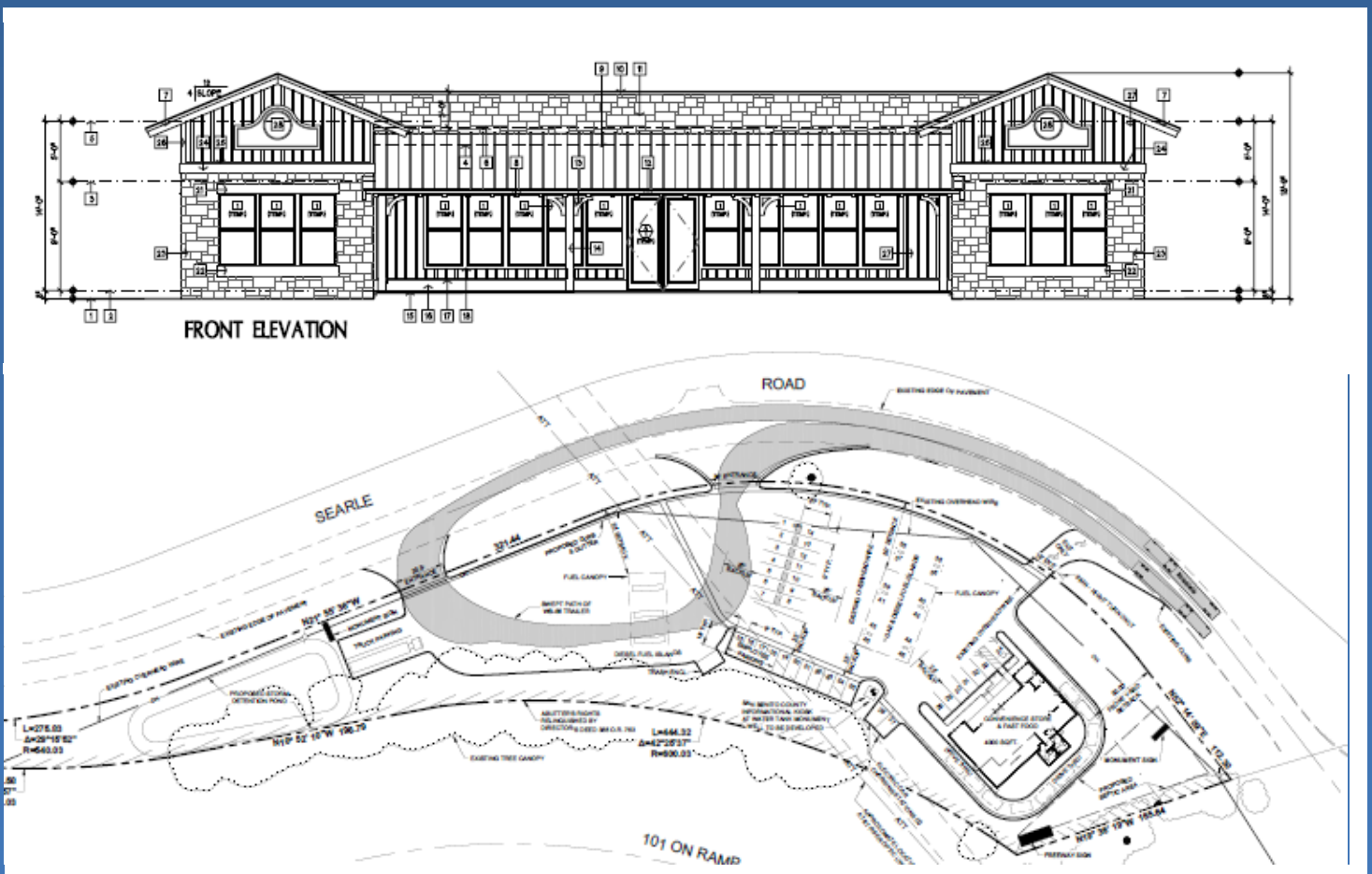


Mitigated Negative Declaration

San Benito Traveler's Station

PLN200017

September 17, 2025



Prepared by
EMC Planning Group

MITIGATED NEGATIVE DECLARATION

SAN BENITO TRAVELER'S STATION
PLN200017

PREPARED FOR

San Benito County

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September 17, 2025



MITIGATED NEGATIVE DECLARATION

In Compliance with the California Environmental Quality Act (CEQA)

Project Name	San Benito Traveler's Station
Lead Agency	San Benito County
Project Proponent	Coats Consulting
Project Location	Southwest corner of U.S. Highway 101 and State Route 129 and bordered by Searle Road within unincorporated San Benito County
Project Description	The proposed project involves a General Plan amendment to change the existing designation and zoning of the site, Rangeland and Agricultural Rangeland, respectively, to Commercial Regional and Commercial Thoroughfare (C-1), respectively, to accommodate the proposed uses. The proposed uses consist of a traveler's station comprised of a 4,000 square foot convenience store and fast-food building with a drive-thru, auto and truck fueling services, propane sales, electric vehicle charging stations, and a San Benito County Informational Kiosk, which plans to operate 24 hours a day. The project includes 34 vehicle parking spots (four of which are for employees only) as well as truck parking spots at the southside of the project site. The project includes the use of a new private septic system to be located at the northern end of the project site and a proposed storm detention pond on the southern end of the project site. The project will utilize the existing on-site well.
Public Review Period	September 26, 2025 – October 27, 2025
Written Comments To	Arielle Goodspeed, Principal Planner San Benito County Resource Management Agency 2301 Technology Parkway Hollister CA 95023 AGoodspeed@sanbenitocountyca.gov
Proposed Findings	San Benito County is the custodian of the documents and other materials that constitute the record of proceedings upon which this decision is based. The initial study indicates that the proposed project has the potential to result in significant adverse environmental impacts. However, the mitigation measures identified in the initial study would reduce the impacts to a less-than-significant level. There is no substantial evidence, in light of the whole record before the lead

agency, San Benito County, that the project, with mitigation measures incorporated, may have a significant effect on the environment. See the following project-specific mitigation measures:

Mitigation Measures

Aesthetics

AES-1 The applicant shall engage a certified arborist to prepare a report to (1) evaluate the current health of the trees, (2) evaluate potential impacts to the trees' root systems associated with project development, and (3) provide measures to ensure project construction does not adversely affect the health of the trees.

Prior to issuance of a grading permit, the report shall be submitted to the San Benito County Resource Management Agency for review and approval, and the measures to ensure project construction does not adversely affect the health of the trees shall be included in project plans.

Biological Resources

BIO-1 Special-Status Plants. Prior to approval of a grading permit(s) for project construction, a biologist qualified in botany shall conduct a focused survey for special-status Congdon's tarplant and fragrant fritillary 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 these species to determine their presence or absence. Some special-status plant species are only identifiable during their blooming periods and surveys are only considered valid if they occur when blooms are visible. Based on the known blooming periods of the special-status plant species potentially present, three surveys would be necessary to adequately survey the project site: the first in March, the second in April, and the third in July. If possible, known reference populations 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 surveys prior to issuance of a grading permit, which will be submitted to the San Benito County Resource Management Agency, where it will be kept on file. If the focused surveys conclude that special-status plant species are not present within the project site boundary, or if they are present but impacts to them can be completely avoided, then no further mitigation would be required.

If the focused surveys identify special-status plant species within the project site boundary and they would be negatively affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the project 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 any special-status plant species.
- 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 project site) achieved in at least one of the five years of monitoring.

BIO-2 Worker Awareness Training. Prior to approval of a grading permit, a qualified biologist shall conduct an environmental awareness 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, special-status plants (if present), Monterey dusky-footed woodrat, American badger, San Joaquin kit fox, burrowing owl, California red-legged frog, California tiger salamander, white-tailed kite, special-status bumble bees, and monarch butterfly. 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 will 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 project applicant shall document evidence of completion of this training by a letter report prepared by the biologist and submitted to the San Benito County Resource Management Agency, prior to issuance of a grading permit where it will be kept on file.

The qualified biologist will 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 will check for animals under or in any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a special-status species is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 50 feet of the special-status species will be halted and all equipment turned off until the qualified biologist has determined that the special-status species has left the construction area. Documentation of monitoring and any observations shall be maintained at the project site.

BIO-3 Monterey Dusky-Footed Woodrat. The project applicant will implement the following measures for the duration of all construction activities to avoid loss of or harm to Monterey dusky-footed woodrat:

- a. Within one month prior to the onset of construction activities, a California Department of Fish and Wildlife (CDFW) qualified biologist will conduct a preconstruction survey for woodrat houses and clearly flag all houses within the construction impact area and immediate surroundings.
- b. The construction contractor will avoid woodrat houses to the greatest extent feasible by installing a minimum 10-foot (preferably 25-foot) buffer with fencing or other material that will prohibit encroachment.
- c. If avoidance of woodrat houses is not possible, in coordination with California Department of Fish and Wildlife and San Benito County Resource Management Agency staff, a California Department of Fish and Wildlife-qualified biologist will develop and implement a Monterey Dusky-footed Woodrat Relocation Plan, including, but not limited to, the following:
 - a. Prior to house disturbance, the biologist will obtain a scientific collection permit for the trapping of the dusky-footed wood rats from California Department of Fish and Wildlife.
 - b. Houses will be disturbed/dismantled only during the non-breeding season, generally between late summer and early fall, as determined in consultation with the project biologist and CDFW.
 - c. If trapping is utilized as part of the relocation plan, prior to house disturbance, wood rats will be trapped at dusk of the night set for relocation of the house(s).
 - d. Any existing house that may be disturbed by construction activities will be mostly dismantled and the material spread in the vicinity of identified house relocation site(s).
 - e. In order to avoid the potential health effects associated with handling rodents and their setting, all workers involved in the handling of the wood rats or the

house materials will wear protective gear to prevent inhalation of contaminant particulates, contact with conjunctiva (eyes), and protection against flea bites. A respirator, eye protection, and skin protection should all be used.

- f. Dismantling will be done by hand, allowing any animals not trapped to escape either along existing woodrat trails or toward other available habitat.
- g. If a litter of young is found or suspected, house and nest material will be replaced, and the house left alone for two to three weeks before a recheck to verify that young are capable of independent survival before proceeding with house dismantling.
- h. Woody debris will be collected from the area and relocated houses will be partially constructed in an area determined by the qualified biologist to be both suitable for the wood rats and far enough away from the construction activities that they will not be impacted.
- i. If trapping is utilized as part of the relocation plan, rats that were collected at dusk will be released hours before dawn near the newly constructed nests to allow time for rats to find refuge.
- j. The biologist shall then prepare a brief report to be submitted to the California Department of Fish and Wildlife and the San Benito County Resource Management Agency documenting the results of the relocation.

BIO-4 American Badger. Not more than 14 days prior to the commencement of ground-disturbing construction activities, a qualified wildlife biologist shall conduct surveys of the grassland habitat on site to identify any potential American badger burrows/dens. If the survey results are negative (i.e., no badger dens observed), a letter report confirming absence shall be prepared and submitted to the San Benito County Resource Management Agency prior to issuance of a grading permit and no further mitigation is required.

If the results are positive (badger dens are observed), the qualified biologist shall determine if the dens are active by installing a game camera for three days and three nights to determine if the den is in use.

- a. If the biologist determines that a den may be active, coordination with the California Department of Fish and Wildlife shall be undertaken to develop a suitable strategy to avoid impacts to American badger. The strategy may include the following: the biologist shall install a one-way door in the den opening and continue use of the game camera. Once the camera captures the individual exiting the one-way door, the den can be excavated with hand tools to prevent badgers from reusing them. If the biologist determines that the den is a maternity den, construction activities shall be delayed during the maternity season (February to August), or until the badgers leave the den on their own accord or the biologist determines that the den is no longer in use.

- b. If the game camera does not capture an individual entering/exiting the den during this time, then the den can be excavated with hand tools to prevent badgers from reusing them.
- c. After dens have been excavated and the absence of American badger confirmed by the biologist, a letter report shall be prepared and submitted to the San Benito County Resource Management Agency, prior to issuance of a grading permit.

BIO-5 San Joaquin Kit Fix. 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 on the project site to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted no less than 30 days prior to the beginning of ground disturbance and/or construction activities that may impact San Joaquin kit fox. The surveys shall include all work areas and a minimum 200-foot buffer of the project site. The preconstruction surveys shall identify kit fox habitat features on the project site, 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 project area or within 200 feet of the project boundary, the applicant shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service 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:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas. Night-time construction shall be prohibited. Off-road traffic outside of the designated project area shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction, 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.
- c. 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.

- d. 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 project site.
- e. No firearms shall be allowed on the project site during construction activities.
- f. 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.
- g. Use of rodenticides and herbicides on the project site during construction or operation 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.
- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.

BIO-6 Western Burrowing Owl. To avoid loss of or harm to western burrowing owl, the following measures shall be implemented:

- a. Prior to issuance of a grading permit for project construction, the applicant shall retain a biologist qualified in ornithology to conduct surveys for burrowing owl. The qualified biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). If no burrowing owls are found, a letter report confirming absence shall be prepared and submitted to the San Benito County Resource Management Agency and no further measures are required.

- b. If burrowing owls are found and can be avoided, 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 because burrowing owls occupy habitat year-round. These buffers shall be in place prior to and during any ground disturbance activities associated with project construction. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a biologist qualified in ornithology 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

- c. If burrowing owl is found 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 would be impacted; thus, ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.
- d. 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. Once the absence of burrowing owl has been confirmed, a letter report shall be prepared and submitted to the San Benito County Resource Management Agency.

BIO-7 California Red-Legged Frog. Construction activities are proposed within and immediately adjacent to California red-legged frog upland habitat. Project development would directly impact upland habitat. One or both of the following options will be implemented:

Option 1. Protocol-Level Surveys for California Red-Legged Frog

Protocol surveys will be conducted per the *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog* (U.S. Fish and Wildlife Service 2005) to determine if

California red-legged frog is present at the project site. If surveys result in a negative finding, documentation will be submitted to the U.S. Fish and Wildlife Service for confirmation. If the negative finding is considered valid no further action is required.

If California red-legged frog is found, Incidental Take Authorization will be obtained from the U.S. Fish and Wildlife Service prior to ground disturbance, as detailed in Option 2, below.

Option 2. Assume Presence of California Red-Legged Frog and Obtain Incidental Take Authorization

If the presence of California red-legged frog is determined during protocol-level surveys or it is assumed that they are present on the project site, the project applicant will obtain an Incidental Take Permit from the U.S. Fish and Wildlife Service. The project applicant will implement all avoidance, minimization, and compensatory mitigation measures required in the permit to minimize the potential for “take” of California red-legged frog.

- BIO-8 California Tiger Salamander. Construction activities are proposed within and immediately adjacent to California tiger salamander upland habitat. Project development would directly impact upland habitat. One or both of the following options will be implemented:

Option 1. Protocol-Level Surveys for California tiger salamander

Protocol surveys will be conducted per the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (USFWS 2003) to determine if California tiger salamander is present at the project site. If surveys result in a negative finding, documentation will be submitted to the U.S. Fish and Wildlife Service for confirmation. If the negative finding is considered valid no further action is required.

If California tiger salamander is found, Incidental Take Authorization will be obtained from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife prior to ground disturbance, as detailed in Option 2, below.

Option 2. Assume Presence of California tiger salamander and Obtain Incidental Take Authorization

If the presence of California tiger salamander is determined during protocol-level surveys or it is assumed that they are present on the project site, the project applicant will obtain Incidental Take Permits from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, and will implement all avoidance, minimization, and compensatory mitigation measures required in the permit to minimize the potential for “take” of California tiger salamander.

- BIO-9 Special-Status Bat Species. The following measures shall be implemented to avoid loss of or harm to special-status bat species:

- a. Approximately 14 days prior to construction activities a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees within 50 feet of the

construction easement. 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 project site, 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.

- b. If no roosting sites or bats are found, a letter report will be prepared by the biologist and submitted to the San Benito County Resource Management Agency, where it will be kept on file, and no further measures are required.
- c. If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with California Department of Fish and Wildlife.
- d. The bat nursery season is generally considered May 1 to October 1. If bats are found roosting outside of the nursery season, 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 will be submitted to 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 structure disturbance shall occur until after the nursery season.

BIO-10 Listed Bee Species. During the optimal flight period for the obscure bumble bee and western bumble bee (April 1 – July 31) and prior to ground disturbance a qualified biologist shall conduct a pre-construction survey of small mammal burrows and thatched/bunch grasses for bumble bee nesting activity. If the survey results are negative (i.e., no bumble bee nesting activity observed), a letter report confirming absence will be prepared and submitted to the San Benito County Resource Management Agency and no further mitigation is required.

If bumble bee nests are detected and the area can be avoided, a qualified biologist shall supervise the installation of protective fencing/flagging a minimum of 50 feet around the

nest area prior to construction. The fencing/flagging will be checked at least once per week until construction is complete to ensure that the protective fencing/flagging remains intact. The qualified biologist can conduct the weekly checks or train a biological monitor selected from the construction crew by the construction contractor (typically the project foreman) to check the fencing/flagging and provide weekly updates. Documentation of the fencing/flagging installation shall be provided to the San Benito County Resource Management Agency prior to the start of ground disturbance activities. Documentation of the weekly checks and timely maintenance (if needed) shall be provided to the San Benito County Resource Management Agency quarterly during construction.

If bumble bee nests are detected and the area cannot be avoided, the qualified biologist shall coordinate with the California Department of Fish and Wildlife to determine the appropriate method of relocation or eviction of the nests.

After it has been confirmed that the habitat area is no longer occupied, a letter report will be prepared by the qualified biologist and submitted to the San Benito County Resource Management Agency.

BIO-11 Nesting Birds and Raptors. To avoid impacts to white-tailed kite and nesting birds during the nesting season (January 15 through September 15), all construction activities should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction or project-related work is scheduled or occurs 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), a qualified biologist shall conduct nesting bird surveys.

- a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no nesting birds are found, a letter report confirming absence will be prepared and submitted to the San Benito County Resource Management Agency and no further mitigation is required.
- b. If the qualified biologist documents active nests within the project site 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. Once the absence of nesting birds has been confirmed, a letter report will be prepared and submitted to the San Benito County Resource Management Agency.

BIO-12 Light Pollution. All exterior light fixtures on the project shall be hooded, with lights directed downward. Prior to issuance of a grading permit, plans for lighting shall be subject to the review and approval by the San Benito County Resource Management Agency to verify that light pollution reduction measures are included.

Cultural Resources

CUL-1 The following language shall be incorporated into any plans associated with grading and construction: “In the event that archaeological resources – pre- or post-contact - are encountered during ground disturbing activities or construction, soil disturbing work shall temporarily halt or divert excavations within a 50 meter (165 feet) of the find until it can be evaluated. If present, the on-site Tribal Monitor shall also be notified. All potentially significant archaeological deposits shall be evaluated to demonstrate whether the resource is eligible for inclusion on the California Register of Historic Resources, even if discovered during construction. If the newly unearthed resources is a pre-contact archaeological resource or a post-contact archaeological resource that could have significance to the Amah Mutsun Tribal Band, the County may seek further guidance from tribal cultural experts or subject matter experts to complete a determination. If archaeological deposits are encountered, they will be evaluated and mitigated simultaneously in the timeliest manner practicable, allowing for recovery of materials and data by standard archaeological procedures. For pre-contact archaeological sites, this data recovery involves the hand-excavated recovery and non-destructive analysis of a small sample of the deposit. Historic resources shall also be sampled through hand excavation, though architectural features may require careful mechanical exposure and hand excavation.

Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance by an archaeologist. Significant cultural resources consist of, but are not limited to, stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites.

If an encountered pre-contact archaeological resource or a post-contact archaeological resource with Tribal significance is determined eligible for inclusion on the California Register for Historic Resources or will be significantly impacted by the Project, the Lead Archaeologist will notify the County and consult with the Amah Mutsun Tribal Band to develop a culturally appropriate treatment plan. Treatment plans shall consider avoidance and preservation of the resource(s) in place as a preferred option. All potential means of

avoiding or reducing ground disturbance within the site boundaries will be considered including modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or more substantial modifications where feasible that will permit avoidance or substantial preservation in place of the resource.

The archaeologist, in coordination with the Amah Mutsun Tribal Band (and NAHC-designated MLD if applicable) shall prepare a report describing any resource(s) unearthed, the treatment of such resource(s), and the evaluation of the resource(s) with respect to the California Register of Historic Resources. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared.”

CUL-2 The following language shall be incorporated into any plans associated with grading and construction, “If human remains are discovered during ground-disturbing activities or project construction, work shall be halted within at least 150 feet of the discovery location, and at a greater distance if determined necessary by the Archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards, and within any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The San Benito County Coroner shall be notified immediately to determine if the cause of death must be investigated. Notice will also be provided immediately to the Amah Mutsun Tribal Band.

If the San Benito County Coroner determines that the remains are of Native American origin, the Coroner shall ensure that notification is provided to the Native American Heritage Commission (NAHC) as required by California Public Resources Code Section 5097.98(a). A determination of the Most Likely Descendant (MLD) under California Public Resources Code Section 5097.98 will be made by the NAHC upon notification to NAHC of the discovery of said remains at the Project site. Work may not resume until the MLD has made a recommendation to the County regarding appropriate means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

When and if Native American human remains are discovered at the project site, the Amah Mutsun Tribal Band shall be consulted as part of the repatriation process irrespective of whether the NAHC-designated MLD is an Amah Mutsun Tribal Band member.

The Amah Mutsun Tribal Band shall be allowed to (1) inspect the site of the discovery and (2) make recommendations as to how the human remains and grave goods should be treated with appropriate dignity. The County shall discuss and confer with the Tribe all reasonable options with regard to its preferences and recommendations for treatment.

Amah Mutsun Tribal Band ancestral traditions call for the burial of associated cultural resources (grave goods and funerary objects) with the deceased, and the ceremonial burning of Native American human remains, funerary objects, grave goods and animals. Ashes and other remnants of these burning ceremonies, as well as grave goods and funerary objects, associated with or buried with the Native American remains, are to be treated in the same manner as human bones, human bone fragments and cremations of human remains.

Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 et seq. The San Benito County Coroner is expected to withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 7927.000.

