DRAFT
INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

for the

1175 COMSTOCK ROAD
MINOR SUBDIVISION PROJECT

Prepared by: Denise Duffy & Associates

Lead Agency: County of San Benito, California
Resource Management Agency

Applicant: Frank Russell

May 2024

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Project Data

1. **Project Title:** 1175 Comstock Road Minor Subdivision Project

2. **Lead Agency & Lead Agency Contact:** Jonathan Olivas, Assistant Planner, (831) 637-5313, jolivas@sanbenitocountyca.gov; San Benito County Resource Management Agency, 2301 Technology Parkway, Hollister CA 95023

3. **Applicant Contact Information:** Frank Russell, (831) 634-0275, 1175 Comstock Road, Hollister, CA 95023

4. **Project Location**: The proposed project is located at 1175 Comstock Road, Hollister, CA 95023, in San Benito County, California. The project site is made up of an approximately 39-acre parcel (Assessor's Parcel Number ["APN"] 017-030-015). State Route ("SR") 156 provides local access to the project site and is located about 2 miles west of the project site by way of Fairview Road and Comstock Road. The property is in a rural area and is surrounded by agricultural and rural residential land uses.

5. **Project Description**: The proposed project consists of a minor subdivision of an approximately 39-acre parcel into four (4) new lots (County Planning File PLN220004). The proposed project is located northeast of Hollister in unincorporated San Benito County at 1175 Comstock Road (APN 0170300150). The project site is currently occupied by three (3) existing dwellings, which would remain on the site following the subdivision on a revised 23.57-acre lot (Lot 1). The three (3) new lots (Lots 2, 3, and 4) would be approximately five (5) acres and are anticipated to each be developed with a new residence, in addition to potential accessory dwelling units. New residential units would connect to the existing water supply well on site and would be connected to new septic systems installed on each lot. The proposed project also includes dedication of a right-of-way and construction of public road improvements along the project's frontage on Comstock Road, in compliance with County Code.

6. **Acreage of Project Site**: The parcel is approximately 39 acres (APN 017-030-015).

7. **Land Use Designations**: The San Benito County General Plan designates the project site as Agricultural (A). The site is located within the Agricultural Productive (AP) Zoning District.

8. **Date Prepared**: May 2024

9. **Prepared By**: Denise Duffy & Associates, Inc. ("DD&A")

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Chapter 1. Introduction and Project Description

1.1 Introduction

This Initial Study/Mitigated Negative Declaration ("IS/MND") has been prepared to evaluate the potential environmental effects associated with the 1175 Comstock Road Minor Subdivision Project ("project or proposed project"), in San Benito County, California ("County"). This IS/MND has been prepared in accordance with the California Environmental Quality Act ("CEQA"), Public Resources Code §21000 *et seq.*, and the State CEQA Guidelines, California Code of Regulations ("CCR") §15000 *et seq.*

An IS/MND is an informational document prepared by a lead agency to determine if a project may have a significant effect on the environment (CEQA Guidelines §15063, subd. (a)). If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report ("EIR") must be prepared, in accordance with CEQA Guidelines §15064(a). However, if the lead agency determines that revisions in the project plans or proposals made by or agreed to by the applicant mitigate the potentially significant effects to a less-than-significant level, an Initial Study/Mitigated Negative Declaration may be prepared instead of an EIR (CEQA Guidelines §15070, subd. (b)). In this instance, the lead agency prepares a written statement describing the reasons a proposed project would not have a significant effect on the environment and, therefore, why an EIR need not be prepared. This IS/MND conforms to the content requirements under CEQA Guidelines §15071.

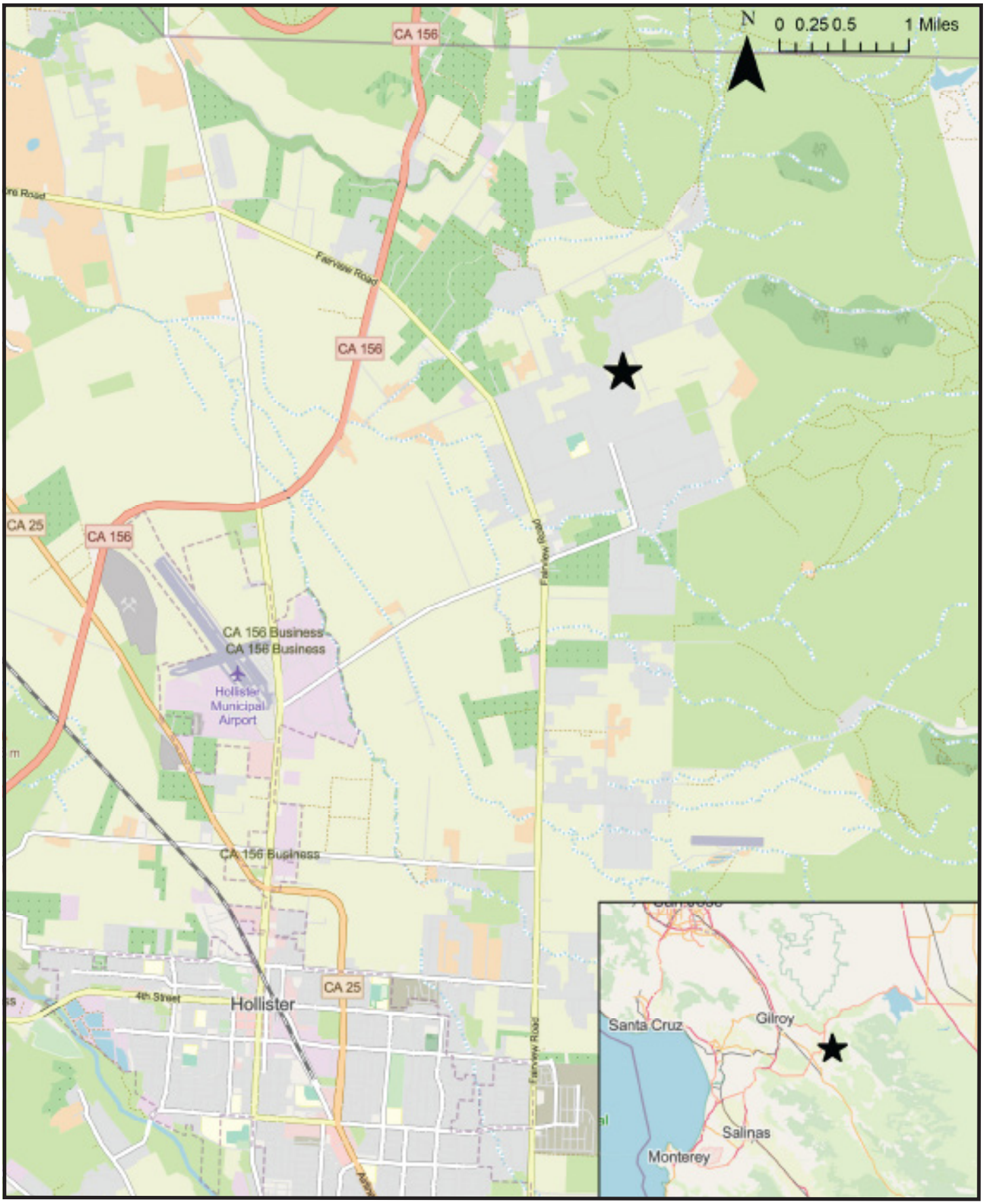
The San Benito County Resource Management Agency ("County RMA") is acting as the Lead Agency pursuant to CEQA Guidelines §15050(a). As the Lead Agency, the County RMA oversaw preparation of this IS/MND pursuant to CEQA Guidelines §15063, §15070, and §15152. This IS/MND will be circulated for agency and public review during a 30-day public review period pursuant to CEQA Guidelines §15073. Comments received by the County RMA on this IS/MND will be reviewed and considered as part of the deliberative process in accordance with CEQA Guidelines §15074.

The following section is consistent with the requirements of CEQA Guidelines §15124 to the extent that it is applicable to the project. This section contains a detailed description of the project location, existing setting, project components and relevant project characteristics, and applicable regulatory requirements.

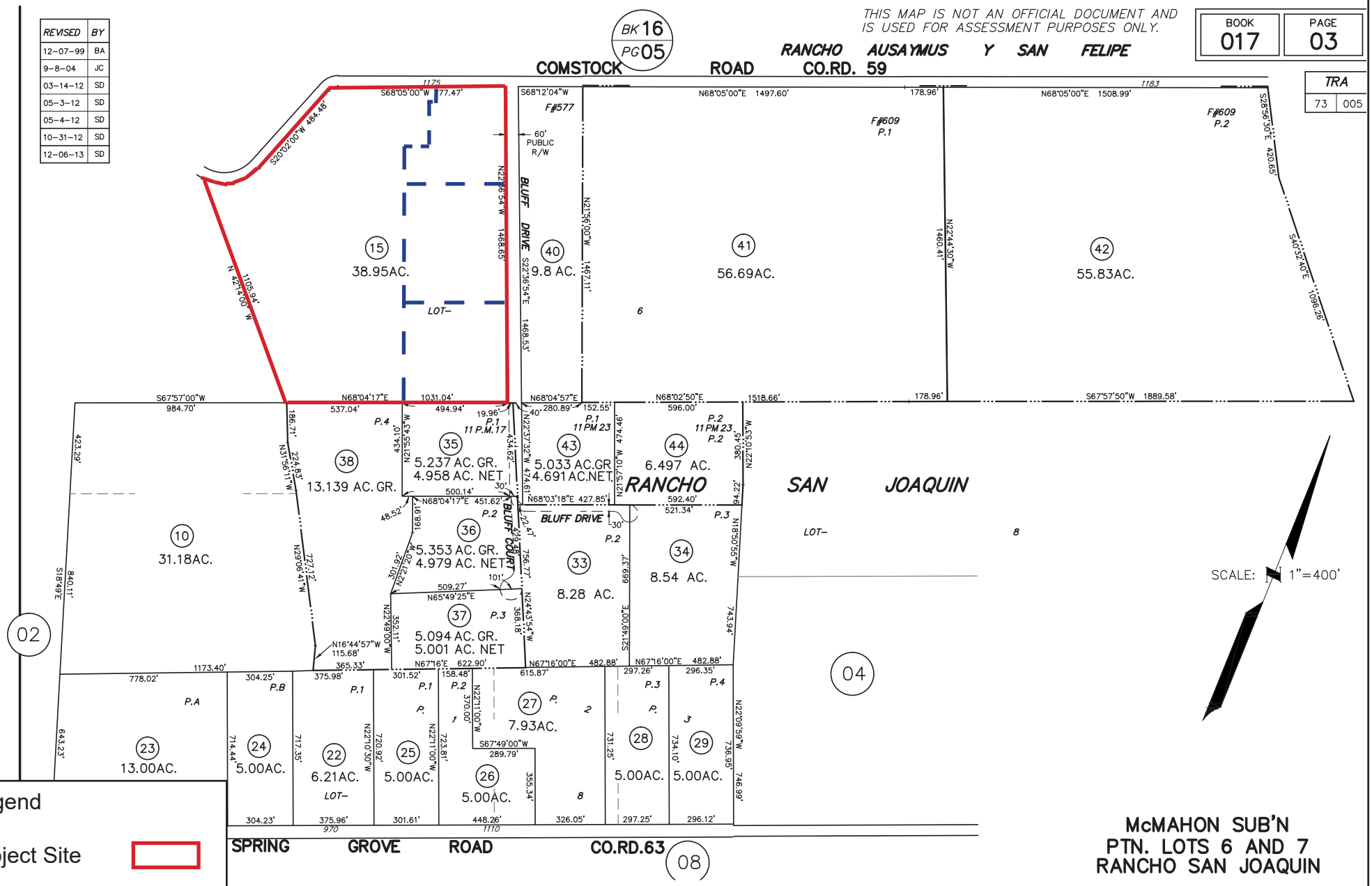
1.2 Project Location

The proposed project is located at 1175 Comstock Road, Hollister, California, 95023, in San Benito County (see **Figure 1. Regional Map)**. The project site is comprised of an approximately 39-acre parcel (APN 017-030-015) that contains three (3) single-family residences, two (2) garages, a shop building, two (2) paved driveways, and farmland (see **Figure 2. Assessor's Parcel Map**). The project site is in a rural area (see **Figure 3. Vicinity Map**). Regional access to the project site is provided by State Route ("SR") 156, located about two (2) miles west of the project site by way of Fairview Road and Comstock Road. There are two (2) driveway entrances to the project site off of Comstock Road on the northern edge of the site, the westernmost of which connects to Ausaymas Court, a private street.

Surrounding land uses are primarily agricultural and rural residential. The project site is relatively flat, sloping slightly to the south (Google Earth, March 2023).



Title:	Date	Scale	Project		Figure
Regional Map	11-17-2023		2023-15	Monterey | San Jose **Denise Duffy and Associates, Inc.** Environmental Consultants Resource Planners 947 Cass Street, Suite 5 Monterey, CA 93940 (831) 373-4341	1



Title:

Assessor's Parcel Map

Date 11-15-2023

Scale

Project 2023-15

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Figure 2

Title: Vicinity Map

Date 11-15-2023
Scale
Project 2023-15

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Figure 3

The San Benito County General Plan designates the project site as Agriculture (A) and the project site is zoned Agricultural Productive (AP). The AP designation applies to areas that are characterized by agriculturally productive lands of various types, including crop land, vineyards, and grazing lands. The purpose of this land use designation is to maintain the productivity of agricultural land, especially prime farmland, in the County.

1.3 Project Description

The proposed project consists of an application for a Minor Subdivision (County Planning File PLN220004) to subdivide an existing approximately 39-acre lot into four (4) new lots. Photographs of the existing site are presented in **Figure 4**. A tentative map and site plan showing the proposed subdivision is presented in **Figure 5**. Three (3) of the new lots (Lots 2, 3, and 4) would be five (5) acres in size, while the remaining lot (Lot 1) would be 23.54 acres in size. The site is occupied by three (3) single-family residences, two (2) garages, and a shop building, all of which will remain on Lot 1. The tentative map identifies a 3,000 square foot ("sf") building envelope for each of the proposed Lots 2, 3, and 4. The three (3) five (5)-acre lots are each anticipated to be developed with one (1) single-family residence. Lots 2 and 4 would also be developed with accessory dwelling units ("ADUs") measuring 1,800 sf, while Lot 3 would include a 2,700-sf barn. Future development on Lots 2, 3, and 4 would be served by new wells. The existing development on Lot 1 would continue to be served by an existing well, and Lots 2, 3, and 4 would require installation of new individual septic systems. Future development is assumed to occur within the entirety of the identified building envelopes as shown in **Figure 5**. Any development of the site outside of these building envelopes may be subject to additional environmental review under CEQA.

The proposed project also includes dedication of half of the 60-foot right-of-way along property frontage on Comstock Road to the County of San Benito and the public for public use. Additionally, the proposed project would require a "fair-share" contribution of improvements to Comstock Road. These improvements are anticipated to consist of the installation of 38 feet of aggregate base ("AB")[1] along the site's Comstock Road frontage and construction of half of a planned 28-foot improvement consisting of laying down asphaltic concrete ("AC") surface on top of the AB. These improvements would be required to be constructed prior to recording the final map for the subdivision.