The County shall return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to Amah Mutsun Tribal Band for possession during course of the project and, if necessary, appropriate treatment, unless San Benito County is ordered to do otherwise by a court or agency of competent jurisdiction. In addition, all other potentially significant Native American-associated cultural resources that are recovered during the course of archaeological investigations on or adjacent to the project site when the Tribe and the Lead Archaeologist have determined the finds to be potentially significant cultural resources shall be returned to the Tribe.

Where appropriate (from the perspective of the Tribe), and agreed upon in advance by the County, the Tribe, and Lead Archaeologist, certain analyses of certain artifact types will be permitted, which may include, but which may not necessarily be limited to, shell, bone, ceramic, stone and/or other artifacts. The preferred location for repatriation of cultural material by the Tribe will be in close proximity to the site of discovery but protected from future intrusion. Repatriation of any material will occur at the conclusion of the project.”

Geology and Soils

GEO-1 Prior to issuance of a grading permit, the project developer shall show proof of compliance with all recommendations outlined in the geotechnical investigation prepared by Soil Surveys Group Inc in July 2019 to the satisfaction and approval of the San Benito County Building Division. These recommendations involve, but are not limited to, seismic design, recompact of surface soil prior to excavating, erosion control measures, and design criteria for a spread footing foundation system. Soil Surveys Group Inc recommends that a geotechnical engineer review the building and site grading plans for compliance with the recommendations presented in the geotechnical investigation.

GEO-2 Prior to issuance of a grading permit, the project developer shall present the percolation results to the San Benito County Division of Environmental Health and coordinate on the location, size, and necessity for any supplemental treatment for the project's proposed leach fields. Additionally, the project developer shall comply with the recommendations outlined in the percolation testing report prepared by Land Set Engineers, Inc. in February 2020 and show proof of compliance to the satisfaction of the San Benito County Department of Environmental Health.

Should the project include alternatives to the separation standards in the California Waterworks Standards for the septic treatment and potable water systems, approval for such alternatives should be obtained from the State Water Board, DDW Monetary District Office (Section 64551.10 of the California Waterworks Standards).

GEO-3 The following language shall be included on all grading permits: "If paleontological resources are discovered during demolition and earthmoving activities, work shall stop within 100 feet of the find until a paleontologist can assess if the find is unique and, if necessary, develop appropriate treatment measures in consultation with the San Benito County Resource Management Agency."

Tribal Cultural Resources

TCR-1 Native Plant Landscaping. Prior to issuance of a grading permit, the project developer shall consult with the Amah Mutsun Land Trust in developing specific plans for native plant landscaping on the project site. The project developer shall use locally sourced (within the Pajaro River watershed or San Benito River watershed) seed or cutting stock for landscape and restoration plantings to maintain localized adaptive genetic traits of native, naturally occurring plant populations in the vicinity. The final landscaping plans shall be submitted for review and approval to the San Benito County Planning and Land Use Division.

TCR-2 The County must provide a protective easement around all existing on-site elderberry tree(s) within the County-owned right-of-way, which will allow Amah Mutsun Land Trust stewards to tend the elderberry trees. This easement shall be agreed upon between the Amah Mutsun Land Trust and the County prior to issuance of a grading permit and proof of the agreed easement shall be visible on any plans associated with grading and construction. The project developer shall also have an opportunity to review the proposed easement between the County and Amah Mutsun Land Trust.

TCR-3 The following language shall be incorporated into any plans associated with grading and construction, "The developer shall contract with a Tribal Monitor supported by a Lead Archaeologist, both designated by the Amah Mutsun Tribal Band, to monitor all subsurface excavation at the project site. The Tribal Monitor will work in coordination with the Lead Archaeologist and the developer and representatives of San Benito County for the duration of the project.

The Amah Mutsun Land Trust (AMLT) will designate a Lead Archaeologist meeting the Secretary of the Interior's Professional Qualification Standards to support the tribal monitoring program and comply with applicable mitigation measures. AMLT shall arrange a pre-excavation meeting with construction personnel to brief them regarding the proper procedures in the event that buried cultural materials are encountered.

Tribal Monitors shall be provided a minimum of 72-hour notice for all work that is to be done that requires a Tribal Monitor including, but not limited to, ground disturbance activities in accordance with the mitigation measures.

The property owner/construction manager shall provide the Tribal Monitor with access to the project site as reasonably necessary for the Monitor to effectively perform the services required. During the project, the Tribal Monitor may briefly halt ground-disturbing activity to more closely investigate the point of excavation. Any investigation will be in full compliance with project safety protocols.

If archaeological or potentially significant, previously unidentified subsurface tribal cultural resources are discovered during ground-disturbing activities or construction (whether or not an archaeologist is present), soil disturbing work within 100 feet of the find shall cease. If present, the on-site Tribal Monitor will halt or redirect construction activities away from the area of the find to allow evaluation.

The Tribal Monitor in coordination with the Lead Archaeologist shall evaluate the discovered resource(s). While determinations typically occur in the field with minimal stoppages, the Tribal Monitor may require further guidance from tribal cultural experts or subject matter experts to complete a determination. If the discovered resource is determined to be potentially significant, the Lead Archaeologist may provide and implement a plan for additional subsurface investigation as needed to define and assess the extent of the resource within the project area and how it would be affected by the project. In these instances, the Lead Archaeologist or the Tribe may request a further stoppage of work in order to complete an assessment of the find.

If an encountered resource is determined significant, the Lead Archaeologist will notify the County and consult with AMTB to develop a culturally appropriate treatment plan. Treatment plans shall consider avoidance and preservation of the resource(s) in place as a preferred option. All potential means of avoiding or reducing ground disturbance within the site boundaries will be considered including modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or more substantial modifications where feasible that will permit avoidance or substantial preservation in place of the resource.

The archaeologist, in coordination with AMTB (and NAHC-designated MLD if applicable) shall prepare a report describing any resource(s) unearthed, the treatment of such resource(s), and the evaluation of the resource(s) with respect to the California Register of Historic Resources. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared."

- TCR-4 Prior to issuance of a building permit, the project developer shall provide proof that the project's light pollution levels will be the lowest possible levels as identified in the Municipal Code Chapter 19.31.
- TCR-5 During project operations, the project operator shall turn off sign lights between the hours of 12:00 AM and 4:00 AM. This requirement shall be written into the conditions of project approval.
- TCR-6 Kiosk. To preserve, promote, and educate the community about the Amah Mutsun Tribal Band, materials about the Tribe, its traditions, and its history shall be made available on a kiosk located on the project site. The project developer shall consult with the Amah Mutsun Tribal Band and the Amah Mutsun Land Trust to write the materials and design the kiosk format. The material shall be reviewed and approved by the San Benito County Planning and Land Use Division and the Amah Mutsun Tribal Band, and the approved materials and kiosk shall be in place prior to issuance of an occupancy permit.

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PUBLIC REVIEW INITIAL STUDY

SAN BENITO TRAVELER'S STATION

PLN200017

PREPARED FOR

San Benito County

Arielle Goodspeed, Principal Planner

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TABLE OF CONTENTS

A.	BACKGROUND.....	1
B.	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED.....	13
C.	DETERMINATION.....	14
D.	EVALUATION OF ENVIRONMENTAL IMPACTS	15
1.	Aesthetics	17
2.	Agriculture and Forest Resources.....	23
3.	Air Quality.....	27
4.	Biological Resources	31
5.	Cultural Resources	60
6.	Energy.....	64
7.	Geology and Soils	67
8.	Greenhouse Gas Emissions	72
9.	Hazards and Hazardous Materials.....	75
10.	Hydrology and Water Quality	79
11.	Land Use and Planning	84
12.	Mineral Resources.....	85
13.	Noise.....	86
14.	Population and Housing.....	88
15.	Public Services.....	89
16.	Recreation	91
17.	Transportation.....	92
18.	Tribal Cultural Resources	96
19.	Utilities and Service Systems	101
20.	Wildfire	104
21.	Mandatory Findings of Significance.....	107
E.	SOURCES.....	109

Appendices

Appendix A	CalEEMod Results
Appendix B	EMFAC Results
Appendix C	Greenhouse Gas Analysis (2022)
Appendix D	Special-Status Species in the Project Vicinity
Appendix E	Geotechnical Investigation (2019)
Appendix F	Landslide Memo
Appendix G	Percolation Testing Report (2020)
Appendix H	Hydrologic and Hydraulic Calculations (2021)
Appendix I	Traffic Impact Analysis (2022) and Updated VMT Analysis (2024)

Figures

Figure 1	Location Map	5
Figure 2	Aerial Map	7
Figure 3	Site Photographs	9
Figure 4	Site Plan.....	11
Figure 5	Views from Highways	19
Figure 6	Important Farmland.....	25
Figure 7	Habitat Map.....	33
Figure 8	Special-Status Species with Potential to Occur in the Project Vicinity	37

Tables

Table 1	Unmitigated Operational Criteria Air Pollutant Emissions.....	29
Table 2	Non-Mobile Source Unmitigated Operational GHG Emissions.....	74
Table 3	Solid Waste Generation	102

A. BACKGROUND

Project Title	San Benito Traveler's Station
Lead Agency Contact Person and Phone Number	Arielle Goodspeed, Principal Planner 831-902-2547
Date Prepared	September 17, 2025
Study Prepared by	EMC Planning Group Inc. 601 Abrego Street Monterey, CA 93940
Project Location	Southwest corner of U.S. Highway 101 and State Route 129 and bordered by Searle Road within unincorporated San Benito County
Project Sponsor Name and Address	Coats Consulting PO Box 1356 Carmel, CA 93921
General Plan Designation	Existing: Rangeland Proposed: Commercial Regional
Zoning	Existing: Agricultural Rangeland (AR) Proposed: Commercial Thoroughfare (C-1)

Setting

The 2.6-acre property (APN 012-030-023) is located at the southwest corner of the intersection of U.S. Highway 101 and State Route 129 and bordered by Searle Road to the west, within unincorporated San Benito County ("project site"). The project site is located approximately two miles northwest of the City of San Juan Bautista, approximately four miles east of the community of Aromas, and approximately nine miles south of the City of Gilroy.

The project site is undeveloped with trees at the eastern and northern border of the site. Some of the existing eucalyptus trees at the eastern side of the site are on the project site and some are the property of the California Department of Transportation (Matthew Kelley, email message, November 20, 2024). There is also an existing AT&T Fiber Optic Line along with a 20-foot AT&T easement that traverses the site from southwest to northeast. Surrounding uses include U.S. Highway 101 (including right-of-way), agricultural uses, and Anzar High School to the east; industrial uses to the northeast; State Route 129 (including right-of-way), agricultural uses, and the San Juan Creek to the north; agricultural uses (including Prime Farmland and Grazing Land) to the west (California Department of Conservation 2024); and residential uses and undeveloped hillsides to the south (Google Earth 2024). The project site is designated by the *San Benito County 2035 General Plan* ("General Plan") as Rangeland and is zoned Agricultural Rangeland (AR).

The San Benito Agricultural Center is another proposed project on 15 acres immediately northwest of the project site across Searle Road. The San Benito Agricultural Center consists of three main structures: convenience store and food hall, truck service building and refueling services, and a cold storage building. However, the San Benito Agricultural Center is currently on hold (Arielle Goodspeed, email message, April 21, 2025).

Additionally, the approved Betabel Commercial Development project is located at 9644 Betabel Road (approximately 0.40 miles northeast from the project site); however, construction has not begun (Arielle Goodspeed, email message, April 21, 2025). The Betabel Commercial Development project includes a roadside attraction consisting of new commercial, lodging, and recreational uses.

[Figure 1, Location Map](#), illustrates the project site's location in the region. [Figure 2, Aerial Map](#), illustrates the current use of the project site along with its surrounding uses. [Figure 3, Site Photographs](#), includes photographs of the project site.

Description of Project

The proposed project (PLN200017) involves a General Plan amendment to change the existing General Plan designation and zoning of the site, Rangeland and Agricultural Rangeland, respectively, to Commercial Regional and Commercial Thoroughfare (C-1), respectively, to accommodate the proposed uses. The proposed uses consist of a traveler's station comprised of a 4,000 square foot convenience store and fast-food building with a drive-thru, auto and truck fueling services, propane sales, electric vehicle charging stations, and a San Benito County informational kiosk, which plans to operate 24 hours a day. The project includes 34 vehicle parking spots (four of which are for employees only) as well as truck parking spots at the southside of the project site. The project includes the use of a new private septic system to be located at the northern end of the project site and a proposed storm detention pond on the southern end of the project site. The project will utilize the existing on-site well.

The project will have two entrances and one exit on Searle Road. Frontage improvements on Searle Road are proposed including street widening, new striping, and increased driveway access.

The project involves 2,450 cubic yards of cut and 2,370 cubic yards of fill, for a net export of 80 cubic yards of soil. No trees are proposed for removal on or off the project site.

[Figure 4, Site Plan](#), illustrates the site plan for the proposed project.

Other Public Agencies Whose Approval May Be Required

- California Department of Fish and Wildlife - 2081 Incidental Take Permit;
- California Department of Transportation - Encroachment Permit;
- Regional Water Quality Control Board - National Pollutant Discharge Elimination System and Alternative Sewage Disposal Permit; and
- State Water Board, Division of Drinking Water - Water Supply Permit.

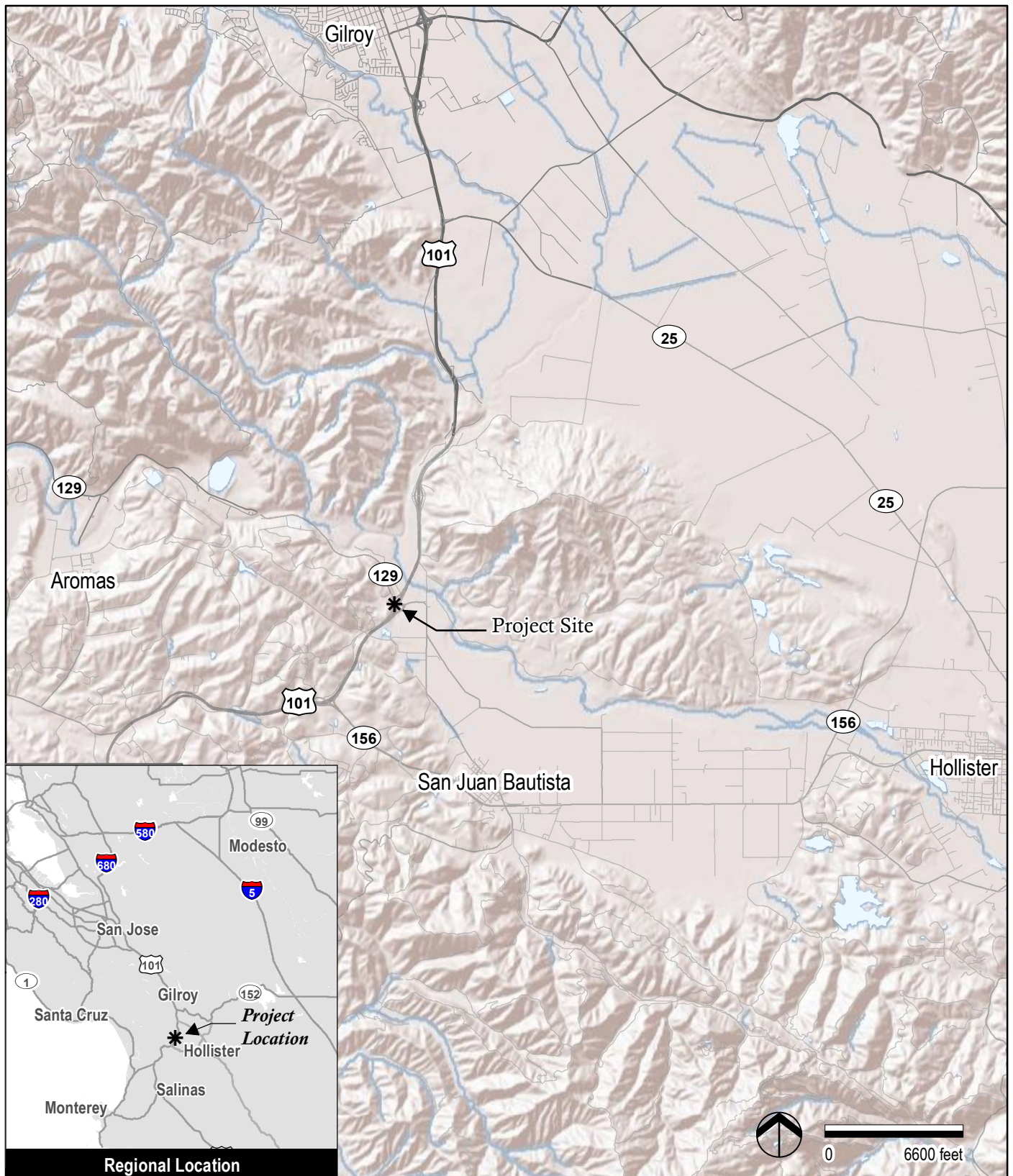
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The Amah Mutsun Tribal Band requested consultation with the San Benito County Resource Management Agency in 2022 when the previous initial study was prepared. AB 52 tribal consultation has concluded; however, the Amah Mutsun Tribal Band/Amah Mutsun Land Trust and the County will continue to engage in limited AB 52 consultation regarding the final terms of the easement (Arielle Goodspeed, email message, September 17, 2025).

Refer to Section 18.0, Tribal Cultural Resources, for more discussion.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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Source: ESRI 2024

Figure 1
Location Map

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Source: San Benito County GIS 2024



0 300 feet



Project Site



Figure 2
Aerial Photograph
San Benito Traveler's Station Initial Study

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① At the intersection of State Route 129 and Searle Road facing south across the project site.



② On Searle Road facing east across the project site.



Project Site

Source: Esri 2024
Photographs: Google Earth 2024



③ On Searle Road, at the south end of the site, facing northeast across the project site.



④ On State Route 129 facing the northern half of the project site.

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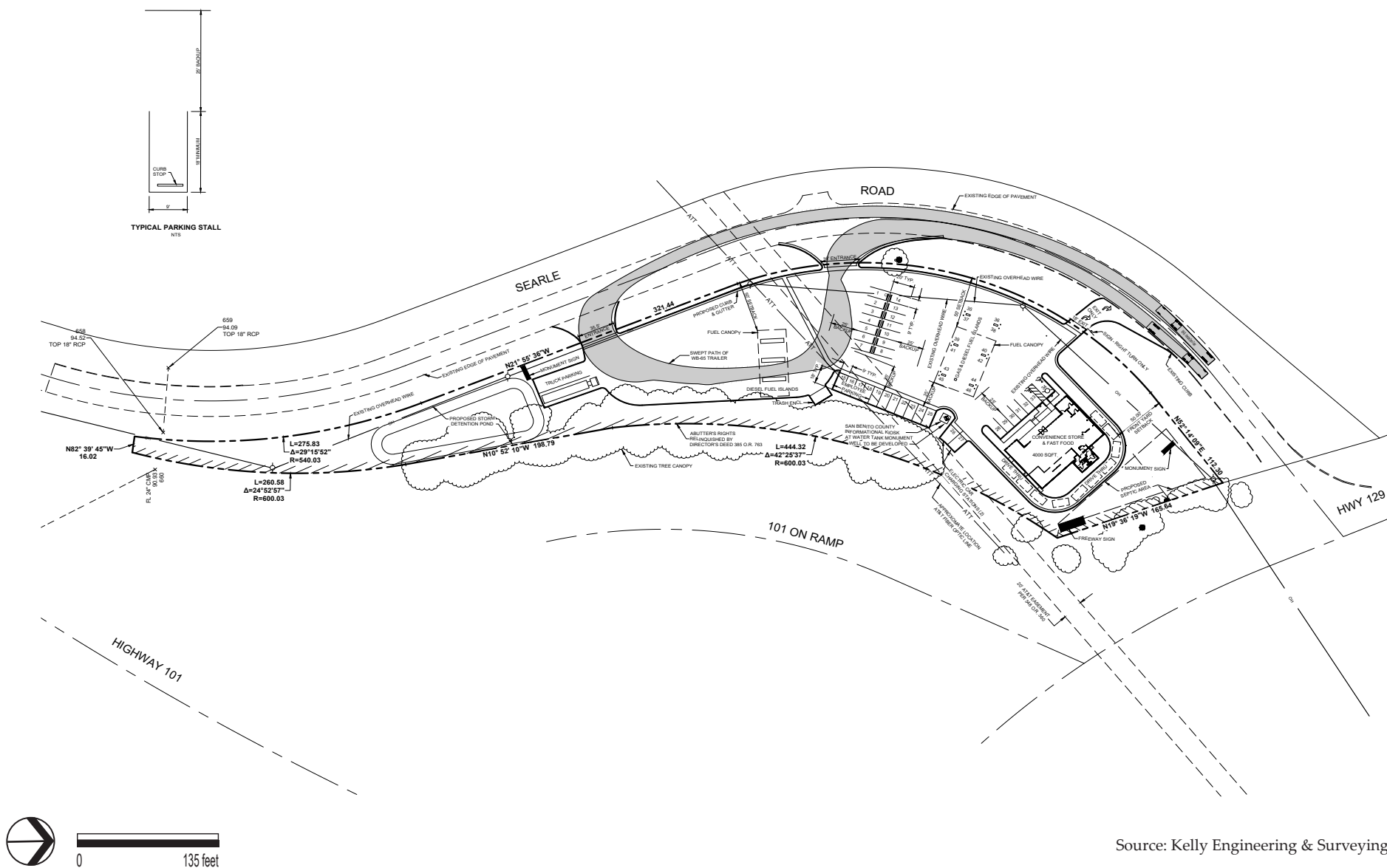


Figure 4
Site Plan

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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 | ☐ Greenhouse Gas Emissions | ☐ Public Services |
| ☐ Agriculture and Forestry Resources | ☐ Hazards & Hazardous Materials | ☐ Recreation |
| ☐ Air Quality | ☐ Hydrology/Water Quality | ☐ Transportation |
| ☐ Biological Resources | ☐ Land Use/Planning | ☐ Tribal Cultural Resources |
| ☐ Cultural Resources | ☐ Mineral Resources | ☐ Utilities/Service Systems |
| ☐ Energy | ☐ Noise | ☐ Wildfire |
| ☐ Geology/Soils | ☐ Population/Housing | ☐ 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.