CONSTRUCTION

Construction of the proposed project would commence following approval of the subdivision. It is assumed that the lots would be sold individually and that the new owners would construct new single-family dwellings within the identified building envelopes. As a result, the overall schedule for construction build-out is not known at this time. The proposed project would also require installing 38 feet of AB and laying down AC surface atop the AB. Construction activities would be limited to the hours of 8 a.m. to 5 p.m., Monday through Friday. The specific types of equipment required for construction of the proposed project are not known at this time, but are assumed to include a mini-excavator, backhoe, water truck, and forklift.

WATER SUPPLY

Future residential units developed on the new lots are expected to connect to new wells located on each of the lots. A well permit would be required for each new well. The 23.54-acre lot will continue to be served by an existing well located on the property.

[1] Aggregate base is a construction aggregate typically composed of crushed rock and used as a base for installation of concrete and asphalt surfaces.

Photo 1: Facing East from South Boundary of Site.

Photo 2: Facing North from South Boundary of Site.

Photo 3: Facing South from Comstock Rd (Google, 2023).

Photo 4: Overview of the project site, looking west.

Title: Site Photos

Date 11-15-2023
Scale
Project 2023-15

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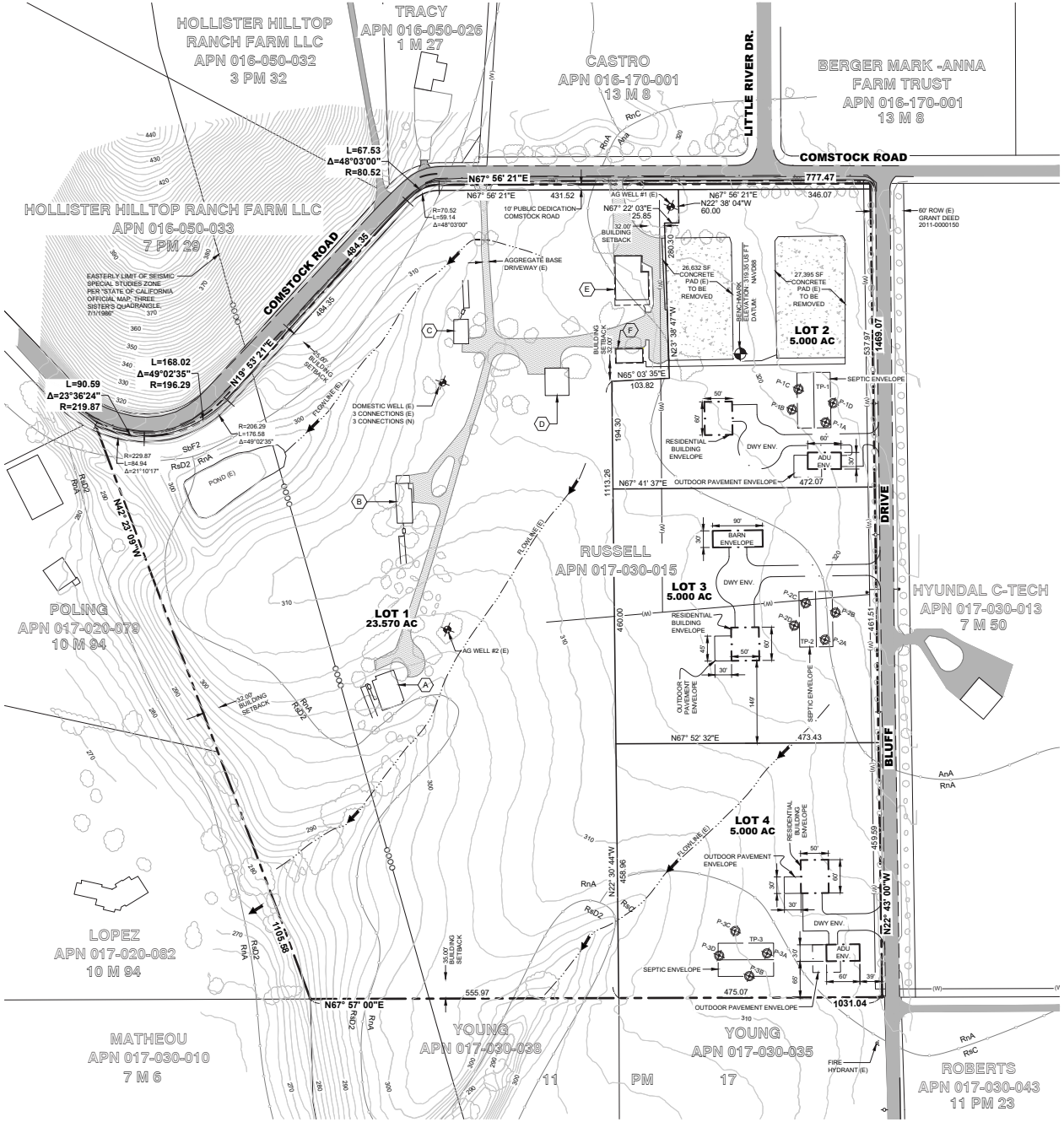
Figure 4



EXCEPTIONS

EXCEPTIONS FROM CONDITION OF TITLE GUARANTEE BY STEWART TITLE, FILE No. 1520894, GUARANTEE No. G-2921-2718, DATED 11/30/2021:

1. WATER, WELL AND RESERVOIR AGREEMENT RECORDED 3/25/1964 IN 296 OR 410 .
2. EASEMENT AND RIGHT TO TRANSPORT WATER RECORDED 9/18/1978 IN 434 OR 381.
3. EASEMENT AND RIGHT TO TRANSPORT WATER RECORDED 9/18/1978 IN 434 OR 383.
4. CONTRACT AND EASEMENT WITH SAN BENITO COUNTY WATER CONSERVATION AND FLOOD CONTROL DISTRICT RECORDED 4/20/1982 IN 479 OR 411.
5. CONTRACT AND EASEMENT WITH SAN BENITO COUNTY WATER CONSERVATION AND FLOOD CONTROL DISTRICT RECORDED 8/20/1982 IN 483 OR 676.

ABBREVIATIONS

AC	ACRES
AG	AGRICULTURAL
APN	ASSESSOR'S PARCEL NUMBER
Δ	DELTA ANGLE
DWY	DRIVEWAY
(E)	EXISTING
ENV.	ENVELOPE
L	LENGTH
M	MAPS
PM	PARCEL MAPS
R	RADIUS
ROW	RIGHT-OF-WAY
SF	SQUARE FEET

SOIL TYPES (SAN BENITO COUNTY GIS)

SOIL	NAME	SLOPES	ACRES	%OF SITE	GRADE 1
ANA	ANITOCH LOAM	0-2%	7.41	8.9%	NO
RNA	RINCON LOAM	0-2%	24.7	63.4%	YES
RSC	RINCON SILTY CLAY LOAM	2-9%	1.5	4.0%	NO
RSD2	RINCON SILTY CLAY LOAM	9-15%	3.7	9.5%	NO
SBF2	SAN BENITO SILTY CLAY L	30-50%	1.6	4.2%	NO

NOTE: THIS PROJECT IS EXEMPT FROM LAND USE ELEMENT POLICY 3 (PROTECTION OF GRADE 1 SOILS), DUE TO THE DEVELOPMENT OF THE NORTH (13 M 8), WEST (10 M 94) AND SOUTH (MS# 1186-06) SURROUNDING PROPERTIES TO THE MAXIMUM DENSITY ALLOWED.