Arielle Goodspeed, Principal Planner

Date

D. EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites 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 should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must 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 With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:
 - 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 significance

1. AESTHETICS

Except as provided in Public Resources Code Section 21099 (Modernization of Transportation Analysis for Transit-Oriented Infill Projects), 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?	☐	☒	☐	☐
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Comments:

- a. The General Plan states that U.S. Highway 101 and State Route 129, both of which are adjacent to the project site, are designated by the County as local scenic highways (p. 8-13). The following policies outlined in the General Plan are relevant to the proposed project and its respect for the scenic character of the County:
- NCR-8.1 Protect Scenic Corridors. The County shall endeavor to protect the visual characteristics of certain transportation corridors that are officially designated as having unique or outstanding scenic qualities;
 - NCR-8.2 Sign Regulations within Scenic Corridors. The County shall require the elimination of signs within Scenic Corridors other than those identified in the permitted use section of the Zoning Ordinance;
 - NCR-8.3 Grading within Scenic Corridors. The County shall review all projects involving grading within Scenic Corridors to protect valuable soil resources, preserve the natural environment, and avoid significant adverse impacts within scenic areas;
 - NCR-8.4 Review Architectural Massing. The County shall review development proposals to ensure that the obstruction of views is minimized through architectural building massing and location that is compatible with scenic areas;
 - NCR-8.5 Review Site Planning. The County shall review development proposals to ensure a reasonable and attractive appearance from the highway concurrent with a

harmonious relationship with the existing landscape and shall require development that determined not to be in harmonious relationship with the existing landscape to be screened from view through planting or other forms of visual buffers;

- NCR-8.6 Regulate Building Height and Setback. The County shall regulate building height and setbacks to protect the field of vision within an officially designated Scenic Corridor. The County shall not approve building heights that exceed, nor setback requirements that are less, than those of the basic zoning district unless such variance has had the appropriate review and public comment; and
- NCR-8.9 Hillside and Ridgeline Protection. The County shall use design review for development on hillsides and within Scenic Corridors to protect the hillsides and ridgelines that are a unique scenic resource in the County. The County shall prohibit development within 100 vertical feet of any ridgeline unless there are no site development alternatives.

In addition, the *Environmental Impact Report 2035 San Benito County General Plan Update State Clearinghouse #201111101* (“General Plan EIR”) states that scenic resources within San Benito County include a diversity of natural settings and landscapes. Because agriculture and rangeland are the dominant land uses in the County, scenic resources primarily include views of agricultural farms, grazing lands, cultivated fields in the region’s foreground, and views of valleys immediately beyond San Benito County’s cities and small communities. Scenic resources also include views toward rolling hillsides, open spaces, and private lands, and distant views of the Diablo Range and ridgelines to the east and west (San Benito County 2015).

This analysis assumes that no trees will be removed or significantly trimmed associated with the proposed project. [Figure 5, Views from Highways](#), provides an illustration of the different viewpoints of the project site from U.S. Highway 101 and State Route 129. As shown in the figure, the project site would not obstruct views of the mountain ranges to the east (shown on the left side of Image 4) or the west, which are not visible over the hillsides shown in Images 1 and 3. Image 2 within the figure illustrates that the existing trees at the eastern border of the site obstruct views of the hillsides and where the future structures of the project would be located. As shown in the center aerial of Figure 5, some of these existing trees are on the project site and some are off-site (within the Caltrans right-of-way). All of these existing trees will be retained and not trimmed.

Given that development of the project would not substantially obstruct or alter scenic viewpoints, as illustrated in Figure 5, and that the project would comply with the abovementioned General Plan policies (i.e., project plans are subject to design review by the County and approval in site plans to ensure respect with scenic character of County), the proposed project is not expected to result in a substantial adverse effect on a scenic vista. However, although no trees are proposed for removal, the existing eucalyptus trees located at the eastern side of the project site could be directly or indirectly affected by construction of project improvements within their root zones. If one or more of these trees die due to project construction, the visual screening they provide from the east could be significantly affected, creating a potentially significant impact on scenic vistas. Implementation of the following mitigation measure will ensure that this potentially significant impact is less than significant.



① Traveling northbound on U.S. Highway 101 looking at the southern end of the project site.



② Traveling southbound on U.S. Highway 101 looking at the eastern side of the site with the border of existing trees.



Project Site

Source: Esri 2024
Photographs: EMC Planning Group 2024



③ Traveling southbound on U.S. Highway 101 looking at the northern side of the project site.



④ Traveling eastbound on State Route 129 looking at the northern portion of the project site.

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Mitigation Measure

AES-1 The applicant shall engage a certified arborist to prepare a report to (1) evaluate the current health of the trees, (2) evaluate potential impacts to the trees' root systems associated with project development, and (3) provide measures to ensure project construction does not adversely affect the health of the trees.

Prior to issuance of a grading permit, the report shall be submitted to the San Benito County Resource Management Agency for review and approval, and the measures to ensure project construction does not adversely affect the health of the trees shall be included in project plans.

- b. As indicated above, the County has designated U.S. Highway 101 and State Route 129 as local scenic highways. However, State Route 129 and the portion of U.S. Highway 101 that is adjacent to the project site are not designated state scenic highways (California Department of Transportation 2024). Therefore, the proposed project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.
- c. The project site is undeveloped with existing eucalyptus trees (some on-site and some off-site) at the eastern border of the site along U.S. Highway 101 and along the northeastern border along State Route 129. The proposed project would result in the construction of a 4,000 square foot convenience store and fast-food building with a drive-thru, a gas station, and other amenities relevant to travelers. Therefore, the project would result in a change of the existing visual character of the site.

The backdrop of the project site from public viewpoints includes the rolling hillsides west of the site (refer back to Images 1 and 3 within Figure 5) and the distant views of the Diablo Range and ridgelines east of the site (refer back to Image 4, left side of image, within Figure 5). Views of the site are not available from southbound travelers on U.S. Highway 101 as it would be completely obstructed by the existing trees that border the eastern edge of the project site (refer back to Image 2 within Figure 5), as well as by trees and vegetation located offsite. As illustrated in Figure 5, the distant Diablo Range and ridgelines shown in Image 4 would not be impacted by the project because these views, in association with the project site, exist for eastbound travelers on State Route 129 and are to the left of the site. Views of the rolling hillsides west of the project site can be seen from northbound and southbound travelers on U.S. Highway 101 and would also not be impacted by the proposed project because the project's only proposed structures (the convenience store and gas station) are a maximum of 19 feet in height. This height would not result in a substantial degradation of the quality of public views of the rolling hillsides backdrop of the site because they would still be visible. Further, the site's designated Agricultural Rangeland (AR) Zoning District allows for the heights of structures to be up to 35 feet, which the height of the proposed structures is well below.

Given that the project would not obstruct the views of the site and its surrounding hillsides and mountain ranges, the proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

- d. The project site is currently undeveloped; therefore, implementation of the project would result in a new source of light or glare.

The proposed project would be required to comply with County Municipal Code Section 25.07.012, Outdoor Lighting, which outlines the requirements for outdoor lighting for development projects; Chapter 19.31, Development Lighting, which provides measures to minimize light pollution and glare; and Section 25.07.016, Signs, specifically subsection D, which outlines the regulations applicable to all signs. The project application indicates that site operational lighting will be consistent with the County's "Dark Sky" objectives. See also the discussion of lighting impacts in the context of Tribal Cultural Resources in Section 18.0 of this initial study.

Compliance and implementation of the County's Municipal Code would ensure impacts associated with the project's new source of light or glare would be less than significant.

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?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Comments:

- a. The project site is designated by the California Department of Conservation as Other Land (California Department of Conservation 2024). [Figure 6, Important Farmland](#), presents the farmland designations of the project site and vicinity. Therefore, the proposed project would not 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.

- b. The 2.6-acre project site is zoned Agricultural Rangeland (AR). The County Municipal Code Section 25.03.004 states that the intent of this district is to provide for areas within the County to be used for agricultural rangeland purposes as set forth in the General Plan; the General Plan land use description for Rangeland states that the purpose is to maintain open space and grazing land on hills, mountains, and remote areas of the County. The 2.6-acre project site is surrounded by regional and local roads and is not conducive to livestock grazing. The proposed project includes a zone change to Commercial Thoroughfare (C-1). With approval of the proposed zone change, the project would not conflict with existing zoning for agricultural use.

According to the San Benito County WebGIS, the project site is not under a Williamson Act contract; the nearest land under a Williamson Act Contract is approximately one-half mile east of the project site. Therefore, the project would not conflict with a Williamson Act contract.

- c. There are no forest land, timberland, or timberland production areas within San Benito County (San Benito County 2015); therefore, the project would not 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)).
- d. As previously stated, there are no forest lands within San Benito County; therefore, the project would not result in the loss of forest land or conversion of forest land to non-forest use.
- e. As stated in “c” and “d” above, there are no forest lands within San Benito County; therefore, the project would not involve other changes in the existing environment which, due to their location or nature, would result in the conversion of forest land to non-forest use.

The project site is not adjacent to any land designated Prime Farmland or Unique Farmland. Prime Farmland and Unique Farmland, currently in agricultural operations, are located west of the project site, across Searle Road (California Department of Conservation 2024) and designated by the County General Plan as Rural. Refer to [Figure 6, Important Farmland](#), for the state’s important farmland mapping.

There is nothing to indicate that development of the proposed project would have an effect on the agricultural operations to the west. Therefore, the proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use, to nonagricultural use.

Given that the project is required to undergo review by the County Planning Commission, which would ensure that its location, design, and use are appropriate for the area, the project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use.



0 300 feet



Project Site



Unique Farmland



Other Land



Prime Farmland



Grazing Land

Source: San Benito County GIS 2024,
California Department of Conservation 2020



Figure 6

Important Farmland

San Benito Traveler's Station Initial Study

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3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district 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?	☐	☐	☐	☒
b. 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?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d. Result in other emissions, such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☐	☒

Comments:

San Benito County is within the North Central Coast Air Basin (“air basin”), which is under the jurisdiction of the Monterey Bay Air Resources District (“air district”). This section is based primarily on the air district’s *CEQA Air Quality Guidelines* (2008) (CEQA guidelines) guidance, the air district’s *2012 – 2015 Air Quality Management Plan* (2017) (“air quality management plan”).

- a. A consistency determination is a process by which the Lead Agency demonstrates that the population associated with a proposed project is accommodated by the Association of Monterey Bay Area Governments’ regional growth forecasts. The regional growth forecasts for population and dwelling units are embedded in the emission inventory projections used in the air quality plan. Projects within the regional growth forecasts have been accommodated in the air quality plan, and are therefore consistent with the air quality plan. The proposed project is not population generating and would not conflict with or obstruct implementation of the air quality management plan (MBUAPCD Air Quality Guidelines, page 5-10).
- b. The six most common and widespread air pollutants of concern, or “criteria pollutants,” are ground-level ozone, nitrogen dioxide, particulate matter, carbon monoxide, sulfur dioxide, and lead. In addition, reactive organic gases (ROG) also referred to as volatile organic gases (VOC) are a key contributor to the criteria air pollutants because they react with other substances to form ground-level ozone. Health effects from prolonged exposures to criteria air pollutants include asthma, bronchitis, chest pain, coughing, and heart diseases.

The air district is the agency with the primary responsibility for assuring that national and state ambient air quality standards are attained and maintained in the air basin. The air district is responsible for monitoring air quality in the air basin, which is designated under state criteria as a nonattainment area for ozone and suspended particulate matter (PM₁₀). Under federal criteria, the air basin is at attainment (8-hour standard) for ozone and particulates. The air district has developed criteria pollutant emissions thresholds that are used to determine whether or not a proposed project would violate an air quality standard or contribute to an existing violation during operations and/or construction.

State standards are promulgated by the California Air Resources Board as mandated by the California Clean Air Act. The air district has developed criteria pollutant emissions thresholds, which are used to determine whether or not the proposed project would violate an air quality standard or contribute to an existing violation during operations and/or construction. Based on the air district's CEQA guidelines, a project would have a significant air quality impact if it would:

- Emit 137 pounds per day or more of an ozone precursor air pollutant (volatile organic compounds or nitrogen oxides);
- Directly emit 550 pounds per day or more of carbon monoxide;
- Generate traffic that significantly affects levels of service (results in a significant localized source of emission of carbon monoxide);
- Emit 82 pounds per day or more of suspended particulate matter onsite, which is equivalent to general construction activity over an area of at least 8.1 acres per day, or grading/excavation over an area of at least 2.2 acres per day; or
- Emit 82 pounds per day or more of suspended particulate matter from vehicle travel on unpaved roads.

Operational Emissions

The proposed project would result in new sources of operational mobile, energy and area source emissions. The California Emissions Estimator Model (CalEEMod) was used to quantify the project operational criteria air pollutant emissions volume. A comparison of the model results with the air district thresholds of significance is shown in [Table 1, Unmitigated Operational Criteria Air Pollutant Emissions](#). Detailed emissions modeling results are presented in [Appendix A](#).

The model results indicate that the project emissions would not exceed the air district's criteria air pollutants emissions thresholds for ambient air quality. Therefore, the project would not result in significant air quality impacts and the project's contribution to regional air quality would be less than significant.

Table 1 Unmitigated Operational Criteria Air Pollutant Emissions

Emissions	Volatile Organic Compounds (VOC) ^{1,2,3}	Nitrogen Oxides (NO _x) ^{1,2,3}	Suspended Particulate Matter (PM ₁₀) ^{1,2,4}	Carbon Monoxide (CO) ^{1,2,3}
Air District Thresholds	137	137	82	550
Project	12.6	16.3	21.9	103.0
Exceeds Thresholds?	No	No	No	No

SOURCE: EMC Planning Group 2024

NOTES:

1. Results may vary due to rounding.
2. Expressed in pounds per day.
3. Maximum daily summer values used for reporting VOC, NO_x and PM₁₀ emissions.
4. Maximum daily winter values used for reporting CO emissions.

Construction Emissions

Construction activities are temporary sources of potential air quality impacts that, depending on the size and type of the project, commonly occur in limited time periods. Construction emissions have the potential to impact local air quality and/or pose localized health risks. Localized health risks are discussed under item “c” of this section. Construction emissions include equipment exhaust and fugitive dust emissions generated during grading, and ozone precursor emissions generated during the application of architectural coatings and asphalt paving material.

The air district CEQA guidelines report that construction projects using typical construction equipment such as dump trucks, scrapers, bulldozers, compactors and front-end loaders that temporarily emit ozone precursors such as volatile organic compounds (VOC) or oxides of nitrogen (NO_x), are accommodated in the emission inventories of State- and federally-required air plans and would not have a significant impact on the attainment and maintenance of ozone standards.

Air district CEQA guidelines Table 5-2, Construction Activity with Potentially Significant Impacts, identifies the level of construction activity that could result in significant temporary fugitive dust impacts if not mitigated. Construction activities with grading and excavation that disturb more than 2.2 acres per day and construction activities with minimal earthmoving that disturb more than 8.1 acres per day are assumed to generate more than 82 pounds of particulate matter per day, which would exceed the threshold of significance.

The proposed project is located on a 2.6-acre property. However, construction activities, including grading and site preparation, will only take place on a portion of the project site and will not exceed the air districts construction activity threshold of grading and excavation that disturb more than 2.2 acres per day. Therefore, the proposed project would not result in significant impacts to air quality during construction and the project’s contribution to regional air quality impacts during construction would be less than significant.

- c. There are no sensitive receptors within 1,000 feet of the project site. The nearest sensitive receptor is a residence located approximately 1,100 feet west of the southern corner of the property boundary. This distance is greater than the 500-foot screening distance recommended by the California Air Resources Board for the preparation of a health risk assessment, whose purpose is to evaluate potential health risks to sensitive receptors from construction or operations of a proposed project, particularly diesel exhaust emissions from construction equipment and heavy-duty trucks.

Emissions generated during construction activities are short-term because the use of heavy equipment would be limited to the construction period. The limited construction duration combined with the absence of nearby sensitive receptors would indicate that prolonged exposure would not occur. Therefore, there would be no impact associated with sensitive receptor exposure to toxic air contaminants.

- d. The most common sources of odors identified in complaints received by local air districts are sewage treatment plants, landfills, recycling facilities, waste transfer stations, petroleum refineries, biomass operations, autobody shops, coating operations, fiberglass manufacturing, foundries, rendering plants, and livestock operations. The proposed project would not produce these types or other significant objectionable odors that would adversely affect a substantial number of people. Therefore, there would be no impacts associated with odor.

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 Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐
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 Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Comments:

The following analysis evaluates the potential for biological resources to be impacted by the proposed project. The analysis is primarily based on review of the proposed project description and construction plans and the results of a biological records research relevant to the project area.

Information in this section is also derived from a preliminary biological assessment conducted for the project in 2021 and the previously prepared initial study in 2022:

- *Preliminary Biological Assessment for Travelers Station* (Bryan Mori Biological Consulting Services 2021); and

- *Initial Study/Mitigated Negative Declaration for the Travelers Station Southwest Corner Hwy 101 & SR 129* (Gary Coates 2022).

EMC Planning Group Senior Biologist Patrick Furtado, M.S., conducted a survey of the periphery of the project site on April 18, 2023, specifically to verify a report of the presence of Monterey dusky-footed woodrat (*Neotoma macrotis luciana*) houses on the site.

Prior to preparation of this section, EMC Planning Group reviewed construction site plans, aerial photographs, natural resource database accounts, and other relevant scientific literature. This included searching the U.S. Fish and Wildlife Service (USFWS) *Endangered Species Database* (USFWS 2024a), California Department of Fish and Wildlife (CDFW) *California Natural Diversity Database* (“CNDDB”, CDFW 2024a, CDFW 2024b), and California Native Plant Society (CNPS) *Inventory of Rare and Endangered Plants* (CNPS 2024) to identify special-status plants, wildlife, and habitats known to occur in the vicinity of the project site. A review of the USFWS *National Wetlands Inventory* (NWI) database was also conducted to identify jurisdictional aquatic features (wetlands, drainages, and/or riparian areas) on or adjacent to the project site (USFWS 2024b).

It shall also be noted for the purpose of this initial study that a qualified biologist has a bachelor’s degree in biological or environmental science, natural resources management, or related discipline; field experience in the habitat types that may occur at the project site; familiarity with the special-status species (or closely related species) that may occur at the project site; and prior preconstruction survey, construction monitoring, or construction oversight experience.

Existing Conditions. The approximately 2.6-acre project site is an undeveloped property located at the southwest corner of U.S. Highway 101 and State Route 129. The project site is mapped on the Chittenden U.S. Geological Survey (USGS) quadrangle map.

Soils. Soils at the project site are classified by the Natural Resources Conservation Service as Sorrento silty clay loam, 0 to 2 percent slopes. These are well-drained soils derived from sandstone and shale parent materials.

Aquatic Features. There are no aquatic features on the project site. A freshwater wetland and small stream are located to the northeast of the project and immediately north of State Route 129. Several freshwater ponds are located less than 0.5 miles from the project site to the south and west (refer to [Figure 7, Habitat Map](#)). The San Benito River is located approximately 0.3 miles to the north and northeast of the project site.

Plant and Wildlife Habitat. The plant and wildlife habitat on the project site is mostly grassland with shrub habitat on the west and north boundaries and a stand of eucalyptus trees along the eastern boundary, within the Caltrans right-of-way.

Species that are more common and could be expected to utilize the project site habitat include raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), coyote (*Canis latrans*), and Virginia opossum (*Didelphis virginiana*). One or more species of small rodents, including deer mice (*Peromyscus* spp.), harvest mice (*Reithrodontomys* spp.), and California meadow vole (*Microtus californicus*) are likely present on the project site. Common reptiles that could occur on the project site include western fence lizard (*Sceloporus occidentalis*), Pacific gopher snake (*Pituophis catenifer catenifer*), common garter snake (*Thamnophis sirtalis*) and Sierran treefrog (*Pseudacris sierra*) (Jameson and Peeters 2004, Nafis 2023, Stebbins and McGinnis 2018).



0 250 feet



Project Site



Scrub



Ruderal/Disturbed



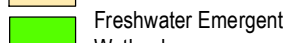
Oak Woodland



Eucalyptus



Grassland*



Freshwater Emergent Wetland



Freshwater Pond



Riverine



Freshwater Forested/

Shrub Wetland

Dusky-Footed

Woodrat House

Source: San Benito County GIS 2024

Figure 7

Habitat Map

*Please note that shadow from the eucalyptus trees is visible in the grassland polygon.



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Many resident bird species are likely to use the habitat on the project site including California scrub-jay (*Aphelocoma californica*), dark-eyed junco (*Junco hyemalis*), bushtit (*Psaltirparus minimus*), great horned owl (*Bubo virginianus*), California towhee (*Melospiza crissalis*), oak titmouse (*Baeolophus inornatus*), chestnut-backed chickadee (*Poecile rufescens*), mourning dove (*Zenaidura macroura*), Hutton's vireo (*Vireo huttoni*), Anna's hummingbird (*Calypte anna*), spotted towhee (*Pipilo maculatus*), house finch (*Haemorrhous mexicanus*), California quail (*Callipepla californica*), red-shouldered hawk (*Buteo lineatus*), ruby-crowned kinglet (*Corthylio calendula*), and goldfinch (*Spinus* spp.).

Bird species likely to migrate into this habitat to nest in the spring include neotropical migrants such as Wilson's warbler (*Cardellina pusilla*), orange-crowned warbler (*Vermivora celata*), warbling vireo (*Vireo gilvus*), hooded oriole (*Icterus cucullatus*), western flycatcher (*Empidonax difficilis*), and black-headed grosbeak (*Pheucticus melanocephalus*) (Cornell Lab of Ornithology 2024, Sibley 2016).

- a. **Special-Status Species.** Special-status species are those listed as Endangered, Threatened, or Rare, or as candidates for listing by the USFWS and/or CDFW; as Species of Special Concern or Fully Protected species by the CDFW; or as Rare Plant Rank 1B or 2B species by CNPS. A search of the California Department of Fish and Wildlife California Natural Diversity Database was conducted for the Chittenden, San Felipe, Gilroy Hot Springs, Watsonville East, Mt. Madonna, Gilroy, Prunedale, San Juan Bautista, and Hollister USGS quadrangles in order to evaluate potentially occurring special-status plant and wildlife species in the project vicinity (CDFW 2024a, 2024b). Records of occurrence for special-status plants were reviewed for those same USGS quadrangles in the CNPS Inventory of Rare and Endangered Plants (CNPS 2024). A U.S. Fish and Wildlife Service list of threatened and endangered species that may occur in the proposed project location or may be affected by the proposed project was generated using the IPaC project planning database (USFWS 2024a).

[Appendix D, Special-Status Species in the Project Vicinity](#), presents tables with database search results, and lists special-status species documented within the project vicinity, their listing status and suitable habitat description, and their potential to occur on the project site. [Figure 8, Special-Status Species with Potential to Occur in the Project Vicinity](#), presents a map of California Natural Diversity Database results.

Special-Status Plant Species. Of the special-status plant species with the potential to occur on the project site identified in [Appendix D, Special-Status Species in the Project Vicinity](#), two species, Congdon's tarplant (*Centromadia parryi* spp. *congdonii*) and fragrant fritillary (*Fritillaria liliacea*), have the potential to occur on the project site's ruderal and grassland habitat and have been documented as occurring in proximity to the project site. These species are discussed further below.

Congdon's Tarplant. Congdon's tarplant is listed as a CNPS 1B.1 species, and is an annual herb that typically grows in foothill and valley grassland habitat and blooms from June to November. It occurs on various substrates, and in disturbed and ruderal (weedy) areas. Congdon's tarplant is severely threatened by development and possibly threatened by grazing and non-native plants.

The nearest documented occurrence of Congdon's tarplant is located approximately 8.2 miles southwest of the project site (Occ. No. 38, CDFW 2024b). This special-status plant species has the potential to occur on the project site's grassland and ruderal habitat. Project development could result in impacts to this species during construction.

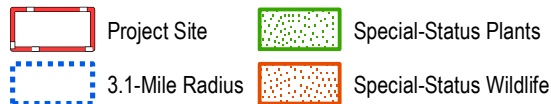
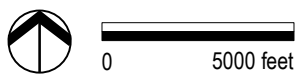
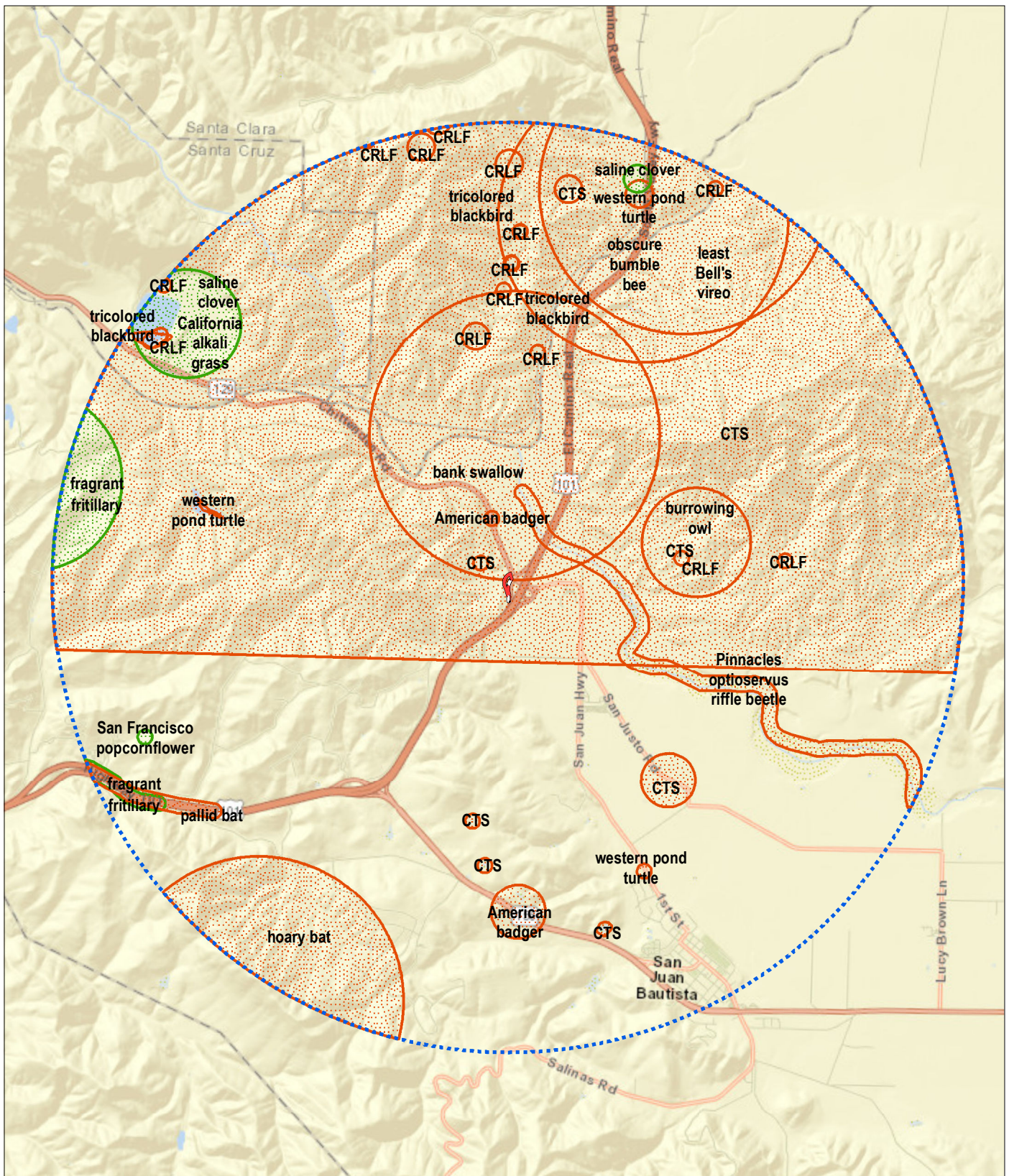
Fragrant Fritillary. Fragrant fritillary is listed as a CNPS 1B.2 species, and is a perennial bulbiferous herb that grows in valley or foothill grasslands and blooms from February to April. It is found on various substrates including clay, grassland soils and serpentine-associated soils. Fragrant fritillary is threatened by grazing, agriculture, urbanization, and non-native plants. The nearest documented occurrence of fragrant fritillary is located approximately 4.1 miles southwest of the project site (Occ. No. 29, CDFW 2024b). This special-status plant species has the potential to occur on the project site's grassland habitat. Project development could result in impacts to this species during construction.

Project development could result in impacts to these species during construction. Loss or harm to special-status plant species are considered significant adverse impacts. Implementation of Mitigation Measure BIO-1 would reduce potentially significant impacts to special-status plant species to a less-than-significant level.

Mitigation Measure

BIO-1 Special-Status Plants. Prior to approval of a grading permit(s) for project construction, a biologist qualified in botany shall conduct a focused survey for special-status Congdon's tarplant and fragrant fritillary 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 these species to determine their presence or absence. Some special-status plant species are only identifiable during their blooming periods and surveys are only considered valid if they occur when blooms are visible. Based on the known blooming periods of the special-status plant species potentially present, three surveys would be necessary to adequately survey the project site: the first in March, the second in April, and the third in July. If possible, known reference populations 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 surveys prior to issuance of a grading permit, which will be submitted to the San Benito County Resource Management Agency, where it will be kept on file. If the focused surveys conclude that special-status plant species are not present within the project site boundary, or if they are present but impacts to them can be completely avoided, then no further mitigation would be required.



Source: ESRI 2024, CDFW CNDDDB 2024,
San Benito County GIS 2024
CTS: California Tiger Salamander
CRLF: California Red-Legged Frog

Figure 8



Special-Status Species with Potential to Occur in the Project Vicinity

San Benito Traveler's Station Initial Study

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If the focused surveys identify special-status plant species within the project site boundary and they would be negatively affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the project 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 any special-status plant species.
- 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 project site) achieved in at least one of the five years of monitoring.

The project applicant will be responsible for implementation of this mitigation measure. Compliance with this measure shall be documented prior to approval of a grading permit by a letter report prepared by the biologist and submitted to the San Benito County Resource Management Agency, where it will be kept on file.

Special-Status Wildlife Species. Special-status species with the potential to occur on the project site include Mountain lion (*Puma concolor*), American badger (*Taxidea taxus*), San Joaquin kit fox (*Vulpes macrotis mutica*), Monterey dusky-footed woodrat, burrowing owl (*Athene cunicularia*), California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), special-status bats, and special-status bumble bees (*Bombus* spp.). White-tailed kite (*Elanus leucurus*) and nesting birds protected by the Migratory Bird Treaty Act may also occur on the project site. These species are discussed in more detail below.

Mountain Lion. Mountain lion is a candidate species provisionally listed as threatened under the California Endangered Species Act (CESA). Mountain lions are legally classified as "specially protected species." In April 2020, the California Fish and Game

Commission found that listing of an evolutionarily significant unit (ESU) located in Southern California and along the central coast of California ESU may be warranted and designated mountain lion within the ESU as a candidate species under the California Endangered Species Act. The CDFW is now completing a status review of mountain lions within the proposed ESU. Upon completion, CDFW will make its recommendation on listing to the Commission. Under CESA, species classified as a candidate species are afforded the same protection as listed species and should be considered during the preparation of CEQA documents, if warranted.

The proposed project is located within the general range for mountain lion, which includes most of the mountainous areas of California (CDFW BIOS 2022). According to Figure ES-1 of *A Petition to List the Southern California/Central Coast Evolutionarily Significant Unit (ESU) of Mountain Lions as Threatened under the California Endangered Species Act (CESA)* (Page 3, Center for Biological Diversity and the Mountain Lion Foundation 2019), the proposed project is located on the outskirts of population CC-N. However, the proposed project site is a relatively small parcel (2.6 acres) located in an area of low, flat topography surrounded by heavily used roadways, and is less likely to be used by mountain lion as a migratory corridor. The closest migratory corridors or areas of conservation emphasis as designated by the CDFW are located approximately two miles north, northwest, and west of the project site.

The project site has gone through regular vegetation management since 2018 and is described as, “an open, ruderal (weedy) field with remnant stalks of coyote bush present.” (Page 1, Bryan Mori Biological Consulting Services 2021). Areas of high human activity have lower occupancy of rare carnivores. Mountain lions tend to avoid roads and trails by the mere presence of those features, regardless of how much they are used (Lucas 2020). Although mountain lions had some flexibility to navigate urbanized landscapes, they spent more than 95 percent of their time away from developed areas and actively avoided open areas like golf courses, cemeteries, and other altered landscaped spaces (Riley et al. 2021).

The CEQA Guidelines under Appendix G requires a determination on whether a proposed project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or U.S. Fish and Wildlife Service. Although not specifically included in the preliminary biological assessment prepared in 2021 or in the previous initial study prepared for the project, the potential for a mountain lion to occur at the site is considered low due to the lack of habitat, presence of developed and heavily used roadways, and abundance of preferred open areas outside of the immediate project vicinity. No thresholds were identified that would require significance criteria to be applied; therefore, no further analysis is provided.

However, a mitigation measure to avoid project development impacts on wildlife movement from outdoor lighting is provided in the section on wildlife movement below under checklist question “d.”

Monterey Dusky-Footed Woodrat. The Monterey dusky-footed woodrat is a California Species of Special Concern found primarily in Monterey and San Luis Obispo counties. They are common to abundant in forest habitats of moderate canopy and moderate to dense understory. Monterey dusky-footed woodrat feeds mainly on woody plants, especially live oak, maple, coffeeberry, alder, and elderberry when available. They prefer moderate canopy cover in a variety of habitats. Houses are built of sticks and leaves at the base of, or in a tree, around a shrub, or at the base of a hill. Houses may measure eight feet in height and eight feet in diameter with nests located inside the stick house. They are mostly nocturnal but may reduce their activity on moonlit or rainy nights (CDFW 2008). This species is often found in cool, shady habitat with dense cover and the stick houses can be used by many generations over several years. The abandoned homes of dusky-footed woodrat provide habitat for a number of other species such as deer mice, salamanders, frogs, lizards, and snakes. Predators of dusky-footed woodrat include owls, hawks, bobcats, and coyotes.

Dusky-footed woodrat habitat was identified at the project site in two locations:

- Adjacent to Searle Road – coyote brush (*Baccharis pilularis*) and elderberry (*Sambucus* sp.); and
- Adjacent to Chittenden Road (California State Route 129) – eucalyptus (*Eucalyptus sideroxylon*), coyote brush, coast live oak (*Quercus agrifolia*).

Active Monterey dusky-footed woodrat houses (at least three) were observed in April 2023 at these two locations. Gopher burrows (*Thomomys bottae*) were observed throughout the project site. [Figure 6, Habitat Map](#), shown previously shows the locations of the woodrat houses identified during the April 2023 survey. The average height of the houses was approximately three to four feet. Impacts to Monterey dusky-footed woodrats as a result of the proposed project are considered significant. Implementation of Mitigation Measure BIO-2 and Mitigation Measure BIO-3 by the project applicant, with oversight by the San Benito County Resource Management Agency, will reduce this significant impact to Monterey dusky-footed woodrat to a less-than-significant level.

Mitigation Measures

BIO-2 Worker Awareness Training. Prior to approval of a grading permit, a qualified biologist shall conduct an environmental awareness 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, special-status plants (if present), Monterey dusky-footed woodrat, American badger, San Joaquin kit fox, burrowing owl, California red-legged frog, California tiger salamander, white-tailed kite, special-status bumble bees, and monarch butterfly. 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 will 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 project applicant shall document evidence of completion of this training by a letter report prepared by the biologist and submitted to the San Benito County Resource Management Agency, prior to issuance of a grading permit where it will be kept on file.

The qualified biologist will 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 will check for animals under or in any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a special-status species is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 50 feet of the special-status species will be halted and all equipment turned off until the qualified biologist has determined that the special-status species has left the construction area. Documentation of monitoring and any observations shall be maintained at the project site.

BIO-3 Monterey Dusky-Footed Woodrat. The project applicant will implement the following measures for the duration of all construction activities to avoid loss of or harm to Monterey dusky-footed woodrat:

- a. Within one month prior to the onset of construction activities, a California Department of Fish and Wildlife (CDFW) qualified biologist will conduct a preconstruction survey for woodrat houses and clearly flag all houses within the construction impact area and immediate surroundings.
- b. The construction contractor will avoid woodrat houses to the greatest extent feasible by installing a minimum 10-foot (preferably 25-foot) buffer with fencing or other material that will prohibit encroachment.
- c. If avoidance of woodrat houses is not possible, in coordination with California Department of Fish and Wildlife and San Benito County Resource Management Agency staff, a California Department of Fish and Wildlife-qualified biologist will develop and implement a Monterey Dusky-footed Woodrat Relocation Plan, including, but not limited to, the following:
 - a. Prior to house disturbance, the biologist will obtain a scientific collection permit for the trapping of the dusky-footed wood rats from California Department of Fish and Wildlife.
 - b. Houses will be disturbed/dismantled only during the non-breeding season, generally between late summer and early fall, as determined in consultation with the project biologist and CDFW.

- c. If trapping is utilized as part of the relocation plan, prior to house disturbance, wood rats will be trapped at dusk of the night set for relocation of the house(s).
- d. Any existing house that may be disturbed by construction activities will be mostly dismantled and the material spread in the vicinity of identified house relocation site(s).
- e. In order to avoid the potential health effects associated with handling rodents and their setting, all workers involved in the handling of the wood rats or the house materials will wear protective gear to prevent inhalation of contaminant particulates, contact with conjunctiva (eyes), and protection against flea bites. A respirator, eye protection, and skin protection should all be used.
- f. Dismantling will be done by hand, allowing any animals not trapped to escape either along existing woodrat trails or toward other available habitat.
- g. If a litter of young is found or suspected, house and nest material will be replaced, and the house left alone for two to three weeks before a recheck to verify that young are capable of independent survival before proceeding with house dismantling.
- h. Woody debris will be collected from the area and relocated houses will be partially constructed in an area determined by the qualified biologist to be both suitable for the wood rats and far enough away from the construction activities that they will not be impacted.
- i. If trapping is utilized as part of the relocation plan, rats that were collected at dusk will be released hours before dawn near the newly constructed nests to allow time for rats to find refuge.
- j. The biologist shall then prepare a brief report to be submitted to the California Department of Fish and Wildlife and the San Benito County Resource Management Agency documenting the results of the relocation.

Project development could result in impacts to Monterey dusky-footed woodrat during construction. Loss or harm to this species is considered a significant adverse impact. Implementation of Mitigation Measure BIO-2, which requires a training session on special-status species potentially present on the construction site for all personnel, and Mitigation Measure BIO-3 by the project applicant, with oversight by the San Benito County Resource Management Agency, will reduce potentially significant impacts to Monterey dusky-footed woodrat to a less-than-significant level.

American Badger. American badger is a California Species of Special Concern. It is an uncommon, permanent resident found throughout most of the state, except in the northern North Coast area. Typical habitats include drier open stages of most shrub, forest, and herbaceous habitats with friable soils suitable for burrows. Prey species include fossorial rodents such as rats, mice, chipmunks, ground squirrels, and pocket gophers. Badger diet shifts seasonally depending on the availability of prey and may also include reptiles, insects, earthworms, eggs, birds, and carrion. Mixed oak woodland, coastal scrub, and grassland habitats provide cover, drier soils for burrowing, and prey resources for this species. The nearest documented occurrence of American badger was recorded approximately 0.4 miles northwest of the project site (Occ. No. 591, CDFW 2024b). An additional three more occurrences of American badger are found within three miles of the project site. As American badgers are known to occur in the region and could den and forage on the project site, project development could result in impacts to this species from disturbance, injury, or mortality during construction.

The likelihood of this species occurring on the project site is considered low. However, loss of or harm to individual badgers could result if they are present on the site. Loss or harm to American badger is considered a significant adverse impact. Implementation of Mitigation Measure BIO-2, shown above, and Mitigation Measure BIO-4 would reduce the potential significant impact to American badger to a less-than-significant level by requiring pre-construction training and surveys for active badger dens and the implementation of avoidance, minimization, and mitigation measures should they be found on the project site.

Mitigation Measure

BIO-4 American Badger. Not more than 14 days prior to the commencement of ground-disturbing construction activities, a qualified wildlife biologist shall conduct surveys of the grassland habitat on site to identify any potential American badger burrows/dens. If the survey results are negative (i.e., no badger dens observed), a letter report confirming absence shall be prepared and submitted to the San Benito County Resource Management Agency prior to issuance of a grading permit and no further mitigation is required.

If the results are positive (badger dens are observed), the qualified biologist shall determine if the dens are active by installing a game camera for three days and three nights to determine if the den is in use.

- a. If the biologist determines that a den may be active, coordination with the California Department of Fish and Wildlife shall be undertaken to develop a suitable strategy to avoid impacts to American badger. The strategy may include the following: the biologist shall install a one-way door in the den opening and continue use of the game camera. Once the camera captures the individual exiting the one-way door, the den can be excavated with hand tools to prevent badgers from reusing them. If the biologist determines that the den is a maternity den, construction

activities shall be delayed during the maternity season (February to August), or until the badgers leave the den on their own accord or the biologist determines that the den is no longer in use.

- b. If the game camera does not capture an individual entering/exiting the den during this time, then the den can be excavated with hand tools to prevent badgers from reusing them.
- c. After dens have been excavated and the absence of American badger confirmed by the biologist, a letter report shall be prepared and submitted to the San Benito County Resource Management Agency, prior to issuance of a grading permit.

San Joaquin Kit Fox. The San Joaquin kit fox is a federally-listed endangered species and a state-listed threatened species. The present range of the San Joaquin kit fox extends from the southern end of the San Joaquin Valley, north to Tulare County, and along the interior Coast Range valleys and foothills to central Contra Costa County. San Joaquin kit foxes typically inhabit annual grasslands or grassy open spaces with scattered shrubby vegetation but can also be found in some agricultural habitats and urban areas. This species needs 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.

According to the CDFW, San Joaquin kit foxes have become established in urban settings of the Central Valley, such as Bakersfield, Taft, and Coalinga (Harrison et. al 2011). When kit foxes have easy access to trash and pet food, they often lose fear of people and urban environments. The nearest documented occurrence of San Joaquin kit fox is approximately 6.5 miles southeast of the project site (Occ. No. 605, CDFW 2024b). Additional documented occurrences of kit fox are immediately east of Hollister.

The likelihood of this species occurring on the project site is considered low. However, loss of or harm to individual kit foxes could result if they are present on the site or seek shelter during construction within artificial structures, such as stored pipes or exposed trenches. Project development could result in impacts to San Joaquin kit fox during construction. Loss or harm to San Joaquin kit fox is considered a significant adverse impact. Implementation of Mitigation Measure BIO-2 (shown above) and Mitigation Measure BIO-5 will reduce this potentially significant impact to San Joaquin kit fox to a less-than-significant level.

Mitigation Measure

BIO-5 San Joaquin Kit Fox. 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 on the project site to avoid unintended take of individual San Joaquin kit foxes.

Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted no less than 30 days prior to the beginning of ground disturbance and/or construction activities that may impact San Joaquin kit fox. The surveys shall include all work areas and a minimum 200-foot buffer of the project site. The preconstruction surveys shall identify kit fox habitat features on the project site, 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 project area or within 200 feet of the project boundary, the applicant shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service 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:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas. Night-time construction shall be prohibited. Off-road traffic outside of the designated project area shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction, 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.
- c. 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.
- d. 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 project site.

- e. No firearms shall be allowed on the project site during construction activities.
- f. 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.
- g. Use of rodenticides and herbicides on the project site during construction or operation 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.
- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service.

Western Burrowing Owl. Western burrowing owl is currently listed as a California Species of Special Concern and was approved as a candidate for a higher listing under the California Endangered Species Act (CESA) in October 2024. CDFW has 12 months to conduct a status review that will inform a final decision on whether to list western burrowing owl as threatened or endangered under CESA. Burrowing owls live and breed in burrows in the ground, especially in abandoned California 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. This species has been observed approximately 0.8 miles to the northeast of the project site (Occ. No. 435, CDFW 2024b) and an additional ten occurrences are documented within ten miles of the project site. The project site's non-native grassland provides suitable foraging habitat for burrowing owl.