LEGEND

- PROJECT BOUNDARY
- ADJACENT PROPERTY LINE
- PROPOSED PROPERTY LINE
- CENTERLINE
- EASEMENT LINE
- SEISMIC SPECIAL STUDY ZONE BOUNDARY
- SOIL TYPE BOUNDARY
- MAJOR EXISTING CONTOUR LINE (10' INTERVAL)
- MINOR EXISTING CONTOUR LINE (2' INTERVAL)
- FLOW LINE EXISTING
- EXISTING WATER LINE
- PROPOSED WATER LINE
- WELL
- PERCOLATION TEST HOLE (P-#X)
- SOIL TEST PIT LOCATION (TP-#)

FROM EARTH SYSTEMS FILE NO.: SH-10966-SA

- FIRE HYDRANT
- DOMESTIC WATER SERVICE
- ELECTRICAL SERVICE
- EXISTING POLE
- EXISTING CONCRETE
- EXISTING PAVEMENT
- EXISTING AGGREGATE BASE
- FLOW DIRECTION

IMPERVIOUS AREA ESTIMATE

EXISTING

LOT 1 56,880 SF

TO BE REMOVED

LOT 2 54,027 SF (CONCRETE PADS)

NEW

LOT 2 17,760 SF

LOT 3 19,305 SF

LOT 4 14,160 SF

COMSTOCK ROAD 17,991 SF

NET IMPERVIOUS AREA

126,096 SF

KEY NOTES

KEY	BUILDING	EXISTING SETBACKS FRONT SIDE	WEST SIDE	EAST SIDE	REAR SIDE
A	PRIMARY RESIDENCE (E)	547.57	303.97	379.53	520.26
B	SECONDARY RESIDENCE (E)	316.94	447.58	359.09	858.34
C	SECONDARY RESIDENCE (E)	198.50	656.53	262.36	1181.84
D	GARAGE (E)	321.44	778.18	74.05	1088.12
E	SHOP BUILDING (E)	117.87	950.36	36.95	131.87
F	GARAGE (E)	284.83	916.60	49.76	28.95

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

Source: Kelly Engineering and Surveying, October 2023

Title:

Site Plan

Date 11-15-2023

Scale

Project 2023-15

Monterey | San Jose

Denise Duffy and Associates, Inc.

Environmental Consultants Resource Planners

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(831) 373-4341

Figure 5

SEPTIC

The existing residences are currently on a septic system. New residential developments proposed for the three (3) new lots would install individual septic systems to serve each property. The proposed footprints for installation of future septic systems are shown in **Figure 5**.

DRAINAGE

The project site is located in FEMA Flood Zone X (unshaded, i.e., an area of minimal flood hazard, located outside of the 500-year floodplain). The proposed project includes new impervious surfaces on Lots 2, 3, and 4, as well as new impervious surfaces associated with the proposed improvements to the project frontage on Comstock Road. However, the proposed project would remove two (2) existing concrete pads from Lot 2. The total change in area of impervious surfaces associated with the proposed project is shown in **Table 1**. Overall, the proposed project would result in a 15,189-sf net increase in impervious surfaces. Identified building envelopes are assumed to be entirely developed with impervious surfaces to provide a conservative analysis.

Table 1
Changes to Impervious Surfaces

Lot #	New Impervious Surfaces (sf)	Removed Impervious Surfaces (sf)	Net Total Increase in Impervious Surfaces (sf)
2	17,760	54,027	-36,267
3	19,305	0	19,305
4	14,160	0	14,160
Comstock Road Frontage	17,991	0	17,991
Total	69,216	54,027	15,189

UTILITIES

Each of the three (3) new residential lots would have an on-site septic system installed. New wells would be drilled on each of the lots to serve the new developments. The 23.54-acre lot would continue to be served by an existing well located on the property. Other utilities, including electricity and telecommunications, would connect to existing utility infrastructure located along Bluff Drive.

GRADING

The project site is generally flat. Grading would be limited to the amount required for the proposed building envelopes and driveway access, as well as some potential minor grading associated with the improvements to Comstock Road.

LIGHTING

The new residential units that would be constructed as part of the proposed project would include limited outdoor lighting for safety and security purposes. All proposed outdoor lighting would conform to County requirements for nighttime lighting.

ACCESS AND PARKING

Private driveways connecting to Bluff Drive would provide access to new residential lots. An existing driveway and a private street (Ausayamas Court) that connects to Comstock Road would provide access to the existing development on Lot 1.

1.4 Required Permits

This IS/MND is an informational document for both agency decision-makers and the public. The County RMA is the Lead Agency responsible for adoption of this IS/MND. It is anticipated that the proposed project would require permits and approvals from the following agencies.[2]

LOCAL AGENCY PERMITS

A list of the anticipated discretionary permits and approvals required by the County of San Benito is provided below:

- Adoption of IS/MND.
- Approval of the final map for the proposed project (including the proposed minor subdivision).

[2] This list is not considered exhaustive and additional agencies and/or jurisdictions may have permitting authority.

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Chapter 2. Environmental Factors Potentially Affected

The environmental factors identified below are discussed within **Chapter 4. Initial Study Environmental Checklist** Sources used for analysis of environmental effects are cited in parenthesis after each discussion and are listed in **Chapter 5. References.**

☒ Aesthetics	☒ Agricultural and Forest Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Energy
☒ Geology/Soils	☒ Greenhouse Gas Emissions	☒ Hazards/Hazardous Materials
☒ Hydrology/Water Quality	☒ Land Use/Planning	☒ Noise
☒ Public Services	☒ Recreation	☒ Transportation/Traffic
☒ Tribal Cultural Resources	☒ Utilities/Service Systems	☒ Wildfire
☒ Mandatory Findings of Significance		

ENVIRONMENTAL FACTORS NOT AFFECTED

As part of the scoping and environmental analysis conducted for the project, the following environmental resources were considered but no potential adverse impacts to these resources were identified. Consequently, there is no further discussion regarding these resources in this document.

Mineral Resources: The site has not been mapped for mineral resources by the California Department of Conservation's Surface Mining and Reclamation Act ("SMARA"). Furthermore, the project site and adjoining lands have been designated by the County 2035 General Plan for agricultural use and are not designated for mineral extraction operations. As a result, there would be no impact to mineral resources. (Sources: 1, 2, 3, 4, 48)

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Chapter 3. 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 (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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.

Signature

5/30/2024
Date

Jonathan Olivas
Printed Name

San Benito County
For

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Chapter 4. Initial Study Environmental Checklist

The following chapter assesses the environmental consequences associated with the proposed project. Mitigation measures, where appropriate, are identified to address potential impacts.

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 will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2. All answers must take into account the whole action involved, including offsite as well as on-site, 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 Analysis 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 information sources for potential impacts (e.g., general plans, zoning ordinances) into the checklist references. 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.

4.1 Aesthetics

4.1.1 Environmental Setting

The 2035 County General Plan Update Recirculated Draft EIR ("RDEIR") notes that the County's most striking features are the Diablo and Gabilan Mountain Ranges and the San Benito Valley, which lies between them. There are no State designated scenic highways located in the County. However, three (3) highways are County designated scenic highways, including Highway 101, located approximately ten (10) miles west of the project site; SR 156, located about two (2) miles west of the project site; and SR 129, located approximately 12 miles southwest of the project site.

According to the 2035 County General Plan RDEIR, important vistas within San Benito County that define its visual character include agricultural croplands, rangelands, rolling hills, open spaces, historic towns and mining sites, and views of the Diablo and Gabilan ranges. These agricultural and rangeland areas constitute more than 75 percent of the County's total land area. Additionally, the County's topography includes valleys and rolling hills, particularly in the northern portion of the County near Hollister and San Juan Bautista, where most of the County's population dwells.

The existing site is currently used for agricultural activities. Surrounding lands are rural and currently consist primarily of agricultural uses. The proposed project would result in the subdivision of the existing lot, creating three (3) new residential lots, and development of each of the new lots with a single-family residence (as well as an ADU on Lots 2 and 4 and a barn on Lot 3), septic system, and access driveway connecting to Bluff Road. Construction of the proposed project would not require any nighttime construction and construction activities would be limited to the hours of 8 a.m. to 5 p.m., Monday through Friday. Therefore, construction activities would not result in any new nighttime lighting or glare. New sources of exterior lighting are proposed as part of this project and would be limited to ambient and security lighting for each of the proposed residences. The surrounding lands are rural in all directions and currently consist of primarily agricultural and rural residential uses, which produce varying degrees of nighttime lighting.