The likelihood of this species occurring on the project site is considered low. However, loss of or harm to individual burrowing owls could result if they are present on the site or seek shelter during construction within artificial structures, such as stored pipes. Loss or harm to burrowing owl is considered a potentially significant impact. Implementation of Mitigation Measure BIO-2 (shown above) and Mitigation Measure BIO-6 will reduce this potential significant impact to burrowing owl to a less-than-significant level.

Mitigation Measure

BIO-6 Western Burrowing Owl. To avoid loss of or harm to western burrowing owl, the following measures shall be implemented:

- a. Prior to issuance of a grading permit for project construction, the applicant shall retain a biologist qualified in ornithology to conduct surveys for burrowing owl. The qualified biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). If no burrowing owls are found, a letter report confirming absence shall be prepared and submitted to the San Benito County Resource Management Agency and no further measures are required.
- b. If burrowing owls are found and can be avoided, 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 because burrowing owls occupy habitat year-round. These buffers shall be in place prior to and during any ground disturbance activities associated with project construction. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a biologist qualified in ornithology 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

- c. If burrowing owl is found 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 would be impacted; thus, ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.

- d. 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. Once the absence of burrowing owl has been confirmed, a letter report shall be prepared and submitted to the San Benito County Resource Management Agency.

California Red-Legged Frog. A federally-listed Threatened species and California Species of Special Concern, California red-legged frog occurs in lowlands and foothills primarily in perennial or ephemeral ponds, pools, and streams where water remains long enough (14-28 weeks) for breeding and metamorphosis of tadpoles. Specific breeding sites include streams, creeks, ponds, marshes, sag ponds, deep pools, backwater areas, dune ponds, lagoons, and estuaries. California red-legged frog may disperse from their aquatic breeding habitats to upland habitats during the dry season. They prefer upland habitats that provide moisture to prevent desiccation and protection from predators, including downed logs, woody vegetation, boulders, moist leaf litter, or other refugia during the dry season. In areas where upland habitats do not contain structure, they take refuge in burrows. However, if there is sufficient water at their breeding location, they may remain in aquatic habitats year-round instead of moving to adjacent uplands (CDFW 2008b).

During wet seasons, frogs can move long distances between habitats, traversing upland areas or ephemeral drainages. Dispersal distances are typically less than 0.3 mile, with a few individuals moving 1.2 to 2.2 miles. Seeps and springs in open grasslands can function as foraging habitat or refugia for wandering frogs.

CNDDDB records indicate that this species has been observed approximately one mile to the northeast of the project site (Occ. No. 483, CDFW 2024b) and an additional 27 occurrences are documented within five miles of the project site. Upland habitat exists on the project site and breeding habitat is potentially found in wetlands to the immediate north of the project site and in several freshwater ponds located less than 0.5 miles from the project site to the south and west. Due to the lack of cover and aquatic habitat on the project site, the likelihood of this species occurring on the project site is considered low. However, loss of or harm to individual red-legged frogs could result if they are present on the site or dispersing through the site. Loss or harm to California red-legged frog is considered a significant adverse impact.

Implementation of Mitigation Measure BIO-2 (shown above) and Mitigation Measure BIO-7 will reduce this potential significant impact to California red-legged frogs to a less-than-significant level.

Mitigation Measure

BIO-7 California Red-Legged Frog. Construction activities are proposed within and immediately adjacent to California red-legged frog upland habitat. Project development would directly impact upland habitat. One or both of the following options will be implemented:

Option 1. Protocol-Level Surveys for California Red-Legged Frog

Protocol surveys will be conducted per the *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog* (U.S. Fish and Wildlife Service 2005) to determine if California red-legged frog is present at the project site. If surveys result in a negative finding, documentation will be submitted to the U.S. Fish and Wildlife Service for confirmation. If the negative finding is considered valid no further action is required.

If California red-legged frog is found, Incidental Take Authorization will be obtained from the U.S. Fish and Wildlife Service prior to ground disturbance, as detailed in Option 2, below.

Option 2. Assume Presence of California Red-Legged Frog and Obtain Incidental Take Authorization

If the presence of California red-legged frog is determined during protocol-level surveys or it is assumed that they are present on the project site, the project applicant will obtain an Incidental Take Permit from the U.S. Fish and Wildlife Service. The project applicant will implement all avoidance, minimization, and compensatory mitigation measures required in the permit to minimize the potential for “take” of California red-legged frog.

California Tiger Salamander. California tiger salamander is a federally and state-listed Threatened species. The project site is not located within federally designated critical habitat for this species. The California tiger salamander is dependent on small shallow bodies of water for breeding. It can be found in grasslands, most frequently within 400 feet of breeding pools or ponds and where California ground squirrels are prevalent and active. Ephemeral ponds that completely dry out by late summer and early fall are ideal habitat for this species because the dry period prohibits bullfrog and non-native fish residency. California tiger salamanders will occupy burrows of ground squirrels during summer and fall months, emerging to move toward breeding sites when the rainy season commences. They typically disperse to burrows and other hiding places in oak woodlands and grasslands within a quarter mile or less from breeding ponds by early summer.

CNDDB records indicate that the closest known occurrences of California tiger salamander to the project site are approximately 0.2 miles to the northwest (Occurrence Nos. 618 and 434, CDFW 2024b). An additional 14 occurrences of California tiger salamander are documented within five miles of the project site. Upland habitat exists on the project site and breeding habitat is potentially found in wetlands to the immediate north of the project site and in several freshwater ponds located less than 0.5 miles from the project site to the south and west.

The likelihood of this species occurring on the project site is considered low. However, loss of or harm to individual salamanders could result if they are present on the site or dispersing through the site. Loss or harm to California tiger salamander is considered a significant adverse impact. Implementation of Mitigation Measure BIO-2 (shown above) and Mitigation Measure BIO-8, provided below, will reduce this potential, significant impact to California tiger salamander to a less-than-significant level.

Mitigation Measure

BIO-8 California Tiger Salamander. Construction activities are proposed within and immediately adjacent to California tiger salamander upland habitat. Project development would directly impact upland habitat. One or both of the following options will be implemented:

Option 1. Protocol-Level Surveys for California tiger salamander

Protocol surveys will be conducted per the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander* (USFWS 2003) to determine if California tiger salamander is present at the project site. If surveys result in a negative finding, documentation will be submitted to the U.S. Fish and Wildlife Service for confirmation. If the negative finding is considered valid no further action is required.

If California tiger salamander is found, Incidental Take Authorization will be obtained from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife prior to ground disturbance, as detailed in Option 2, below.

Option 2. Assume Presence of California tiger salamander and Obtain Incidental Take Authorization

If the presence of California tiger salamander is determined during protocol-level surveys or it is assumed that they are present on the project site, the project applicant will obtain Incidental Take Permits from the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, and will implement all avoidance, minimization, and compensatory mitigation measures required in the permit to minimize the potential for “take” of California tiger salamander.

Special-Status Bats. Trees in the project area could provide roosting habitat for special-status bat species known to occur in the vicinity of the project site, including hoary bat, pallid bat, western mastiff bat, and western red bat.

These bat species inhabit a wide variety of habitats including grasslands, woodlands, and forests. Construction activities at the project site could result in the disturbance of roost and natal sites occupied by special-status bats on or adjacent to the project site, if present. Loss or harm to special-status bats is considered a significant adverse impact. Implementation of Mitigation Measure BIO-2 (shown above), which requires a training session on special-status species potentially present on the construction site for all personnel, and Mitigation Measure BIO-9, provided below, will reduce this potential significant impact to special-status bat species to a less-than-significant level.

Mitigation Measure

BIO-9 Special-Status Bat Species. The following measures shall be implemented to avoid loss of or harm to special-status bat species:

- a. Approximately 14 days prior to construction activities a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees within 50 feet of the construction easement. 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 project site, 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.
- b. If no roosting sites or bats are found, a letter report will be prepared by the biologist and submitted to the San Benito County Resource Management Agency, where it will be kept on file, and no further measures are required.
- c. If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with California Department of Fish and Wildlife.
- d. The bat nursery season is generally considered May 1 to October 1. If bats are found roosting outside of the nursery season, 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 will be submitted to 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 structure disturbance shall occur until after the nursery season.

Crotch Bumble Bee. On June 12, 2019, the California Fish and Game Commission voted to accept a petition to consider listing four subspecies of bumble bee, including the Crotch bumble bee (*Bombus crotchii*), under CESA. As a result of this decision, the Crotch bumble bee is a state candidate endangered species and is temporarily afforded the same protection as state-listed threatened or endangered species. Crotch bumble bee range historically extended throughout the southern two-thirds of California, from coastal California east to the Sierra-Cascade crest and south into Mexico, however recent data indicates that this species is absent from the center of its historical range due to extensive agricultural intensification and urbanization (Xerces Society 2018).

Crotch bumble bees inhabit open grassland and scrub habitats. Suitable bee habitat is based on the availability of flowers on which to forage throughout the duration of the colony (spring through fall), colony nest sites, and overwintering sites for the queens (Xerces Society 2018). Bumble bees are generalist foragers (i.e., they do not depend on any one flower type). Documented food plants for Crotch bumble bees include milkweed, lupine, clover, and sage (Xerces Society 2018). Crotch bumble bees, like most bumble bee species, nest underground, particularly within abandoned rodent holes (Xerces Society 2018). The flight period for Crotch bumble bee queens is from late February to late October, peaking in early April and again in July. The flight period for workers and males extends between late March and September (Xerces Society 2018).

Suitable habitat for Crotch bumble bee is located at the project site in grassland areas.

Obscure Bumble Bee. In 2019, the obscure bumble bee was identified as a candidate species for endangered species listing under California Endangered Species Act (California Fish and Game Commission 2019). Although not yet formally listed, species identified as “candidate” require consideration during CEQA analyses. This species occurs along the Pacific Coast, from southern California to southern British Columbia, with scattered records from the east side of California’s Central Valley. The Obscure bumble bee inhabits open grassy coastal prairies and Coast Range meadows. Nesting occurs underground as well as above ground in abandoned bird nests. Males patrol circuits in search of mates. Obscure bumble bees require species that bloom and provide adequate nectar and pollen throughout the colony’s flight period from as early as February to late November.

Suitable habitat for obscure bumble bee is located at the project site in grassland area.

If the Crotch bumble bee or obscure bumble bee is present on the project site, construction activities could result in the loss or disturbance of individual bees and their habitat. This would be a significant adverse environmental impact. Implementation of Mitigation Measure BIO-2 (shown above), which requires a training session on special-status species potentially present on the construction site for all personnel, and Mitigation Measure BIO-10, provided below, will reduce this potential significant impact to special-status bumble bee species to a less-than-significant level.

Mitigation Measure

BIO-10 Listed Bee Species. During the optimal flight period for the obscure bumble bee and western bumble bee (April 1 – July 31) and prior to ground disturbance a qualified biologist shall conduct a pre-construction survey of small mammal burrows and thatched/bunch grasses for bumble bee nesting activity. If the survey results are negative (i.e., no bumble bee nesting activity observed), a letter report confirming absence will be prepared and submitted to the San Benito County Resource Management Agency and no further mitigation is required.

If bumble bee nests are detected and the area can be avoided, a qualified biologist shall supervise the installation of protective fencing/flagging a minimum of 50 feet around the nest area prior to construction. The fencing/flagging will be checked at least once per week until construction is complete to ensure that the protective fencing/flagging remains intact. The qualified biologist can conduct the weekly checks or train a biological monitor selected from the construction crew by the construction contractor (typically the project foreman) to check the fencing/flagging and provide weekly updates. Documentation of the fencing/flagging installation shall be provided to the San Benito County Resource Management Agency prior to the start of ground disturbance activities. Documentation of the weekly checks and timely maintenance (if needed) shall be provided to the San Benito County Resource Management Agency quarterly during construction.

If bumble bee nests are detected and the area cannot be avoided, the qualified biologist shall coordinate with the California Department of Fish and Wildlife to determine the appropriate method of relocation or eviction of the nests.

After it has been confirmed that the habitat area is no longer occupied, a letter report will be prepared by the qualified biologist and submitted to the San Benito County Resource Management Agency.

Nesting Birds and White-tailed Kite. Protected nesting bird species and raptor species, such as white-tailed kite, have the potential to nest on open ground, or in any type of vegetation, including trees, during the nesting bird season (January 15 through September 15). The project site and surrounding properties contain a variety of trees, shrubs, and open grassland areas suitable for nesting. Construction activities, including ground disturbance, can impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. If protected bird species are nesting on or adjacent to the project site during the bird nesting season, then noise-generating construction activities could result in the loss of fertile eggs, nestlings, or otherwise lead to the abandonment of nests.

Implementation of Mitigation Measure BIO-2 (shown above) and Mitigation Measure BIO-11, provided below, will reduce the potential significant impact to nesting birds to a less-than-significant level.

Mitigation Measure

BIO-11 Nesting Birds and Raptors. To avoid impacts to white-tailed kite and nesting birds during the nesting season (January 15 through September 15), all construction activities should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction or project-related work is scheduled or occurs 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), a qualified biologist shall conduct nesting bird surveys.

- a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no nesting birds are found, a letter report confirming absence will be prepared and submitted to the San Benito County Resource Management Agency and no further mitigation is required.
 - b. If the qualified biologist documents active nests within the project site 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. Once the absence of nesting birds has been confirmed, a letter report will be prepared and submitted to the San Benito County Resource Management Agency.
- b. **Riparian Habitat or Sensitive Natural Communities.** There are no riparian habitats or sensitive natural communities on the project site. Therefore, the project would not 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 Wildlife or US Fish and Wildlife Service.

- c. **Wetlands and Waters of the U.S.** A review of the National Wetlands Inventory online database found that no potential jurisdictional aquatic features are on or immediately adjacent to the project site (USFWS 2024b). A freshwater wetland and small stream are located to the northeast of the project site and immediately north of State Route 129. Several freshwater ponds are located less than 0.5 miles from the project site to the south and west. The San Benito River is located approximately 0.3 miles to the north and northeast of the project site.

Therefore, the project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means.

- d. **Wildlife Movement.** Terrestrial species must navigate a habitat landscape that meets their needs for breeding, feeding and shelter. Natural and semi-natural components of the landscape must be large enough and connected enough to meet the needs of all species that use them. Wildlife movement corridors provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites.

The project site is located immediately south of a wildlife corridor, identified as an essential connectivity area, connecting the Santa Cruz Mountains with the Diablo Range (California Essential Habitat Connectivity, BIOS Viewer, CDFW 2024c). The project site is also located at the intersection of several geographical/topographical features: the Santa Cruz Mountains, Pajaro Valley, Santa Clara Valley, San Juan Valley, and the Gabilan Range.

Light pollution from the artificial lighting of the developed project could alter the behavior of many wildlife species and interfere with their local movement. Interference with the movement of wildlife species is considered a significant adverse impact.

Implementation of the following mitigation measure to prevent light pollution by the project applicant, with oversight by the San Benito County Resource Management Agency, will reduce this significant impact to wildlife movement to a less-than-significant level.

Mitigation Measure

BIO-12 Light Pollution. All exterior light fixtures on the project shall be hooded, with lights directed downward. Prior to issuance of a grading permit, plans for lighting shall be subject to the review and approval by the San Benito County Resource Management Agency to verify that light pollution reduction measures are included.

e. **Local Biological Resource Policies/Ordinances.**

San Benito County General Plan 2035

The 2035 San Benito County General Plan was adopted by the Board of Supervisors in 2015 and applies to unincorporated lands and communities in San Benito County (San Benito County 2023). The 2035 San Benito County General Plan Natural and Cultural Resources (NCR) element contains the following goals and policies associated with biological resources that may be applicable to the proposed project:

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

Policy NCR-1.2 Conservation Easements. The County shall support and encourage the use of conservation easements to protect open space that contains valuable natural resources.

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

Policy NCR-2.1. The County shall work with property owners and Federal and State agencies to identify feasible and economically-viable methods of protecting and enhancing natural habitats and biological resources in the county.

NCR-2.5 Mitigation for Wetland Disturbance or Removal. The County shall encourage the protection of the habitat value and biological functions of oak woodlands, native grasslands, riparian and aquatic resources, and vernal pools and wetlands. The County shall require that development avoid encroachment and require buffers around these habitats to the extent practicable. The County shall further require mitigation for any development proposals that have the potential to reduce these habitats. Exceptions to this action include irrigation pumps, roads and bridges, levees, docks, public boat ramps, and similar uses. In all cases where intrusions into these buffers are made, only the minimum amount of vegetation necessary to construct the feature shall be removed.

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

Policy NCR-2.8. The County shall require the preparation of biological resource assessments for new development proposals as appropriate. The assessment shall include the following: a biological resource inventory based on a reconnaissance-level site survey, and an analysis of anticipated project impacts to: potentially occurring special-status species (which may require focused special-status plant and/or animal surveys); an analysis of sensitive natural communities; wildlife movement corridors and nursery sites on or adjacent to the project site; potentially jurisdictional wetlands/waterways; and

locally protected biological resources such as trees. The assessment shall contain suggested avoidance, minimization, and/or mitigation measures for significant impacts to biological resources.

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

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

San Benito County Code of Ordinances

The County Code of Ordinances contains local legislation that may be applicable to the proposed project:

Section 19.17.005 Riparian Protection. Grading activity shall not take place within 50ft (measured horizontally) from the top bank of a stream, creek, or river or within 50 ft of a wetland or body of water. (1966 Code, § 7A-5) (Ord. 708, § 1)

Section 19.17.008 Permits Required. Except as otherwise exempted by this chapter, no person shall do any grading without first obtaining a grading permit from the Building Inspection and Planning Department. A separate permit shall be required for each site and may cover both excavation and fills. Grading permits are not transferable. (1966 Code, § 7A-8) (Ord. 708, § 1)

Section 19.17.009 Applications. Plans will be required with all applications for grading permits. Plans and specifications shall be prepared and signed by a civil engineer when the grading or filling is over 1,500 cubic yards; or a dam, retaining wall or fill over four feet in height is required; or when grading will occur on slopes greater than 20%. (1966 Code, § 7A-9) (Ord. 708, § 1; Ord. 801, § 1(V, VI)

Section 19.17.010 Soils and Geologic Report. Application for a grading permit shall be accompanied by supporting data consisting of a soils engineering report and geologic reports, unless waived by the county because information is available showing the data is not needed. The soil engineering report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures when necessary, and opinions and recommendations covering adequacy of sites to be developed by the proposed grading. (1966 Code, § 7A-10) (Ord. 708, § 1)

Mitigation measures contained in this section, such as preconstruction surveys for special-status plant and wildlife species, environmental awareness training sessions for all construction personnel, and the prevention of light pollution from project development, will mitigate impacts to biological resources to a less-than-significant level. With these considerations, the proposed project would not conflict with local regulations related to biological resources.

Protected Trees. All of the trees along the eastern property boundary are located within the Caltrans right-of-way. No trees are proposed for removal on the project site.

- f. **Conservation Plans.** There are no critical habitat boundaries, habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans applicable to the proposed project site (CDFW 2024e, USFWS 2024c).

The proposed project is not located in an area covered by a Habitat Conservation Plan (HCP). However, the San Benito County Resource Management Agency has initiated the process of planning and developing a county-wide HCP and natural community conservation plan (NCCP) called the San Benito County Conservation Plan (SBCCP). All projects within San Benito County are required to pay a Habitat Conservation Mitigation fee (San Benito County 2024).

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 <i>historical resource</i> pursuant to section 15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of a <i>unique archaeological resource</i> pursuant to section 15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Comments:

Archaeological Resource Services prepared *Travelers Station - A Cultural Resource Evaluation* (“cultural resource evaluation”) in January 2022 for the proposed project. This report is confidential and, therefore, is not included in the appendices. Much of the information provided in this section is from this source unless otherwise noted.

a-b. The cultural resource evaluation conducted archival research to determine if there are any known historic or unique archaeological resources on the project site or in the vicinity. None were recorded within the project boundaries. The nearest recorded resources within a half-mile of the project site are a prehistoric lithic scatter and habitation site, and U.S. Highway 101.

An archaeologist conducted a surface reconnaissance of all accessible part of the project area to locate any visible signs of potentially significant historic or prehistoric cultural deposits. None were found.

According to the cultural resource evaluation, the property does not contain any archaeological resources that warrant a finding of significance, nor will the proposed project have any impact upon the known archaeological resources of the area. (Archaeological Resource Service 2022).

However, unknown buried significant historic or unique archaeological resources could be present at the project site. Such resources, if present, could be damaged or destroyed by ground disturbing construction activities associated with the project. This would be a significant impact. Implementation of the following mitigation measure would ensure that potential impacts would be less than significant.

Mitigation Measure

CUL-1 The following language shall be incorporated into any plans associated with grading and construction: “In the event that archaeological resources – pre- or post-contact - are encountered during ground disturbing activities or construction, soil disturbing work shall temporarily halt or divert excavations within a 50 meter (165 feet) of the find until it can be evaluated. If present, the on-site Tribal Monitor shall also be notified. All potentially significant archaeological deposits shall be evaluated to demonstrate whether the resource is eligible for inclusion on the California Register of Historic Resources, even if discovered during construction. If the newly unearthed resources is a pre-contact archaeological resource or a post-contact archaeological resource that could have significance to the Amah Mutsun Tribal Band, the County may seek further guidance from tribal cultural experts or subject matter experts to complete a determination. If archaeological deposits are encountered, they will be evaluated and mitigated simultaneously in the timeliest manner practicable, allowing for recovery of materials and data by standard archaeological procedures. For pre-contact archaeological sites, this data recovery involves the hand-excavated recovery and non-destructive analysis of a small sample of the deposit. Historic resources shall also be sampled through hand excavation, though architectural features may require careful mechanical exposure and hand excavation.

Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance by an archaeologist. Significant cultural resources consist of, but are not limited to, stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites.

If an encountered pre-contact archaeological resource or a post-contact archaeological resource with Tribal significance is determined eligible for inclusion on the California Register for Historic Resources or will be significantly impacted by the Project, the Lead Archaeologist will notify the County and consult with the Amah Mutsun Tribal Band to develop a culturally appropriate treatment plan. Treatment plans shall consider avoidance and preservation of the resource(s) in place as a preferred option. All potential means of avoiding or reducing ground disturbance within the site boundaries will be considered including modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or more substantial modifications where feasible that will permit avoidance or substantial preservation in place of the resource.