Section 19.31.005 of the San Benito County Code establishes three (3) lighting zones, with Zone I having the strictest regulations and Zone III imposing the least restrictive. The project site is located in Zone II. General requirements are applicable to all zones, under Section 19.31.006, and the special requirements applicable to project set forth in Section 19.31.008 are listed below:

(A) (1) Total outdoor light output (excluding streetlights used for illumination of county roadways or private roadways related to any development project in Zone II) shall not exceed 50,000 initial raw lamp lumens per net acre, averaged over the entire project.

(2) Furthermore, no more than 5,500 initial raw lamp lumens per net acre may be accounted for by lamps in unshielded fixtures permitted in Table 19.31.006(1) of this chapter.

(D) Class 3 lighting must be extinguished at 11:00 p.m. or when the business closes, whichever is later, except that low-wattage holiday decorations may remain on all night from November 15 to January 15.

4.1.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS. Would the project:				
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 point.) 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?	☐	☐	☒	☐

4.1.3 Explanation

a) **Less than Significant Impact.** According to the County's General Plan, most of the County consists of agricultural and rangeland uses and many of the County's scenic vistas consist of views of these areas. The proposed project consists of the subdivision of an existing lot to facilitate the future development of three (3) new single-family residences, two (2) ADUs, and a barn on the new lots. The project is not visible from existing scenic roads. In addition, the project would not exceed the 35-foot building height threshold for the Agricultural Productive (AP) zoning designation and would not block any neighboring views of distant mountain ranges. Lastly, the proposed project would not impair County scenic vistas within the agricultural and rangeland uses; therefore, the impacts would be less-than-significant. (1, 2, 3)

b) **No Impact.** There are many scenic resources in the County; however, the project site is not located within the vicinity of a County designated scenic roadway or an officially designated State Scenic Highway. Therefore, the project is not visible from a state designated scenic highway or County designated scenic roadway. As a result, the development of three (3) single-family residences, two (2) ADUs, and a barn on the new lots would have no impact on scenic resources such as rock outcroppings, trees, or historic buildings within view from a scenic highway. (1, 2, 3)

c) **Less than Significant Impact.** The proposed project is located within a non-urbanized area and would involve residential uses within and adjacent to parcels zoned for agriculture. These residential uses are allowed under the Agricultural Productive (AP) zoning designation and Agricultural (A) General Plan designations that apply to the site. Consistent with General Plan Policy NCR-8.11, the proposed project would be designed to appear similar to and visually blend with existing agricultural uses in the vicinity. The project would be consistent with the County zoning and regulations governing

land use and scenic quality. Given the above, the proposed project would result in a less-than-significant impact to the visual character and quality of public views of the project site. (1, 2, 3)

d) **Less than Significant Impact.** Construction activities would occur during daytime hours and nighttime lighting for construction activities would not be necessary. Lighting associated with project operation would primarily consist of exterior lighting at the proposed residences for security purposes. Overall, nighttime lighting would be minimal and would only include that which is necessary for safety for vehicular movement and security.

The increased lighting into a minimally lit area would increase the extent of lighting as compared to existing conditions. The proposed project would be required to conform with applicable provisions of the County "Dark Skies" Ordinance (Chapter 19.31), which requires the use of outdoor lighting systems and practices designed to reduce light pollution and glare, and protection of the nighttime visual environment by regulating outdoor lighting that interferes with astronomical observations and enjoyment of the night sky. Compliance with the County's "Dark Skies" Ordinance would ensure that potential adverse effects associated with site lighting would be less than significant.

Additionally, as part of the County permitting process, the proposed project would go through design review and approval in order to confirm consistency with applicable standards, requirements and design guidelines. As a result, potential impacts from lighting and glare would be less-than-significant. (1, 2, 3, 8)

4.2 Agricultural and Forest Resources

4.2.1 Environmental Setting

The California Department of Conservation Farmland Mapping and Monitoring Program ("FMMP"), established by the State Legislature in 1982, assesses the location, quality, and quantity of agricultural lands. In addition, the FMMP monitors the conversion of these lands over time. The FMMP is a non-regulatory program contained in Section 612 of the Public Resources Code. The Program contains five (5) farmland categories to provide consistent and impartial analysis of agricultural land use and land use changes throughout California. The five (5) farmland categories consist of the following:

- Prime Farmland (P) comprises the best combination of physical and chemical features able to sustain long-term agricultural production. Irrigated agricultural production is a necessary land use four (4) years prior to the mapping date to qualify as Prime Farmland. The land must be able to store moisture and produce high yields.
- Farmland of Statewide Importance (S) possesses similar characteristics to Prime Farmland with minor shortcomings, such as less ability to hold and store moisture and more pronounced slopes.
- Unique Farmland (U) has a production history of propagating crops with high-economic value.
- Farmland of Local Importance (L) is important to the local agricultural economy. Local advisory committees and a county specific Board of Supervisors determine this status.
- Grazing Land (G) is suitable for browsing or grazing of livestock.

The existing project site consists of "Prime Farmland" (0.7 acres), "Farmland of Statewide Importance" (0.7 acres), "Other Land" (2.8 acres), and "Farmland of Local Importance" (11 acres) in the FMMP (California Department of Conservation, 2023). Other Land consists of land that is either currently producing or has the capability of production but does not meet the criteria of Prime, Statewide or Unique Farmland. The portion

of the lot that is subject to the proposed subdivision is designated entirely as "Other Land" and "Farmland of Local Importance." The adjacent parcels to the west and south contain lands designated as Prime Farmland.

The Williamson Act, codified in 1965 as the California Land Conservation Act, allows local governments to enter into contracts with private landowners to offer tax incentives in exchange for an agreement that the land will remain as agricultural or related open space use for a 10-year period. The project site is not subject to a Williamson Act contract.

According to the California Public Resources Code §4526, the California Board of Forestry and Fire Protection defines "Timberland" as land not owned by the federal government, nor designated as experimental forest land, which is capable and available for growing any commercial tree species. The board defines commercial trees on a district basis following consultation with district committees and other necessary parties. There are no forest land, timberland, or timberland production areas, as zoned by applicable state and local regulations located within the County.

4.2.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, 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:				
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 non-agricultural 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 uses?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

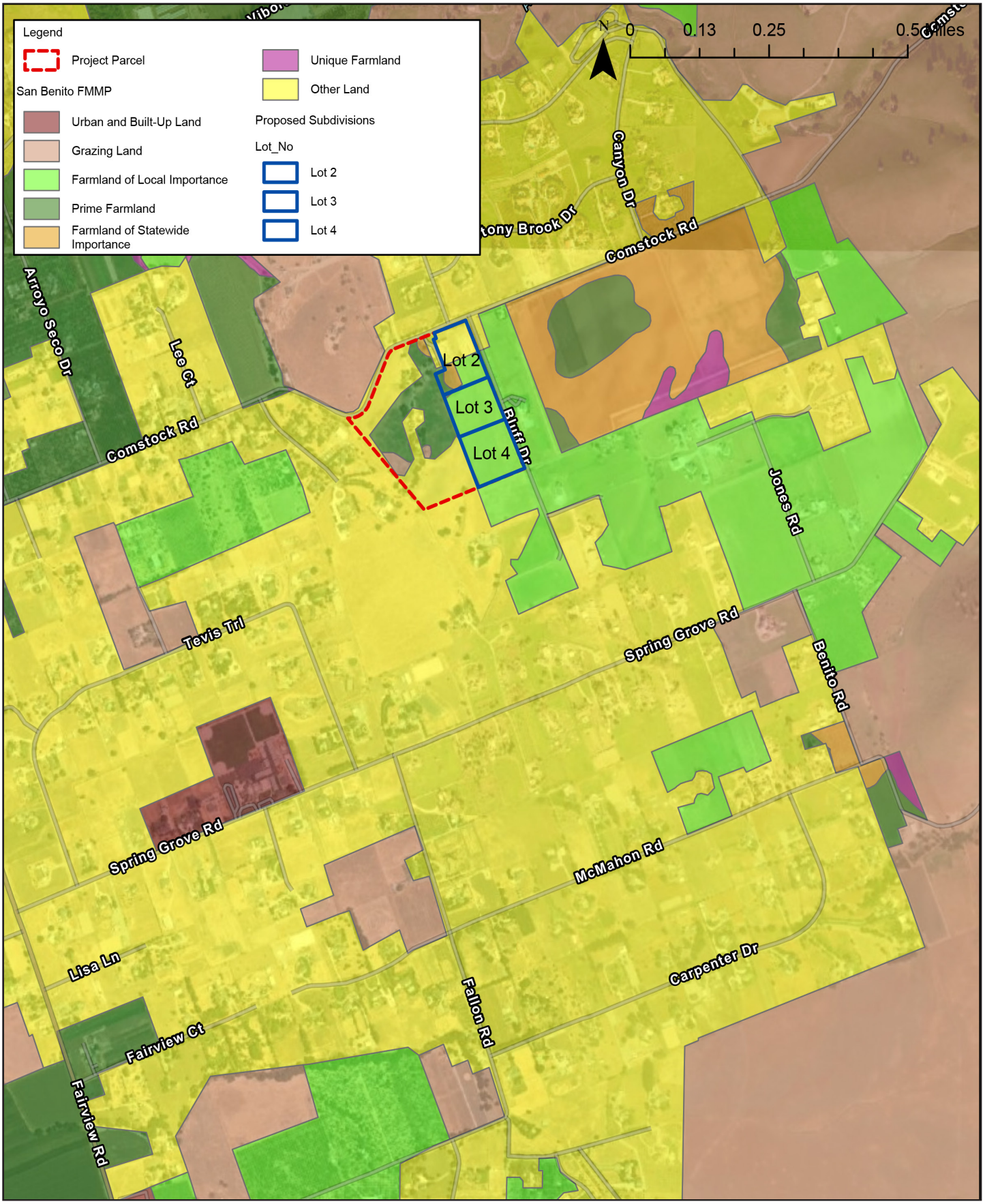
4.2.3 Explanation

a) **Less than Significant Impact.** The project site consists of "Prime Farmland" (0.7 acres), "Farmland of Statewide Importance" (0.7 acres), "Other Land" (2.8 acres), and "Farmland of Local Importance" (11 acres). Prime Farmland and/or Farmland of Statewide Importance is also located within the project parcel, immediately west of the three (3) proposed lot boundaries, and within parcels to the east of Bluff Road, as shown on **Figure 6, Important Farmlands Map**. However, the building envelopes for the proposed project are located outside of these areas. The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, as none occurs within the proposed three (3) lots. This represents a less-than-significant impact. (1, 2, 3, 4, 5)

b) **Less than Significant Impact.** The proposed use for the project is consistent with the project site's zoning designation, Agricultural Productive (AP), and County General Plan designation, Agriculture (A). Residential units are a permitted use on agricultural lots in the County at a density of one (1) residence per five (5) acres[3]. Each of the newly formed lots would be five (5) acres in size. The project site is not subject to a Williamson Act Contract. The portion of the project site subject to the subdivision and development of single-family residential units is designated as "Farmland of Local Importance" and "Other Land" and does not contain any Prime Farmland as defined by the FMMP. The proposed project would be consistent with the existing zoning for agricultural use, resulting in a less-than-significant impact. (1, 2, 3, 5, 8)

c-e) **No Impact.** There are no forest land, timberland, or timberland production areas, as zoned by applicable state and local laws and regulations within the County, or otherwise present on-site. As the project site is not designated as forest land, the proposed project would not convert these lands to non-forest use. Furthermore, the proposed use for the project is consistent with the zoning designation and County General Plan designation of the existing site. The project would not conflict with or require rezoning of forest land or timberland; would not result in the loss or conservation of forest land; and would not involve other changes in the existing environment which could result in conversion of forest land to non-forest land; therefore, there would be no impact. (1, 2, 3, 4, 5)

[3] Per County Code Title 25, Section 25.03.004 AGRICULTURAL AND RURAL DISTRICTS, ADUs do not count towards the density requirements for residential units on lots zoned as Agricultural (A).



Title: Important Farmland Map

Date 11-17-2023
Scale
Project 2023-15

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
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Monterey, CA 93940
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Figure 6

4.3 Air Quality

4.3.1 Environmental Setting

The federal Clean Air Act and the California Clean Air Act mandate the control and reduction of certain air pollutants. Under these Acts, the United States Environmental Protection Agency ("U.S. EPA") and the California Air Resources Board ("CARB") have established ambient air quality standards for specific "criteria" pollutants. These pollutants are carbon monoxide ("CO"), ozone ("O_3"), sulfur dioxide ("SO_2"), nitrogen oxides ("NO_X"), particulate matter less than 10 microns in diameter ("PM_{10}"), lead, and particulate matter less than 2.5 microns in diameter ("$PM_{2.5}$").

The project site is located within the North Central Coast Air Basin ("NCCAB"), which comprises Santa Cruz, San Benito, and Monterey Counties, and is regulated by the Monterey Bay Air Resources District ("MBARD"), which was formally known as the Monterey Bay Unified Air Pollution Control District.

The U.S. EPA administers the National Ambient Air Quality Standards ("NAAQS") under the Federal Clean Air Act. The U.S. EPA sets the NAAQS and determines if areas meet those standards. Violations of ambient air quality standards are based on air pollutant monitoring data and evaluated for each air pollutant. Areas that do not violate ambient air quality standards are considered to have attained the standard. The NCCAB is in attainment for all NAAQS and for all California Ambient Air Quality Standards ("CAAQS") except O_3 and PM_{10}. The primary sources of O_3 and PM_{10} in the NCAAB are from automobile engine combustion. To address exceedance of these CAAQS, MBARD has developed and implemented several plans including the 2005 Particulate Matter Plan, the 2007 Federal Maintenance Plan, and the 2012-2015 Air Quality Management Plan ("AQMP"), a revision to the 2012 Triennial Plan. NCCAB Attainment Status to National and California Ambient Air Quality can be found in **Table 2** below.

Table 2
North Central Coast Air Basin Attainment Status

Pollutant	State Designation[1]	National Designation[2]
Ozone (O_3)	Nonattainment - Transitional	Attainment
Inhalable Particulates (PM_{10})	Nonattainment	Attainment
Fine Particulates ($PM_{2.5}$)	Attainment	Attainment
Carbon Monoxide (CO)	Unclassified	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Lead	Attainment	Attainment

Notes:
1) The State Designations apply to the entire NCCAB and are based on air quality data from 2017. Source: Monterey Bay Air Resources District Air Quality Management Plan 2012-2015; https://www.mbard.org/files/6632732f5/2012-2015-AQMP_FINAL.pdf
2) The National Designations apply to San Benito County only and are based on air quality data from as recent as January 31, 2021. Source: California Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants; https://www3.epa.gov/airquality/greenbook/anayo_ca.html

Plans to attain these standards already accommodate the future growth projections available at the time these plans were prepared. Any development project capable of generating air pollutant emissions exceeding regionally established criteria is considered a significant impact for purposes of CEQA, whether or not such emissions have been accounted for in regional air planning. Any project that would directly cause or substantially contribute to a localized violation of an air quality standard would generate substantial air pollution impacts. The same is true for a project that generates a substantial increase in health risks from toxic air contaminants.