The archaeologist, in coordination with the Amah Mutsun Tribal Band (and NAHC-designated MLD if applicable) shall prepare a report describing any

resource(s) unearthed, the treatment of such resource(s), and the evaluation of the resource(s) with respect to the California Register of Historic Resources. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared.”

- c. The cultural resource evaluation found no evidence of pre- or post-contact sites associated with Native Americans within the project site; therefore, the likelihood of the project disturbing Native American human remains is low. However, there remains the possibility that ground disturbing activities associated with the proposed project could damage or destroy previously undiscovered Native American human remains. Disturbance of Native American human remains would be a significant impact. The following mitigation would reduce this potential impact to a less-than-significant level.

Mitigation Measure

CUL-2 The following language shall be incorporated into any plans associated with grading and construction, “If human remains are discovered during ground-disturbing activities or project construction, work shall be halted within at least 150 feet of the discovery location, and at a greater distance if determined necessary by the Archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards, and within any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The San Benito County Coroner shall be notified immediately to determine if the cause of death must be investigated. Notice will also be provided immediately to the Amah Mutsun Tribal Band.

If the San Benito County Coroner determines that the remains are of Native American origin, the Coroner shall ensure that notification is provided to the Native American Heritage Commission (NAHC) as required by California Public Resources Code Section 5097.98(a). A determination of the Most Likely Descendant (MLD) under California Public Resources Code Section 5097.98 will be made by the NAHC upon notification to NAHC of the discovery of said remains at the Project site. Work may not resume until the MLD has made a recommendation to the County regarding appropriate means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

When and if Native American human remains are discovered at the project site, the Amah Mutsun Tribal Band shall be consulted as part of the repatriation process irrespective of whether the NAHC-designated MLD is an Amah Mutsun Tribal Band member.

The Amah Mutsun Tribal Band shall be allowed to (1) inspect the site of the discovery and (2) make recommendations as to how the human remains and grave goods should be treated with appropriate dignity. The County shall discuss and confer with the Tribe all reasonable options with regard to its preferences and recommendations for treatment.

Amah Mutsun Tribal Band ancestral traditions call for the burial of associated cultural resources (grave goods and funerary objects) with the deceased, and the ceremonial burning of Native American human remains, funerary objects, grave goods and animals. Ashes and other remnants of these burning ceremonies, as well as grave goods and funerary objects, associated with or buried with the Native American remains, are to be treated in the same manner as human bones, human bone fragments and cremations of human remains.

Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 et seq. The San Benito County Coroner is expected to withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 7927.000.

The County shall return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to Amah Mutsun Tribal Band for possession during course of the project and, if necessary, appropriate treatment, unless San Benito County is ordered to do otherwise by a court or agency of competent jurisdiction. In addition, all other potentially significant Native American-associated cultural resources that are recovered during the course of archaeological investigations on or adjacent to the project site when the Tribe and the Lead Archaeologist have determined the finds to be potentially significant cultural resources shall be returned to the Tribe.

Where appropriate (from the perspective of the Tribe), and agreed upon in advance by the County, the Tribe, and Lead Archaeologist, certain analyses of certain artifact types will be permitted, which may include, but which may not necessarily be limited to, shell, bone, ceramic, stone and/or other artifacts. The preferred location for repatriation of cultural material by the Tribe will be in close proximity to the site of discovery but protected from future intrusion. Repatriation of any material will occur at the conclusion of the project.”

6. ENERGY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Comments:

- a. Energy impacts are assessed based on the proposed project energy demand profile and on its relationship to the state's energy efficiency regulations summarized below.

Projected Energy Use

A summary of projected energy demand is provided below.

Electricity. According to the California Energy Commission Energy Consumption Data Management System, in 2022, total electricity consumption in San Benito County was 398,843,582 kilowatt-hours (kWh). Table 5.11. Operational Energy Consumption – Electricity, in the project CalEEMod results included in [Appendix A](#) show that projected electricity demand would be 215,309 kWh. The project energy consumption accounts for only a minute fraction of the County's 2022 total energy demand.

Natural Gas. According to the California Energy Commission Energy Consumption Data Management System, in 2022, total natural gas consumption in total natural gas consumption in San Benito County was 15,124,439 therms. Table 5.11. Operational Energy Consumption – Natural Gas, in the project CalEEMod results included in [Appendix A](#) show that projected natural gas demand would be about 98,514,000 BTU per year or approximately 985 therms per year. This is less than one-tenth of one percent of the countywide demand in 2022.

Transportation Fuel. The analysis of vehicle miles traveled (VMT) in Section 17.0, Transportation, concludes that the proposed project would have a less-than-significant VMT impact. This suggests that transportation fuel demand may be lower than would be expected for a project whose VMT impact is significant. The California Air Resources Board 2021 Emissions Factor model (EMFAC), version 1.0.2, which estimates the official emissions inventories of on-road mobile sources in California, was used to project the annual fuel demand of the proposed project. The EMFAC model was developed by the California Air Resources Board to assess emissions from on-road vehicles including cars, trucks, and buses in California, and to support related state regulatory and air quality

planning efforts to meet the Federal Highway Administration's transportation planning requirements. As detailed in the EMFAC results in [Appendix B](#), total annual fuel demand is projected to be approximately 255,313 gallons.

Regulatory Requirements

A multitude of state regulations and legislative acts are aimed at improving vehicle fuel efficiency, energy efficiency, and enhancing energy conservation. For example, the Pavley I standards focus on transportation fuel efficiency. The gradual increased use of electric cars powered with cleaner electricity will reduce consumption of fossil fuel. Vehicle miles traveled are expected to decline with the continuing implementation of Senate Bill 743, resulting in less vehicle travel and less fuel consumption. In the renewable energy use sector, representative legislation for the use of renewable energy includes, but is not limited to, Senate Bill 350 and Executive Order B-16-12. In the building energy use sector, representative legislation and standards for reducing natural gas and electricity consumption include, but are not limited to, Assembly Bill 2021, CALGreen, and the California Building Standards Code.

The California Building Standards Code is enforceable at the project level. The California Energy Code (California Code of Regulations, Title 24, Part 6), which is incorporated into the California Building Standards Code, was first established in 1978 in response to a legislative mandate to reduce California's energy consumption. The California Energy Code is updated every three years by the California Energy Commission as the Building Energy Efficiency Standards to allow consideration and possible incorporation of new energy efficiency technologies and construction methods. California's energy code is specifically designed to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings.

The Green Building Standards Code (also known as CALGreen), which requires all new buildings in the state to be more energy efficient and environmentally responsible, was most recently updated in July 2022. These comprehensive regulations are intended to achieve major reductions in interior and exterior building energy consumption.

A project could be considered to result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy if its energy demand is extraordinary relative to common land use types, its gross energy demand is excessive relative to total demand in San Benito County, and/or it fails to comply with energy efficiency/conservation regulations that are within the applicant's control. The project applicant would be required to comply with the primary state regulatory requirements for reducing building energy demand found in Title 24 of the current California Building Code, and with CALGreen requirements as described above. Further, the project is a common land use type that is not inherently considered to be unnecessary. And given that the project is assumed to be locally serving, it would reduce VMT, thereby reducing energy use from transportation sources. The proposed project would consume energy, but it would not be inefficient, wasteful, or unnecessary. Therefore, the impact would be less than significant.

- b. At this time, there are no regulations at the state or local level that would mandate that the proposed project must include on-site renewable energy sources. The California Building Standards Code require the proposed project be built to the Building Energy Efficiency Standards in effect at the time building permits are issued. By incorporating energy efficiency and renewable energy measures per the Building Energy Efficiency Standards, and incorporating green building features per the CALGreen standards, the project would comply with existing state and local energy standards and would not conflict with or obstruct a state or local plan for energy efficiency.

7. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Directly or indirectly cause 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) Strong seismic ground shaking?	☐	☒	☐	☐
(3) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
(4) Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
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?	☐	☒	☐	☐
d. Be located on expansive soil, creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
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?	☐	☒	☐	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Comments:

Soil Surveys Group Inc. prepared the *Geotechnical Investigation for the Proposed Gas Station and Market to be located near the Intersection of Highway 129 and Highway 101 APN 012-030-023 San Juan Bautista, California* (“geotechnical investigation”) in July 2019 for the proposed project. Soil Surveys Group also prepared a memo focusing on landslide potential at the project site in November 2024 (Soil

Surveys Group 2024). Most of the information in this section is from the full geotechnical investigation source unless otherwise noted. The full geotechnical investigation can be found in [Appendix E](#). The landslide memo can be found in [Appendix F](#). Land Set Engineers, Inc. prepared the Results of Percolation Testing Traveler's Station (APN 012-030-023) Searle Road San Juan Bautista Area of Monterey County, California ("percolation testing report") in February 2020 and can be found in [Appendix G](#) of this initial study.

- a. **Fault Rupture.** The project site is located approximately 0.70 miles northeast of the San Andreas Fault, but is not located on a fault line, where surface rupture usually occurs, nor is it within the Alquist-Priolo Fault Zone. Therefore, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a fault within an Alquist-Priolo Fault Zone.

Seismic Ground Shaking. San Benito County is a seismically active region and the project site is located approximately 0.70 miles northeast of the San Andreas Fault. Therefore, the project site will experience strong ground shaking. The geotechnical investigation recommends that the proposed convenience store and gas station be designed in strict compliance with the California Building Code to help withstand such seismically generated ground accelerations for a reasonably expected duration without suffering major damage (Surveys Group Inc 2019). The geotechnical investigation provides additional recommendations regarding proper design strengthening techniques that shall be implemented by the project in order to reduce impacts associated with seismic ground shaking.

Implementation of the following mitigation, in addition to compliance with the California Building Code, would ensure that impacts associated with seismic ground shaking are less than significant.

Mitigation Measure

GEO-1 Prior to issuance of a grading permit, the project developer shall show proof of compliance with all recommendations outlined in the geotechnical investigation prepared by Soil Surveys Group Inc in July 2019 to the satisfaction and approval of the San Benito County Building Division. These recommendations involve, but are not limited to, seismic design, recompacting of surface soil prior to excavating, erosion control measures, and design criteria for a spread footing foundation system. Soil Surveys Group Inc recommends that a geotechnical engineer review the building and site grading plans for compliance with the recommendations presented in the geotechnical investigation.

Liquefaction. The geotechnical investigation concludes that, considering the deeper silty soils and the absence of shallow groundwater, the potential risk for occurrence of damaging liquefaction or lateral spreading is considered to be low during a strong seismic event (Surveys Group Inc. 2019). Therefore, the project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving liquefaction.

Landslides. According to the landslide memo prepared by Soil Surveys Group Inc., there are no geologic formations or other earth materials located on or adjacent to the site that are known to be susceptible to landslides nor are there any landforms or vulnerable locations within the proposed building areas that may be susceptible to landslides. The memo also indicates that with implementation of the proposed project, changes in the surface and subsurface hydrology is not anticipated to increase the potential for future landsliding in the area. Therefore, there would be no impacts associated with landslides.

- b. The grading activities required for construction of the proposed project would result in the cut of 2,450 cubic yards of soil and the fill of 2,370 cubic yards of soil, resulting in an export of 80 cubic yards. These grading activities would disturb the soil on most of the project site, which could result in soil erosion or the loss of topsoil as soils are particularly susceptible during the grading phases of development.

The project would disturb more than one acre of soil and, therefore, is required by the Central Coast Regional Water Quality Control Board under the County's National Pollutant Discharge Elimination System program to implement construction-related soil erosion prevention measures (e.g., watering for dust control and treating exposed slopes and material stockpiles). Further, the geotechnical investigation states that the near surface soil at the project site has the potential to erode, especially if protective vegetation is removed. All new cut and fill slopes, as well as disturbed soil areas, must be seeded with grass or landscape plants for erosion control to prevent sloughing soil from blocking drainage patterns at the project site. The geotechnical investigation concludes that these erosion control measures shall be taken during and at completion of grading and during building construction operations. The geotechnical investigation also recommends that rock energy dissipaters should be installed at collection pipe discharge points to reduce soil erosion.

Implementation of Mitigation Measure GEO-1, which requires that the project developer comply with all recommendations outlined within the geotechnical report (i.e., all recommendations associated with minimizing soil erosion and loss of topsoil), and compliance with regional and local regulations aimed at reducing erosion potential would ensure that erosion impacts associated with the proposed project would be less than significant.

- c. No unsuitable or unstable soil conditions were found at the boring locations conducted as part of the geotechnical investigation. The geotechnical investigation concludes that, considering the deeper silty soils and the absence of shallow groundwater, the potential risk for occurrence of damaging liquefaction or lateral spreading is considered to be low during a strong seismic event. The geotechnical investigation also concludes that the site is suitable for the proposed project with the recommendations made within the geotechnical investigation (Surveys Group Inc. 2019). Therefore, implementation of Mitigation Measure GEO-1 would ensure less than significant impacts associated with the project's potential to result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

- d. The geotechnical investigation found slightly to moderately expansive soils at footing depths and concluded that the site is suitable for the proposed project with the recommendations made within the geotechnical investigation, specifically, recommendations to recompact loose soils and to mitigate for expansive soils (p. 4). Therefore, implementation of Mitigation Measure GEO-1 would be required in order to reduce impacts associated with expansive soils to a less-than-significant level.
- e. The proposed project involves the development and use of a septic system. A percolation testing report was prepared for the project and concludes that based on the visual observations and percolation testing performed, the site soils yield percolation rates satisfactory for development pursuant to the requirements set forth by the County for alternative disposal fields. It was also concluded that the percolation test data should be presented to the project designer and the appropriate regulatory agency that shall locate, size, and determine the necessity for any supplemental treatment for the proposed leach fields (Land Set Engineers, Inc. 2020).

The proposed project is required to comply with the regulations outlined in County Municipal Code Chapter 15.07, Sewers and Sewage Disposal. Pursuant to this chapter, new sanitary sewer systems cannot be constructed without first notifying the San Benito County Public Health Department and obtaining a permit.

The California State Water Boards commented on the previous initial study for this project and stated that the California Waterworks Standards Title 22, Division 4, Chapter 16, Article 4, Section 64572 and Title 22, Division 4 Chapter 16, Article 6, Section 64560 requires separation of water service lines and domestic supply wells from sources of potential contamination. Projects that install multiple public services (a septic treatment system and potable water system, as the project proposes) may require alternatives to the separation standards in the California Waterworks Standards. Approval of alternatives are required to be obtained from the State Water Board.

In addition to compliance with the County Municipal Code, implementation of the following mitigation measure would ensure that impacts associated with soil capability of adequately supporting the use of septic tanks or alternative disposal systems would be less than significant.

Mitigation Measure

GEO-2 Prior to issuance of a grading permit, the project developer shall present the percolation results to the San Benito County Division of Environmental Health and coordinate on the location, size, and necessity for any supplemental treatment for the project's proposed leach fields. Additionally, the project developer shall comply with the recommendations outlined in the percolation testing report prepared by Land Set Engineers, Inc. in February 2020 and show proof of compliance to the satisfaction of the San Benito County Department of Environmental Health.

Should the project include alternatives to the separation standards in the California Waterworks Standards for the septic treatment and potable water systems, approval for such alternatives should be obtained from the State Water Board, DDW Monetary District Office (Section 64551.10 of the California Waterworks Standards).

- f. There are no known paleontological resources at the project site; however, the General Plan EIR indicates that paleontological resources have been encountered at many locations within the County and it is likely that additional resources may be located in areas within the County designated for developed uses (p. 9-25).

Therefore, it is possible that paleontological resources could be accidentally discovered during construction activities associated with development of the project site. Directly or indirectly destroying a unique paleontological site is considered a significant, adverse environmental impact. Implementation of the following mitigation measure would ensure this potential impact would be less than significant.

Mitigation Measure

GEO-3 The following language shall be included on all grading permits: “If paleontological resources are discovered during demolition and earthmoving activities, work shall stop within 100 feet of the find until a paleontologist can assess if the find is unique and, if necessary, develop appropriate treatment measures in consultation with the San Benito County Resource Management Agency.”

8. 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?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Comments:

- a. The greenhouse gas (GHG) impacts of a project can be found to be less than significant if the project is consistent with a qualified plan for reducing GHG emissions. Neither San Benito County, nor the air district have adopted a GHG reduction plan that can be referenced for this purpose. In the absence of a local qualified plan, lead agencies may defer to GHG reduction plans and guidance of other agencies as a basis to make impact significance determinations.

A project-specific GHG analysis was prepared for the previous initial study. The *Traveler's Station Greenhouse Gas Analysis* (EMC Planning Group 2022), is included in [Appendix C](#). The analysis is a “bifurcated” approach that evaluates mobile source emissions separately from the balance of GHG emissions sources. This methodology looks first at GHG effects associated with mobile source emissions in the context of vehicle miles travelled (VMT) generated by the project. Where the VMT impact is found to be less than significant, GHG impacts from mobile sources are considered to be less than significance. The balance of GHG emissions from other project sources (e.g., electricity, area sources, water, wastewater) are then quantified compared to modified thresholds of significance derived from guidance provided by an adjacent air district.

This bifurcated analysis approach is supported by several published sources. These include: 1) *California Office of Planning and Research's Discussion Draft CEQA and Climate Change Advisory* (December 2018), which discusses CEQA streamlining for GHG impacts by examining VMT effects (mobile source emissions) separately from energy and natural gas sources; 2) *California Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA* (April 2018), which provides guidance on evaluating VMT impacts that affect the state's ability to meet its long-term climate goals; and 3) *Association of Environmental Professionals' Final Whitepaper - Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California* (October 2016), which identifies two hybrid analysis concepts using Senate Bill 375 and Senate Bill 743 that each evaluate transportation (mobile source) GHG emissions separately from

non-mobile sources. Senate Bill 375 was enacted in 2008. Its overall purpose is to reduce GHGs from passenger vehicles by setting regional emissions targets with which local communities can align their land use and transportation policies to help achieve. Senate Bill 743, enacted in 2013, is designed to help achieve state climate policy and sustainability goals. It eliminates traffic delay as an environmental impact under CEQA and instead, requires an assessment of VMT as a basis to encourage development that reduces VMT and associated mobile source GHG emissions.

VMT and Mobile Source GHG Emissions

The *Travelers Station Traffic Impact Analysis Final Report San Benito County, California* (“traffic impact analysis”) was prepared for the proposed project by Keith Higgins, Traffic Engineer, in January 2022. An update to the VMT analysis was also prepared by Keith Higgins in October 2024. The traffic impact analysis, and updated VMT analysis, and its conclusions are described in Section 17.0, Transportation, of this initial study.

The traffic impact analysis states that per the California Governor’s Office of Land Use and Climate Innovation (formerly, Office of Planning and Research) VMT technical advisory, locally-serving retail uses with building sizes of 50,000 square feet or less can be presumed to have a less-than-significant VMT impact. Larger retail projects are generally considered to be regional serving that draw new vehicle trips specifically to the project site from non-local origins and thus have potential to increase VMT. Given that the project size is far below the locally-serving retail threshold size and its fundamental function is to capture pass-by trips and divert local trips from more distant similar uses, the VMT impact is presumed to be less than significant. Consequently, the mobile source GHG emissions component of the project emissions inventory is assumed to have a less-than-significant GHG impact.

Non-Mobile Source GHG Emissions

GHG emissions from constructing and operating the proposed project were estimated using the latest version of CalEEMod version 2022.1. The CalEEMod results are included in [Appendix A](#).

Construction activity would generate a total of approximately 100.1 metric tons of carbon dioxide equivalent (MT CO₂e) as shown in Section 2.2, Construction Emissions by Year, Unmitigated, of the CalEEMod results. To account for the contribution of construction emissions to the project's non-mobile source annual emissions inventory, construction emissions are amortized over an assumed 30-year operational timeframe; amortized annual emissions equal about 3.34 MT CO₂e.

Project operations would generate GHG emissions from other sources that are listed in [Table 2, Non-Mobile Source Unmitigated Operational GHG Emissions](#). Refer to Section 2.5, Operations Emissions by Sector, Unmitigated, of the CalEEMod results for reference to these emissions volumes. The results in Section 2.5 include emissions from area sources.

Table 2 Non-Mobile Source Unmitigated Operational GHG Emissions

Emissions Sources	GHG Emissions (MT C02e)
Area	0.08
Energy	25.40
Water	1.90
Waste	3.75
Refrigerants	137.00
Amortized Construction	3.34
Total	171.34

SOURCE: EMC Planning Group 2024

As previously noted, the air district has not developed a threshold of significance for GHG impacts of land use projects that is supported by substantial evidence that can be used by local lead agencies. Therefore, threshold of significance guidance recently released by the San Luis Obispo Air Pollution Control District (SLOAPCD) is used as reference for assessing the significance of non-mobile source emissions from the proposed project.

The SLOAPCD released its *CEQA Greenhouse Gas Thresholds & Guidance for the San Luis Obispo County Air Pollution Control District's 2023 CEQA Air Quality Handbook and Related Guidance on Use of Screening Tool, CalEEMod, and Local Reductions/Sequestration Projects & Offset Mix Calculator* in 2023. That guidance includes substantial evidence for establishing both efficiency-based and bright-line thresholds of significance for the year 2030 and for subsequent individual years to the year 2045. The threshold year of 2045 correlates to the most recently adopted statewide GHG emissions reduction target identified in Assembly Bill 1279. That bill sets a net zero GHG emissions reduction target for 2045. Table 2 in the SLOAPCD guidance identifies a year 2026 bright-line threshold of significance of 830 MTCO₂e per year (MTCO₂e/year). Projects anticipated to build out in the year 2026 and whose annual GHG emissions are forecast to be below this service population threshold are assumed to have a less-than-significant GHG impact.

Since the annual project mobile source GHG emissions are less than significant and at 171.34 MTCO₂e per year, the balance of annual non-mobile source emissions is below the bright-line threshold, the project as a whole would have a less-than-significant GHG emissions impact.