Sensitive receptors are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors include residences, schools, and health care facilities. Nearby sensitive receptors in the vicinity of the project site include rural residences to the north, east, west, and south.

4.3.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
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 non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

4.3.3 Explanation

a) **Less than Significant Impact.** CEQA Guidelines §15125(b) requires an evaluation of project consistency with applicable regional plans, including the AQMP. As stated above, MBARD has developed and implemented several plans to address exceedance of State air quality standards, including the 2012-2015 AQMP. MBARD is required to update their AQMP once every three (3) years; the most recent update was the 2012-2015 AQMP (MBARD, 2017) was approved in March of 2017. This plan addresses attainment of the State ozone standard and federal air quality standard. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments ("AMBAG") and other indicators.

The proposed project would not result in any increase in employment. The proposed project would potentially result in increased population growth of 14 persons due to the development of three (3) new single-family residential units and two (2) ADUs. This population increase would not result in an exceedance of AMBAG population estimates for population San Benito County that would significantly increase emissions of any criteria pollutants. Therefore, the proposed project would be consistent with the MBARD 2012-2015 AQMP. For these reasons, implementation of the proposed project is not anticipated to result in a substantial increase in either direct or indirect emissions that would conflict with or obstruct implementation of the AQMP. This impact is considered less-than-significant. (1, 2, 6, 7)

b) **Less than Significant Impact.** The proposed project could result in air quality impacts during construction due to the use of construction equipment for site grading, paving, removal of existing concrete surfaces, and other activities. Site disturbance activities could result in a short-term, localized

decrease in air quality due to the generation of particulate emissions (PM_{10}). The MBARD 2016 Guidelines for Implementing CEQA contain standards of significance for evaluating potential air quality effects of projects subject to the requirements of CEQA. According to MBARD, a project would not violate an air quality standard and/or contribute to an existing or projected violation during construction if it would:

- Emit (from all sources, including exhaust and fugitive dust) less than:
    - 137 pounds per day (lb/day) of oxides of nitrogen (NOx);
    - 137 lb/day of reactive organic gases (ROG);
    - 82 lb/day of respirable particulate matter (PM_{10});
    - 55 lb/day of fine particulate matter ($PM_{2.5}$); and
    - 550 lb/day carbon monoxide (CO)

A project would not violate an air quality standard and/or contribute to an existing or proposed violation during operation if it would:

- Emit (from all sources, including exhaust and fugitive dust) less than:
    - 137 pounds per day (lb/day) of oxides of nitrogen (NOx);
    - 137 lb/day of reactive organic gases (ROG);
    - 82 lb/day of respirable particulate matter (PM_{10});
    - 55 lb/day of fine particulate matter ($PM_{2.5}$); and
    - 550 lb/day carbon monoxide (CO)
- Not cause or contribute to a violation of any California or National Ambient Air Quality Standard;
- Not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment;
- Not exceed the health risk public notification thresholds adopted by the Air District;
- Not create objectionable odors affecting a substantial number of people; and
- Be consistent with the adopted federal and state Air Quality Plans.

Due to the overall scale of the proposed project, air quality impacts for construction and operation were assessed qualitatively.

Construction

Construction activities, including grading, excavation, and concrete removal, could result in short-term impacts to air quality. Site disturbance activities could result in short-term, localized decrease in air quality due to the generation of particulate emissions (PM_{10}). According to MBARD's criteria for determining construction impacts (as updated February 2008), a project would result in a potentially significant impact if it would result in 8.1 acres of minimal earthmoving per day or 2.2 acres per day of grading and excavation. While the maximum acreage of grading for the project site is not known with certainty, it is expected to be approximately two (2) acres or less for the three (3) new lots. As a result, the proposed project is below the threshold of 2.2 acres per day of grading and excavation.

In addition, the project would also implement standard construction Best Management Practices ("BMPs") identified by MBARD related to dust suppression, which would include:

- Watering active construction areas;
- Prohibiting grading activities during periods of high wind (over 15 mph);
- Covering trucks hauling soil; and,
- Covering exposed stockpiles.

Implementation of these BMPs would further ensure that potential construction-related emissions would be minimized. Since the project is under the threshold for construction air quality impacts, this impact would be less than significant.

Operation

Operation of the proposed residential subdivision would not result in substantially increased air quality emissions compared to existing conditions. The project site is currently used for agricultural activities; limited agricultural uses could still occur on the site following the proposed project. The proposed project would introduce five (5) new residential units onto the site (including two [2] ADUs), which would produce air quality emissions associated with vehicle trips to and from the new residential units. Energy sources include natural gas for uses such as lighting and other uses related to residential and agricultural activities. Mobile emissions would result mainly from vehicle trips by residents.

MBARD has established screening criteria for development projects which provide conservative indication of whether a development could result in a potentially significant impact on ozone. These are levels at which indirect sources and area sources could potentially emit 137 lbs/day or more of VOC or NO_X. For a single-family dwelling the threshold for a potentially significant impact is 810 dwelling units. The proposed project consists of five (5) total residential units (including two [2] ADUs) and is substantially below the screening criteria. The proposed project is not anticipated to generate substantial vehicle trips during operation due to the small scale of the development. This amount of traffic is not anticipated to generate emissions exceeding the 550-pound per day threshold of CO. There are no truck trips associated with operation of the proposed project and the proposed access driveways would be paved; therefore, the proposed project is not anticipated to generate in excess of 82 lbs/day of PM_{10} at the project site. In addition, the proposed project consists of a small subdivision and is not anticipated to general oxides or sulfur emissions. As a result, operation of the proposed project would not result in any significant air quality impacts.

Project construction and operation would not result in a significant air quality impact due to the limited duration and scale of construction activities and the low-density residential use that would be facilitated by the proposed project. As stated above, all impacts would be below applicable MBARD thresholds of significance. Construction and operation of the proposed project would result in a less than significant impact with respect to resulting in a cumulatively considerable net increase in any criteria pollutant. (1, 2, 6, 7)

c) **Less than Significant Impact**. A "sensitive receptor" is generally defined as any residence including private homes, condominiums, apartments, or living quarters; education resources such as preschools and kindergarten through grade twelve ("k-12") schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes. There are existing residences within 1,000 feet of the project site, including the existing residences on the western portion of 1175 Comstock Road, and offsite residences located to the north, south, west, and east. MBARD's 2008 CEQA Air Quality Guidelines state that a project would have a significant impact to sensitive receptors if it would cause a violation of any CO, PM_{10} or toxic air contaminant standards at an existing or reasonably foreseeable sensitive receptor.

The project would implement standard air quality BMPs based on MBARD's 2008 CEQA Air Quality Guidelines. Additionally, the proposed project would not exceed any MBARD thresholds, including CO and PM_{10}. For these reasons, the proposed project would have a less-than-significant impact on sensitive receptors during construction.

The proposed project does not include installation of any new major stationary or mobile sources of emissions. The proposed land uses would be primarily residential with the potential for continuing with some limited agricultural uses that would be consistent with existing use of the site. New trips generated by the proposed project would be minimal due to the five (5) total units proposed. Operation of the proposed project would not exceed any MBARD emissions thresholds and would result in a less than significant impact. (1, 2, 6, 7)

d) **Less than Significant Impact**. Pollutants associated with substantial emissions (such as those leading to odors) with the potential to adversely affect a substantial number of people include sulfur compounds and methane. Typical sources of odors include diesel emissions from construction equipment, odors from laying asphalt, landfills, rendering plants, chemical plants, agricultural uses, wastewater treatment plants, and refineries (MBARD, 2008).