- b. As describe in checklist question “a” above, neither the County nor the air district have adopted plans for reducing GHG emissions. Consequently, the significance of mobile source GHG impacts is evaluated in the context of state legislation embodied in SB 743, and the non-mobile source GHGs are evaluated in the context of thresholds of significance guidance from the SLOAPCD that is supported by substantial evidence. Because the project’s GHG impact is less than significant when evaluated against the referenced plan for reducing GHG emissions, the project would have no impact from conflict with the referenced plan for reducing GHG emissions.

9. 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Comments:

- a. The gas station component of the proposed project will consist of routine transport, use, and disposal of hazardous materials. According to the application materials, the proposed project will involve the use of propane, gas and diesel.

The project would be required to comply with County Municipal Code Chapter 11.07, Hazardous Substances, which requires compliance with the California Health and Safety Code and the regulations of the State Water Resources Control Board for the underground storage of hazardous substances. This chapter also designates the County as the implementing agency responsible for the administration and enforcement of the

provisions of state law related to hazardous substances. The project application and plans are evaluated by the County Division of Environmental Health, which ensures that the project's use, storage, and transport of hazardous materials is done in a manner that would not result in a significant hazard to the public or the environment. According to the County Division of Environmental Health comment letter on the previous initial study, the owner shall complete a Hazardous Materials Business Plan and submit it to the County Division of Environmental Health for approval (Darryl Wong 2020).

A Hazardous Materials Business Plan aims to prevent or minimize harm to public health and safety and the environment from a release or threatened release of a hazardous material. The project is also required to comply with the California Fire Code, which regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. Specifically, Chapter 23 of the California Fire Code includes standards for the construction and operation of motor fuel dispensing facilities such as emergency shut-off systems and leak detection.

Compliance with the County Municipal Code and the California Fire Code, application approval by the County Division of Environmental Health, and the preparation and approval of a Hazardous Materials Business Plan would ensure that the project's potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant.

- b. Construction of 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, as discussed in checklist question "a" above, operation of the proposed project (i.e., the gas station) has the potential to release hazardous materials into the environment.

Compliance with the County Municipal Code Chapter identified in checklist question "a" above, application approval by the County Division of Environmental Health, and the preparation and approval of a Hazardous Materials Business Plan would ensure that the project's potential to 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 would be less than significant.

- c. The project site is located approximately 0.30 miles west of Anzar High School. Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. However, please refer to the response to "a" above regarding County and State requirements for the gas station.

- d. The following lists were reviewed:

- Hazardous Materials Waste and Substances Sites from the Department of Toxic Substances Control EnviroStor Database (Department of Toxic Substances Control 2024);
- Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker Database (State Water Resources Board 2024);

- Solid Waste Disposal Sites Identified by Water Board with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit (California Environmental Protection Agency 2024a);
- “Active” Cease and Desist Order and Cleanup and Abatement Orders from Water Board (California Environmental Protection Agency 2024b); and
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by the Department of Toxic Substances Control (California Environmental Protection Agency 2024c).

The project site is not located on any of these lists. Therefore, the proposed project is not 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, would not create a significant hazard to the public or the environment.

- e. The project site is not located within an airport land use plan nor is it within two miles of an airport. The nearest airport is the Hollister Municipal Airport located approximately 7.5 miles east of the project site. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area.
- f. The emergency evacuation/response plans for the unincorporated areas of the County, such as the project site, are coordinated with the *San Benito County Operational Area Emergency Operations Plan The Basic Plan* adopted in January 2024. This plan does not identify the roadways surrounding the project site (Searle Road, State Route 129, and U.S Highway 101) as evacuation routes in the County. However, employees and project visitors would likely use U.S. Highway 101 as the primary evacuation route, and may be directed to use State Route 129 or other local roadways depending on direction from the County Sheriff's Office.

The County also adopted its *Multi-Jurisdictional Hazard Mitigation Plan* in September 2022, which was developed to reduce the County's vulnerability to natural and manmade disasters and increase community resilience by incorporating lessons learned from recent wildfires, floods, diseases, etc. This plan identifies Panoche Road as a primary evacuation route in the County, which would not be impacted by the project as it is located several miles southeast of the project site.

Project construction would not alter or obstruct U.S. Highway 101, but could add traffic to anticipated congestion on this highway associated with the potential evacuation of other communities. Evacuation information is developed and directed in real time in response to the unique conditions of the emergency, which would include consideration of the length of time to adequately evacuate areas through implementation of the abovementioned emergency plans. Additionally, the proposed project would be required to undergo review by the County Fire Department (per General Plan Policy PFS-4.7) and other applicable agencies, which would ensure that the project does not impede or conflict with an adopted emergency response or evacuation plans.

Therefore, the project would not impair or obstruct evacuation routes within the County.

- g. According to the California Department of Forestry and Fire Protection (“CAL FIRE”) Fire Hazard Severity Zones in State Responsibility Area mapping tool, the proposed project is located within the moderate fire hazard severity zone in a state responsibility area (CAL FIRE 2024). The project has been reviewed by the County Fire Department to ensure that the project provides consistent and adequate standards for fire flows and fire protection (per General Plan Policy PFS-4.7). The County Fire Department’s review also ensures the project’s compliance with the California Fire Code and other applicable state laws (per General Plan Policy PFS-13.9). Compliance with these General Plan policies would ensure that the project’s impact associated with its potential to expose people or structures to a significant risk of loss, injury, or death involving wildland fires would be less than significant. Refer to Section 20.0, Wildfire, for more detail.

10. 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 or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(1) Result in substantial erosion or siltation on- or off-site;	☐	☒	☐	☐
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
(3) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
(4) Impede or redirect flood flows?	☐	☐	☐	☒
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Comments:

- a. **Construction Water Quality.** The State Water Resources Control Board has implemented a National Pollutant Discharge Elimination System (NPDES) Program to control and enforce storm water pollutant discharge reduction per the Clean Water Act. The Central Coast Regional Water Quality Control Board issues and enforces the NPDES permits for discharges to water bodies in San Benito County.

Development of the project site with the commercial traveler's station has the potential to increase discharge of storm water pollutants during construction due to ground disturbance. Projects disturbing more than one acre of land during construction, such as the proposed project, are required to file a notice of intent to be covered under the State NPDES Construction General Permit (99-08-DWQ) for discharges of storm water associated with construction activities. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan that details how water quality would be protected during construction activities. The Storm Water Pollution Prevention Plan must contain a site map(s) that shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography (both before and after construction), and drainage patterns across the project. Best management practices, which are detailed within each permit, are to be implemented to protect water quality.

By complying with the Construction General Stormwater Permit requirements, potential impacts associated with water quality standards or waste discharge requirements during construction of the project would be less than significant.

Operational Water Quality. During the operational phase of the proposed project, urban pollutants, in addition to hazards from the gas station, can mix with the stormwater runoff from the project site potentially affecting receiving waters. Stormwater treatment best management practices are required by the project pursuant to General Plan Policy PFS-6.2, and can provide water quality benefits by removing pollutants from stormwater runoff prior to discharge to the storm drain system. County Municipal Code Section 19.17.009.B.5 requires that detailed plans of all surface and subsurface drainage devices be provided showing the drainage area and the estimated runoff of the area served by any drains. Further, the project is required to comply with General Plan Policy PFS-6.1, which requires that stormwater drainage facilities are properly designed, sited, constructed, and maintained to efficiently capture and dispose of runoff and minimize impacts to water quality.

According to the development application, the project will be designed to include a drainage system that incorporates filtering points, ponding, and bio-swells. This component of the project is consistent with General Plan Policy PFS-6.4, which requires that projects are designed to minimize stormwater drainage concentrations and impervious surfaces and complement groundwater recharge, among other measures. The project also includes a proposed storm detention pond at the southern end of the site; this detention pond is required to be consistent with General Plan Policy PFS-6.5, which requires that projects include an on-site detention/retention facility and/or velocity reducers to maintain pre-development runoff flows. Additionally, the project's proposed storm detention pond will be required to comply with General Plan Policy PFS-6.6, which states that the stormwater detention basin must be designed to ensure public safety, be visually unobtrusive, provide temporary or permanent wildlife habitat. The project involves storm drain pipes that connect the storm detention pond to the north

where it connects to the gutter located along Searle Road. Additional storm drainage pipes will also be located at the northern end of the site connecting into the gutter on Searle Road. The project will also be required to comply with General Plan Policy PFS-6.7, which requires that all drainage systems in new development and redevelopment comply with applicable state and federal non-point source pollutant discharge requirements.

Further, the project would be required to comply with County Municipal Code Section 23.31.002.B, which states that complete plans and specifications for all proposed streets, bikeways, grading, drainage facilities, sewerage, street lighting, water distribution systems, industrial developments, commercial developments and subdivisions, including any necessary dedications, easements and rights-of-entry, shall be submitted to the County Engineer for approval.

Given the project's required compliance with the County's General Plan and Municipal Code, in addition to the site's drainage facilities approval requirement by the County Engineer, potential impacts associated with water quality standards or waste discharge requirements during operation of the project would be less than significant.

- b. **Groundwater Supplies.** The project site is located within the Gilroy-Hollister Groundwater Basin, specifically the North San Benito Subbasin. This subbasin has four management areas; the project site is located within the San Juan Management Area. The *North San Benito Groundwater Sustainability Plan* was adopted by the San Benito County Water District in November 2021 and approved by the Department of Water Resources in July 2023.

Water demand at the project site would be associated with the project's convenience store and fast-food restaurant. According to the applicant, the project will have a daily water demand of 500 to 1,000 gallons of water per day (or 0.56 to 1.12 acre-feet per year), requiring a one-inch service (Geary Coats, email message, December 10, 2024). The sustainable yield for the San Juan Management Area is 19,017 acre-feet of water per year (San Benito County Water District GSA 2021, Table 5.11). The project's water demand would result in 0.006 percent of the sustainable yield for the San Juan Management Area. Therefore, the project would not substantially decrease groundwater supplies such that the project may impede sustainable groundwater management of the basin.

Groundwater Recharge. The proposed storm detention basin located at the southern tip of the project site would temporarily hold stormwater runoff and allow infiltration of stormwater into the surrounding soils, contributing to groundwater recharge. Therefore, the project would not substantially interfere with groundwater recharge.

- c. The proposed project would substantially alter the existing drainage pattern of the site as it would replace an entirely pervious area with approximately 74,510 square feet of new impervious surfaces. The site currently slopes north to south and will be graded to retain this slope so that storm waters are conveyed to the proposed storm detention pond located at the south end of the site via sheet flow, curb and gutter, valley gutter, catch basin, and storm pipes (Kelley Engineering and Surveying 2021).

Erosion. Implementation of Mitigation Measure GEO-1 discussed in Section 7.0, Geology and Soils, requires that the project developer comply with all recommendations outlined within the geotechnical report (i.e., all recommendations associated with minimizing soil erosion). Compliance with this mitigation measure would ensure that erosion impacts associated with the proposed project would be less than significant.

Flooding. Increases in impervious surfaces on a site can result in an increase in stormwater runoff that could result in the potential for flooding on- or off-site. However, the proposed project is required to comply with the General Plan Policies PFS-6.1 and PFS-6.5 listed previously under checklist question “a,” which would ensure that potential flooding on- or off-site is minimized. Additionally, the project’s proposed storm detention pond would capture and retain stormwater flow on-site reducing the rate or amount of surface runoff that could result in flooding on- or off-site. As discussed in checklist question “a” above, County Municipal Code Section 23.31.002.B states that complete plans and specifications for all proposed drainage facilities and commercial developments shall be submitted to the County Engineer for approval; this would reduce the potential for flooding on- or off-site.

Therefore, compliance with the County Municipal Code and General Plan policies would ensure that the project’s potential to result in flooding on- or off-site would be less than significant.

Runoff. According to the project application, the project will be designed to include a drainage system that incorporates filtering points, ponding, and bio-swells. The *Hydrologic and Hydraulic Calculations* prepared by Kelley Engineering and Surveying in June 2021 (see [Appendix H](#)) states that the project would result in a net increase in rainfall runoff, which is mitigated by attenuating the 100-year post-development storm to the level of a 10-year pre-development storm. This is accomplished by routing the storm water through the proposed detention pond. The hydrologic report states that the 10-year pre-developed runoff is 4.21 CFS at the project site. When a 100-year post-developed storm is routed through the proposed project’s detention pond, the result is a peak runoff release at the rate of 4.17 CFS, which is less than pre-development conditions (Kelley Engineering and Surveying 2021).

Therefore, in addition to the project’s required compliance with the County Municipal Code and General Plan policies (e.g., Section 23.31.002.B and Policies NCR-4.7 and PFS-6.5 discussed previously), the project’s stormwater facilities are designed to ensure that the project would not substantially contribute to runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

Flood Flows. The project site is not located within a flood hazard zone (refer to the discussion under checklist question “d” below). Therefore, the project would not impede or redirect flood flows.

- d. The project site is not located within a Flood Emergency Management Agency hazard zone. The project site is also not located within a tsunami or seiche hazard zone due to its distance from large bodies of water (Google Earth 2024). Therefore, the project would not risk release of pollutants due to project inundation.
- e. As discussed in checklist question “b,” the *North San Benito Groundwater Sustainability Plan* was adopted by the San Benito County Water District in November 2021 and approved by the Department of Water Resources in July 2023.

The project would comply with applicable regulations associated with stormwater flows and runoff and provides a storm detention basin that would retain stormwater on-site and allow for stormwater infiltration into the groundwater table. The project will be designed to include a drainage system that incorporates filtering points, ponding, and bio-swells that contribute to the sustainability goals of the *North San Benito Groundwater Sustainability Plan*. The project would demand 0.006 percent of the sustainable yield for the San Juan Management Area. Therefore, the project would not conflict with or obstruct implementation of a sustainable groundwater management plan.

11. 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?	☐	☐	☐	☒
b. Cause any significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Comments:

- a. The proposed commercial traveler's station is located on a site surrounded by two highways and one County roadway in a less developed area of the County. Based on its location, the proposed project would not physically divide an established community.
- b. The various environmental topics in this initial study address applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. This initial study shows that for those environmental topics (e.g., air quality, biological resources, greenhouse gas emissions, etc.), there are either no impacts, less than significant impacts, or significant impacts that can be mitigated to a less-than-significant level. Therefore, the project would not create any significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

12. 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Comments:

a-b. The General Plan EIR states that there are mineral resources within the County, which are primarily sand and aggregate based. However, according to the Mineral Resources Online Spatial Data prepared by the U.S. Geological Survey mapping agency, there are no known mineral resources within or adjacent to the project site that could be impacted as a result of the project (U.S. Geological Survey 2024).

Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The project would also not 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.

13. NOISE

Would the project result in:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive ground-borne vibration or ground borne noise levels?	☐	☐	☐	☒
c. For a project located within the vicinity of a private airstrip or 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?	☐	☐	☐	☒

Comments:

- a. The Noise Element of the General Plan establishes land use compatibility criteria for transportation noise sources in terms of the Day-Night Average Level (L_{dn}) to describe noise exposure for noise compatibility planning purposes. The guidelines define an outdoor level of 65-70 dB L_{dn} as being “normally acceptable” for commercial uses.

Construction Noise. Construction activities within the project site would occur at a distance greater than 700 feet from nearby noise-sensitive land uses (i.e., residences to the south). Construction noise could result in a short-term significant increase in ambient noise levels at nearby noise sensitive land uses. Implementation of General Plan Policy HS-8.3, outlined below, in addition to the compliance with the County’s Municipal Code Chapter 19.39, Noise Control Regulations, would ensure that potentially significant impacts associated with construction noise would be less than significant.

General Plan Policy HS-8.3 Construction Noise. The County shall control the operation of construction equipment at specific sound intensities and frequencies during day time hours between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. No construction shall be allowed on Sundays or federal holidays.

Operational Noise. The proposed project is located in a rural setting dominated by two adjacent state and federal highways and a local County roadway. These existing roadways surround the site on all sides and generate noise levels in excess of noise that will be

generated by the proposed commercial project. The proposed convenient store/fast food building is situated in a manner that will buffer the site from noise generated from the intersection U.S. Highway 101 and State Route 129. The nature of the proposed project as a traveler's station would not result in the permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the General Plan or County Municipal Code Chapter 19.39.

- b. Standard construction methods are anticipated, and these methods do not involve significant vibration-causing activities. Further, the nearest noise-sensitive use (i.e., residence) is located at a distance where vibration levels generated during project construction activities would not be perceptible. Pursuant to General Plan Policy HS-8.6, the project will be required to follow the Federal Transit Administration vibration screening distance criteria due to its location adjacent to U.S. Highway 101.

Long-term operational activities associated with the proposed project would not involve the use of any equipment or processes that would result in potentially significant levels of ground vibration.

Therefore, the project would not result in the generation of excessive ground-borne vibration or ground borne noise levels.

- c. The proposed project is not located within the vicinity of a private airstrip or an airport land use plan, or within two miles of a public airport. The nearest airport to the project site is the Hollister Municipal Airport located approximately eight miles east. Therefore, the project would not expose people working in the project area to excessive noise levels.

14. 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 unplanned 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)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Comments:

- a. The proposed commercial project does not involve residential uses, but will involve at most a total of approximately 18 employees (3 shifts, 6 employees per shift) (Project Application 2020). The generation of 18 employees would not be considered substantial growth. Therefore, the project would not induce substantial unplanned 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).
- b. The project site does not have any existing residential uses and, therefore, would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

15. 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?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

Comments:

- a. The proposed commercial project would result in an increase in service population, which would require fire protection services.

Fire protection services within the County are provided by several agencies including the San Benito County Fire Department, Aromas Tri-County Fire Department, Hollister Fire Department, and San Juan Bautista Volunteer Fire Department. The California Department of Forestry and Fire Protection (“CAL FIRE”) also assists the departments. The nearest fire station to the project site is the Aromas Tri-County Fire Protection District staffed by California Department of Forestry and Fire Protection staff at 492 Carpenteria Road in Aromas located approximately four miles west.

The project has been reviewed by the County Fire Department to ensure that the project provides consistent and adequate standards for fire flows and fire protection (per General Plan Policy PFS-4.7). The County Fire Department’s review also ensures the project’s compliance with the California Fire Code and other applicable state laws (per General Plan Policy PFS-13.9). Additionally, the proposed project is required to pay its fair share of fees for new fire station facilities, equipment, and staffing necessary to maintain the County’s service standards in the area of the development pursuant to General Plan Policy PFS-13.7.

Compliance with the abovementioned General Plan policies would ensure that the project’s impacts associated with the construction or expansion of fire protection services and facilities, the construction of which could result in significant adverse environmental impacts, would be less than significant.

- b. The proposed commercial project would result in an increase in service population, which would require police protection services.

The San Benito County Sheriff's Department provides police protection services to the County, including the project site. Additional automatic aid agreements exist with the cities of Hollister and San Juan Bautista Police Departments. The San Benito County Sheriff's Department is located at 2301 Technology Parkway in the City of Hollister, which is approximately nine miles east of the project site.

The project will be required to pay its fair share of the cumulative costs for providing law enforcement serve facilities and equipment to new residents pursuant to General Plan Policy PFS-12.4.

Compliance with the abovementioned General Plan policies would ensure that the project's impacts associated with the construction or expansion of police protection services and facilities, the construction of which could result in significant adverse environmental impacts, would be less than significant.

- c. The proposed commercial project does not involve a residential component; therefore, no school-aged children would be generated. The proposed project would have no impact on school facilities, the construction or expansion of which could cause significant adverse environmental impacts.
- d-e. The proposed commercial project does not involve a residential component that would utilize parks or other public facilities within the County; therefore, the project would have no impacts on parks or other public facilities, the construction or expansion of which could cause significant adverse environmental impacts.

16. 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Comments:

- a. The proposed project does not involve any residential uses and, therefore, would not 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 nor would the project s
- b. The proposed commercial project does not include recreational facilities; therefore, the project would have no impact associated with the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

17. TRANSPORTATION

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☐	☒

Comments:

The *Travelers Station Traffic Impact Analysis Final Report San Benito County, California* (“traffic impact analysis”) was prepared for the proposed project by Keith Higgins, Traffic Engineer, in January 2022. Keith Higgins also prepared an update to the vehicle miles traveled (VMT) analysis in October 2024. Information in this section was sourced from the traffic impact analysis unless otherwise noted. The full traffic impact analysis and VMT update can be found in [Appendix I](#).

- a. According to the traffic impact analysis, the overall standard for congestion levels in San Benito County as well as the standard for the California Department of Transportation’s intersections is LOS D. The proposed project would generate a net estimated 1,663 daily trips (refer to Exhibit 5 of the traffic impact analysis).

Transit Facilities. There is no bus service within the immediate project vicinity; the nearest bus stop is located at Anzar High School approximately 0.3 miles east of the site. The traffic impact analysis concludes that the project would not increase transit usage and, therefore, the project would not result in a significant local adverse effect associated with transit service.

Roadway Facilities. The project site is located on Searle Road with regional access to the site provided by U.S. Highway 101, State Route 129, and Chittenden Road/San Juan Highway. The traffic impact analysis concludes that during operation of the project, these roadway intersections (Searle Road/State Route 129, southbound U.S. Highway 101 ramps/State Route 129, and northbound U.S. Highway 101 ramps/State Route 129 – Chittenden Road/San Juan Highway) would continue to operate at or better than their respective level of service standards and no improvements would be required.

Bicycle Facilities. There are no bicycle facilities adjacent to the project site. However, the traffic impact analysis states that the shoulders on Searle Road are either too narrow or non-existent to accommodate bicycle travel and the shoulders of State Route 129 and Chittenden Road/San Juan Highway are of sufficient width to accommodate bicycle traffic, but are narrow as one proceeds westward. The traffic impact analysis concludes that the project is anticipated to generate minimal bicycle traffic and, therefore, would not result in a significant local adverse effect associated with bicycle circulation.

Pedestrian Facilities. There are no sidewalks adjacent to the project site and there are no marked crosswalks at any of the intersections evaluated as part of the traffic impact analysis. The traffic impact analysis concludes that the proposed project would not result in a significant local adverse effect associated with pedestrian circulation.

The proposed project would be responsible for payment of the San Benito County Regional Transportation Impact Mitigation Fee (pursuant to County Municipal Code Chapter 5.01, Article VII, Traffic Impact Fees), which would represent the project's fair share contribution towards countywide roadway improvements funded by the fee program. The traffic impact analysis states that although the project would represent little or no impact on the San Benito County Regional Transportation Impact Mitigation Fee improvement locations, and possibly reduce vehicle miles traveled in the region, the project would nevertheless be required to pay this fee.

As a result, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

- b. Pursuant to CEQA Guidelines 15064.3.b and Senate Bill 743, a vehicle miles traveled (VMT) analysis was prepared for the proposed project to evaluate the VMT generated by the proposed project. According to the traffic impact analysis, the County has not established a VMT standard nor significance criteria for VMT evaluations in San Benito County. As a result, the analysis used state guidance with regard to analysis and significance criteria.

Currently, the nearest gasoline stations to the U.S. Highway 101 corridor in San Benito County are located in San Juan Bautista, U.S. Highway 101/San Juan Road interchange in northern Prunedale, and at the U.S. Highway 101/Monterey Street interchange in southern Gilroy. The project's construction of the gas station and convenience store directly adjacent to U.S. Highway 101 would allow for vehicles to not have to travel as far from U.S. Highway 101 in search of such a facility, thereby lowering diversions off of U.S. Highway 101 (and thus VMT) for these trips.

However, there are two nearby projects that include gas stations as part of their plans: the County-approved, but not yet constructed, Betabel Commercial Project (approximately 1.5 miles north of the site,) and the San Benito Agricultural Center, currently undergoing environmental review, (immediately west of the site, across Searle Road). The VMT analysis states that even with the addition of one or two of these nearby projects, the

proposed project's VMT impacts would be still be less than significant based on the nature of trips to and from gas stations and convenience stores; the majority of the project trips would still be either pass-by or diverted link trips. These trips would also primarily be from the local area and relatively short (four to six miles on average compared to the six to fifteen miles required to travel to other gasoline and convenience facilities in the area), reducing the VMT.

The proposed project includes a 4,000 square foot building, which is well below the 50,000 square foot threshold that a retail facility might be considered regional-serving. Therefore, the proposed project is below the Office of Planning and Research threshold where it might represent a significant impact. The traffic impact analysis concludes that the project would not represent a significant transportation impact under CEQA.

- c. The proposed project does not involve incompatible uses nor does the project involve geometric design features within the site that could increase hazards as there are only two main components to the project: convenience store/fast food drive-thru and gas station. The project's site plan also includes the swept path of WB-65 trailer to illustrate the site's accommodation for large truck turning movements. Internal circulation was evaluated within the traffic impact analysis, which determined that the circulation would be more than adequate for the projected traffic demand of the project.

The project plans include a Site Distance Exhibit (Sheet C.3), which illustrates the line of sight and stopping distance for both trucks and cars to minimize any potential hazards. Further, the traffic impact analysis evaluated the vehicle sight distance adequacy of each proposed driveway and determined that the sight distance at each driveway is adequate or it meets or exceeds the sight distance standard of 300 feet per the California Department of Transportation.

The proposed San Benito Agricultural Center located immediately northwest of the site, across Searle Road, includes two entrances on Searle Road. However, this would not substantially increase hazards associated with the project (Keith Higgins, Traffic Engineer 2024).

Therefore, the proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.

- d. The project proposes three access points to the project site (i.e., driveways) from Searle Road; should one or two of the access points be blocked, an alternate access would be available. The proposed San Benito Agricultural Center is proposed directly across Searle Road to the northwest. Because the proposed project precedes the San Benito Agricultural Center project, the San Benito Agricultural Center site plan assumes that the proposed project is in place. Therefore, the San Benito Agricultural Center must coordinate with the proposed project's access and egress. This likely will include a raised median along Searle Road, if necessary, from Highway 129 along most of its entire frontage (Keith Higgins, email message November 7, 2024).

The project has been reviewed by the County Fire Department to ensure that the project provides consistent and adequate standards for fire flows and fire protection (per General Plan Policy PFS-4.7), which included review and approval of the project's emergency access available to the site. Therefore, the project would not result in inadequate emergency access.

18. TRIBAL 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 tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or	☐	☒	☐	☐
(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Comments:

- a. The project site is located within the geographical area defined by the Amah Mutsun Tribal Band (hereinafter, "Tribe") as the Juristac Tribal Cultural Landscape. The Juristac Tribal Cultural Landscape is defined as a matrix of interconnected Indigenous sacred sites, village sites and elements such as springs, waterways, significant plant populations and landscape features. The Juristac Tribal Cultural Landscape retains integrity of feeling, association, setting, and location under all four California Register of Historical Resources eligibility criteria and has been evaluated as eligible for its listing.

AB 52 tribal consultation has concluded; however, the Amah Mutsun Tribal Band/Amah Mutsun Land Trust and the County will continue to engage in limited AB 52 consultation regarding the final terms of the easement (Arielle Goodspeed, email message, September 17, 2025).

No indigenous archaeological sites, isolated artifacts, or isolated ecofacts were encountered on the project site during the Tribe's November 2022 archaeological surface survey. Additionally, tribal cultural resources that could be impacted as a result of the proposed project have been identified and are briefly discussed below.

Juristac Tribal Cultural Landscape. Impacts from the proposed project, including the development of open land and the increase in traffic, noise, and light pollution, would significantly alter the character, feeling, and setting of the project area and its surroundings within the Juristac Tribal Cultural Landscape. Due to the cultural sensitivity of the overall Juristac Tribal Cultural Landscape and the proximity of the project site to previously recorded archaeological sites and Juristac Tribal Cultural Landscape features, undetected subsurface archaeological deposits could also be present within the area. Additionally, the project's 24-hour operation and signage would result in light pollution that could considerably impact the Juristac Tribal Cultural Landscape during the night, dusk, and dawn when tribal ceremonies and dances traditionally occur. Whether potential impacts from a project proposed within the Juristac Tribal Cultural Landscape can be mitigated to a less-than-significant level is a highly project-specific, site-specific, and resource-specific determination. For many locations within the Juristac Tribal Cultural Landscape, potential tribal cultural resource impacts from development would be so severe as to remain significant even with mitigation. However, because this project is relatively small and is proposed for a previously disturbed part of the Juristac Tribal Cultural Landscape located immediately adjacent to the freeway, the Amah Mutsun Tribal Band and the County have been able to identify mitigation measures that will adequately reduce the project's impacts to a less-than-significant level in this limited instance. Here, implementation of Mitigation Measures TCR-1, TCR-3, TCR-4, TCR-5, and TCR-6 presented below are required to reduce impacts to a less-than-significant level.

Elderberry Trees. The project could result in the damage to one or more elderberry trees, which has traditional importance to the Tribe and provides important native habitat. Although no trees are proposed for removal, the existing elderberry trees could be directly or indirectly affected by construction of project improvements within their root zones. Implementation of Mitigation Measure TCR-2 is required in order to reduce impacts to a less-than-significant level.

Juristac and Isleta/Isleta Village Area. Similar to the Juristac Tribal Cultural Landscape, impacts from the proposed project, including the development of open land and the increase in traffic, noise, and light pollution, would significantly alter the character, feeling, and setting at the edge of and near the Juristac and Isleta/Isleta Village Area. This resource is a contributing element to the Juristac Tribal Cultural Landscape. Additionally, the project's proximity to this village area means that undetected subsurface archaeological deposits could still be present within the project area. Implementation of Mitigation Measures TCR-1, TCR-3, TCR-4, and TCR-5 presented below are required to reduce impacts to a less-than-significant level.

Viewsheds. Twelve viewsheds have been identified as tribal cultural resources; all of which can be viewed from within the project area. Seven of these views are contributing elements to the Juristac Tribal Cultural Landscape. Although the location, size, and orientation of the project will not significantly impair any of the viewsheds because the views are still available on either side of the proposed project, and the viewsheds have been interrupted by other modern developments, such modern and past uses do not

devalue the importance of these resources to the Tribe. Therefore, implementation of Mitigation Measures TCR-2 and TCR-6 are required in order to reduce impacts to a less-than-significant level.

The following measures were agreed upon between the County and the Amah Mutsun Tribal Band to be implemented as mitigation in order to reduce impacts to tribal cultural resources to a less-than-significant level.

Mitigation Measures

TCR-1 Native Plant Landscaping. Prior to issuance of a grading permit, the project developer shall consult with the Amah Mutsun Land Trust in developing specific plans for native plant landscaping on the project site. The project developer shall use locally sourced (within the Pajaro River watershed or San Benito River watershed) seed or cutting stock for landscape and restoration plantings to maintain localized adaptive genetic traits of native, naturally occurring plant populations in the vicinity. The final landscaping plans shall be submitted for review and approval to the San Benito County Planning and Land Use Division.

TCR-2 The County must provide a protective easement around all existing on-site elderberry tree(s) within the County-owned right-of-way, which will allow Amah Mutsun Land Trust stewards to tend the elderberry trees. This easement shall be agreed upon between the Amah Mutsun Land Trust and the County prior to issuance of a grading permit and proof of the agreed easement shall be visible on any plans associated with grading and construction. The project developer shall also have an opportunity to review the proposed easement between the County and Amah Mutsun Land Trust.

TCR-3 The following language shall be incorporated into any plans associated with grading and construction, “The developer shall contract with a Tribal Monitor supported by a Lead Archaeologist, both designated by the Amah Mutsun Tribal Band, to monitor all subsurface excavation at the project site. The Tribal Monitor will work in coordination with the Lead Archaeologist and the developer and representatives of San Benito County for the duration of the project.

The Amah Mutsun Land Trust (AMLT) will designate a Lead Archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards to support the tribal monitoring program and comply with applicable mitigation measures. AMLT shall arrange a pre-excavation meeting with construction personnel to brief them regarding the proper procedures in the event that buried cultural materials are encountered.

Tribal Monitors shall be provided a minimum of 72-hour notice for all work that is to be done that requires a Tribal Monitor including, but not limited to, ground disturbance activities in accordance with the mitigation measures.

The property owner/construction manager shall provide the Tribal Monitor with access to the project site as reasonably necessary for the Monitor to effectively perform the services required. During the project, the Tribal Monitor may briefly halt ground-disturbing activity to more closely investigate the point of excavation. Any investigation will be in full compliance with project safety protocols.

If archaeological or potentially significant, previously unidentified subsurface tribal cultural resources are discovered during ground-disturbing activities or construction (whether or not an archaeologist is present), soil disturbing work within 100 feet of the find shall cease. If present, the on-site Tribal Monitor will halt or redirect construction activities away from the area of the find to allow evaluation.

The Tribal Monitor in coordination with the Lead Archaeologist shall evaluate the discovered resource(s). While determinations typically occur in the field with minimal stoppages, the Tribal Monitor may require further guidance from tribal cultural experts or subject matter experts to complete a determination. If the discovered resource is determined to be potentially significant, the Lead Archaeologist may provide and implement a plan for additional subsurface investigation as needed to define and assess the extent of the resource within the project area and how it would be affected by the project. In these instances, the Lead Archaeologist or the Tribe may request a further stoppage of work in order to complete an assessment of the find.

If an encountered resource is determined significant, the Lead Archaeologist will notify the County and consult with AMTB to develop a culturally appropriate treatment plan. Treatment plans shall consider avoidance and preservation of the resource(s) in place as a preferred option. All potential means of avoiding or reducing ground disturbance within the site boundaries will be considered including modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or more substantial modifications where feasible that will permit avoidance or substantial preservation in place of the resource.

The archaeologist, in coordination with AMTB (and NAHC-designated MLD if applicable) shall prepare a report describing any resource(s) unearthed, the treatment of such resource(s), and the evaluation of the resource(s) with respect to the California Register of Historic Resources. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared.”

TCR-4 Prior to issuance of a building permit, the project developer shall provide proof that the project’s light pollution levels will be the lowest possible levels as identified in the Municipal Code Chapter 19.31.

TCR-5 During project operations, the project operator shall turn off sign lights between the hours of 12:00 AM and 4:00 AM. This requirement shall be written into the conditions of project approval.

Consultation between the County and the Amah Mutsun Tribal Band resulted in the requirement for implementation of the following mitigation measure to promote cultural awareness, educate the community about the Tribe's history and traditions, foster tourism, and provide a platform to share important updates or announcements.

Mitigation Measure

TCR-6 Kiosk. To preserve, promote, and educate the community about the Amah Mutsun Tribal Band, materials about the Tribe, its traditions, and its history shall be made available on a kiosk located on the project site. The project developer shall consult with the Amah Mutsun Tribal Band and the Amah Mutsun Land Trust to write the materials and design the kiosk format. The material shall be reviewed and approved by the San Benito County Planning and Land Use Division and the Amah Mutsun Tribal Band, and the approved materials and kiosk shall be in place prior to issuance of an occupancy permit.

The Amah Mutsun Tribal Band also requested that a biologist address the Monterey dusky-footed woodrat. Refer to Section 4.0, Biological Resources, for discussions about this specie.

19. 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. Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, single-dry and multiple- dry years?	☐	☐	☒	☐
c. 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?	☐	☐	☐	☒
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Comments:

- a. The proposed project involves the installation of water lines from an existing on-site water well, septic system components, a stormwater detention pond, and use of the existing overhead power lines at the site. The potential environmental impacts that could occur as a result of constructing these improvements are addressed throughout this initial study and mitigated to a less-than-significant level, where appropriate, through the implementation of the mitigation measures identified throughout this initial study.
- b. As discussed in Section 10.0, Hydrology and Water Quality, the project proposes a water demand of approximately 0.56 to 1.12 acre-feet per year and the sustainable yield for the San Juan Management Area is 19,017 acre-feet of water per year. The sustainable yield is based upon the future baseline (2050) conditions that incorporate current land uses, among other factors. The project's water demand is 0.006 percent of that sustainable yield for the San Juan Management Area. Therefore, the project's estimated water demand would be met.

The project proposes a General Plan amendment to change the designation from Rangeland to Commercial Regional. This General Plan amendment was required when the County's Measure A passed in November 2024; this measure amended the General Plan to require voter approval before lands designated Agriculture, Rural, or Rangeland could be re-designated to other land use designations. However, the *North San Benito Groundwater Sustainability Plan* was adopted by the San Benito County Water District in November 2021 and approved by the Department of Water Resources in July 2023. Therefore, the calculations presented in this plan assumed uses at the project site under the Commercial Regional land use designation. Therefore, for the purpose of this discussion, the project is consistent with the land uses that were considered during development of the sustainable yield of the San Juan Management Area.

Therefore, the project's estimated water demand would be met by the North San Benito Subbasin and there would be sufficient water supplies available to serve the project and reasonably foreseeable future developing during normal, single-dry, and multiple-dry years.

- c. The project proposes the use of septic tanks and leach fields; therefore, the project would have no impact on a wastewater treatment provider.
- d-e. The San Benito County Integrated Waste Management Agency coordinates recycling and garbage services for all of San Benito County, with Recology providing the waste collection services. The John Smith Road Landfill will serve the solid waste needs of the project. The landfill has a remaining capacity of 1,921,000 cubic yards as of April 2021 and a maximum permitted throughput of 1,000 tons per day (CalRecycle 2024). According to the *Hollister 2040 General Plan Climate Action Plan and Agricultural Lands Preservation Program Environmental Impact Report Public Draft*, the John Smith Road Landfill is planning an expansion to increase the disposal capacity, extend the landfill footprint, and increase the maximum daily tonnage that can be accepted to 2,300 tons per day (City of Hollister 2023).

[Table 3, Solid Waste Generation](#), illustrates the approximate total of solid waste generated by the project.

Table 3 Solid Waste Generation

Land Use Type	Solid Waste Disposal Generation (Tons/Employee/Year)	Number of Employees	Total Tons/Year
Convenience Store/Gas station	1.21 +0.50 1.71 insert note	9	
Fast Food Restaurant	2.40	9	
Total			8.43

SOURCES: Project Application 2020, CalRecycle 2015

The proposed project would result in approximately 8.43 tons of solid waste per year, or 0.02 tons of solid waste per day. This amount represents less than one percent of the throughput the John Smith Road Landfill is permitted to accept each day and an even smaller percentage when comparing to the landfill's remaining capacity. The project would also be required to comply with General Plan Policy PFS-7.3, which requires that all new nonresidential development have the necessary onsite facilities for temporary solid waste and recycling storage, handling, and collection prior to issuing building permits.

Given that the landfill has plans for expansion and that the project's solid waste generation represents such a small amount of what the landfill accepts each day and its remaining capacity, the project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Comments:

According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zones in State Responsibility Area mapping tool (effective April 1, 2024), the proposed project is not located within a very high fire hazard severity zone. However, the project site is located within the “Moderate” fire hazard severity zone in a state responsibility area (CAL FIRE 2024). Therefore, out of an abundance of caution and disclosure, the following analysis is presented.

The undeveloped project site is relatively flat with a slight slope from north to south. The existing vegetation on the site is characterized as ruderal (weedy) fields at the center of the site, a line of eucalyptus trees along the eastern border of the site along U.S. Highway 101, and oak trees lining the northeastern border along State Route 129. The project will involve the addition of more trees throughout the project site as well as shrubs and screening plants along Searle Road. The site is currently entirely pervious and will be converted into almost entirely impervious surfaces (i.e., pavement and structures) as a result of the project.

The project site includes existing overhead wires located along the western and northern border of the site. The site is also surrounded by Searle Road to the west, State Route 129 to the north, and the southbound U.S. Highway 101 on-ramp.

- a. Refer to Section 9.0, Hazards and Hazardous Materials, checklist question “f.” The project would not impair an adopted emergency response plan or emergency evacuation plan.
- b. The project site is relatively flat with a slight slope from north to south. It is not likely that this minor slope would increase the speed and intensity of wildfires exacerbating wildfire risks at the project site.

The project involves the addition of trees, shrubs, and screening plants; however, the project would be required to comply with the County fire safety standards outlined in County Municipal Code Section 25.08.018, Fire Safety Standards, which discusses roadway and safety standards, fire protection supply for water systems and vegetation management. The project would also be required to comply with all applicable requirements of the California Fire Code for property building and development design to protect project occupants from fire hazards pursuant to County Municipal Code Section 21.01.021.N. These building and development design standards include maintenance of defensible space around the buildings on the property. Compliance with these regulations would reduce the potential of the structures on the project site to catch fire during a wildfire, which in turn would reduce wildfire risk. In addition, as discussed in Section 9.0, Hazards and Hazardous Materials, the transport, storage, and use of hazardous materials, including flammable materials, on the project site would be required to comply with existing State and local regulations as enforced by the County Division of Environmental Health. The project would also be required to comply with Chapter 23 of the California Fire Code, which provides specific standards for the construction and operation of motor fuel dispensing facilities such as emergency shut-off systems, leak detection, secondary containment, and fuel delivery nozzle design requirements that include vapor recovery to avoid fire hazards. This would minimize the potential for the occurrence of a fire due to improper handling of flammable materials.

The project has also been reviewed by the County Fire Department to ensure that the project provides consistent and adequate standards for fire protection. County Fire Department review included conditions of approval such as maintaining weed abatement and general vegetation management.

The project would introduce occupants/visitors to the site that could increase the likelihood of ignitions from, for example: careless disposal of lit cigarettes, hot catalytic convertor on a parked car setting grass on fire, truck tire exploding and sparking nearby vegetation, etc. However, compliance with the abovementioned local and State requirements would ensure less than significant impacts associated with the project’s potential to exacerbate wildfire risks and thereby expose project occupants and visitors to wildfire pollutants or the uncontrolled spread of a wildfire.

- c. The proposed project would have access to existing overhead electricity power lines that run along the western and northern border of the site. The project would also require the development of a new private septic system.

The proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks or emergency water sources) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

Given that the project plans have been reviewed by several County departments, coordination will be involved to ensure that the project components, are constructed in a manner that complies with state and local regulations and would ensure that the project results in less than significant impacts associated with infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

- d. According to the landslide memo prepared by Soil Surveys Group Inc., there is no landslide potential at the project site (refer back to Section 7.0, Geology and Soils, checklist question “a” for more detail). Therefore, construction of the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes.

21. 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 substantially 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 Native American history?	☐	☒	☐	☐
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)	☐	☒	☐	☐
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Comments:

- a. The proposed project has the potential to degrade the visual quality of the environment. However, with implementation of mitigation measure AES-1, the visual impact would not be substantial.

The proposed project has a potential to have an effect on special-status plants (Congdon’s tarplant and fragrant fritillary) and the following special-status wildlife species: Mountain lion, American badger, San Joaquin kit fox, Monterey dusky-footed woodrat, burrowing owl, California red-legged frog, California tiger salamander, special-status bats, special-status bumble bees, and white-tailed kite and nesting birds. The Mitigation measures presented in Section 4.0, Biological Resources, would ensure that the proposed project would not have the potential to substantially 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.

The proposed project has the potential to result in adverse effects to unknown, buried historic resources or unique archaeological resources, as well as significant tribal resources. Mitigation Measure CUL-1 and CUL-2, presented in Section 5, Cultural

Resources, and TCR-1 through TCR-6 in Section 18.0, Tribal Cultural Resources, would ensure that such an impact, if it were to occur, would not be significant and would not eliminate important examples of the major periods of California history, including the history of Native American tribes.

- b. Proposed project impacts that contribute to cumulative project impacts are required to be lessened per the mitigation measures presented in this initial study. They include visual impacts, impacts to sensitive biological resources, impacts to archaeological, tribal cultural resources, and paleontological resources, and erosion impacts.

The proposed project would generate criteria air emissions and GHG emissions that contribute to associated cumulative effects; however, these impacts were determined to be less than cumulatively considerable.

The nature of the proposed project as a traveler's station would not result in the permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the General Plan or County Municipal Code Chapter 19.39. Therefore, impacts would be less than cumulatively considerable.

The proposed project would not generate a significant volume of vehicle trips that would add to ambient noise levels on surrounding roadways. Under cumulative development conditions, the project contribution to cumulative traffic noise impacts would be less than significant.

With implementation of the mitigation measures, standards, and policies identified herein, the project's contribution to cumulative project impacts would not be considerable.

- c. Based on the analysis provided in this initial study, the proposed project could indirectly cause substantial adverse effects to human beings through seismic ground shaking, soil instability, soil expansivity. However, as discussed throughout this initial study, the impacts would not be significant. Therefore, the proposed project would not result in significant environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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