The proposed project will result in a subdivision of an existing parcel and the introduction of new residential uses. Future construction facilitated by the proposed project would result in odor emissions from diesel powered construction equipment and laying of asphalt along the frontage Comstock Road. However, the proposed project is located within a rural area away from sensitive receptors. In addition, all construction related diesel and asphalt odors would be temporary and would cease upon the completion of construction. Single-family residential land uses are not typically associated with odor-producing activities. In addition, the project site is currently utilized for agriculture, which generates more odors compared to the proposed residential uses. Therefore, the project would not result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people and the impact would be considered less-than-significant. (1, 2, 6, 7)

4.4 Biological Resources

4.4.1 Environmental Setting

This section describes existing biological resources within the proposed Lots 2, 3, and 4 (collectively referred to as the "proposed development lots" or "survey area" henceforth in this section), identifies any special status species and sensitive habitats known or with the potential to occur within the survey area, and assesses the types of biological impacts that could result from future development activities. This section also provides generalized recommended avoidance, minimization, and mitigation measures to reduce impacts to biological resources. Proposed Lot 1 was not evaluated as part of the biological evaluation because no additional development is proposed on this lot as part of the proposed project (see **Section 1.3, Project Description**); therefore, no biological impacts are expected to occur on Lot 1 area. Therefore, Lot 1 is excluded from further discussion in this section.

DD&A Senior Environmental Scientist, Matthew Johnson, and Assistant Environmental Scientist, Bibiana Carrazco conducted a general biological reconnaissance survey on November 3, 2023, within the proposed development lots. DD&A biologists identified general and sensitive habitats types, as well as special-status plant or wildlife species or suitable habitats for these species within the survey area. Survey methods included walking the site and using aerial maps to identify biological resources. DD&A reviewed available reference materials prior to conducting the field survey. DD&A collected data during the survey to assess the environmental conditions of the site and its surroundings.

The project site is located within a rural area of San Benito County and is surrounded primarily by agricultural and rural-set residential land uses. The proposed development lots, located in the eastern area of the project parcel, are disturbed from being actively row-cropped and used for the rearing of cattle. Disturbance from

active agriculture is evidenced by the presence of a leveled surface with furrows, stunted vegetation, and non-native plant infestation, as well as several bare ground areas.

Vegetation Communities

Two (2) vegetation communities were identified within the boundaries of the proposed development lots (**Figure 7**); these vegetation communities are described below. In addition, approximately 1.2 acres of the survey area is developed consisting of two (2) concrete slabs in the northern area of the site (within Lot 2).

Active Agricultural

Agricultural areas are subject to an anthropogenic disturbance regime related to the cultivation of row cropping and cattle rearing. Due to this historic and ongoing disturbance, vegetation is dominated by those species associated with the row cropping of hay. A few "weedy" and other crop plant species persist on the edges, including black nightshade (*Solanum nigrum*), vinegar weed (*Trichostema lanceolatum*), summer field mustard (*Hirschfeldia incana*), field mustard (*Brassica rapa*), common deerweed (*Lotus scoparius*), and beet (*Beta vulgaris*). Approximately 11.2 acres of active agriculture occur within the survey area (**Figure 7**).

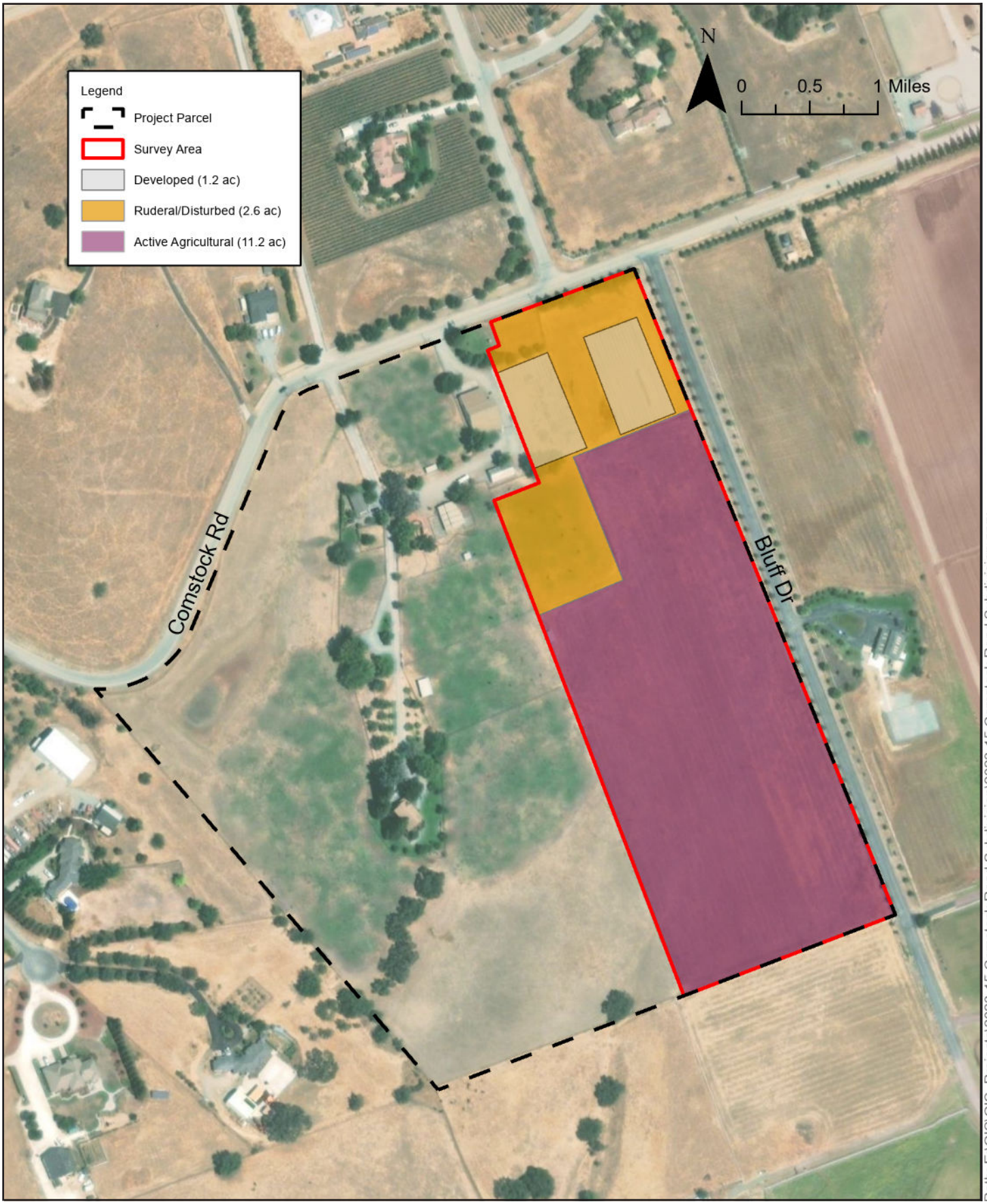
Ruderal/Disturbed

Ruderal areas are those areas which have been disturbed by human activities and are dominated by "weedy" species and nonnative annual grasses. Landscaped areas are also included within this vegetation type. Ruderal areas within the survey area include vegetation dominated by knot-root bristlegrass (*Setaria parviflora*), Kikuyu grass (*Pennisetum clandestinum*), cut-leaved plantain (*Plantago coronopus*), little mallow (*Malva parviflora*), stinkwort (*Dittrichia graveolens*), black mustard (*Brassica nigra*), chicory (*Cichorium intybus*), tocalote (*Centaurea melitensis*), and field willow herb (*Epilobium brachycarpum*). Three (3) tree species are present within this vegetation community; one (1) valley oak (*Quercus lobata*) is present adjacent to the cattle grazing area, approximately 14 coast redwoods (*Sequoia sempervirens*) are present on the northern border of the parcel adjacent to Comstock Road, and approximately 43 eucalyptus trees are present on the eastern border of the proposed development lots adjacent to Bluff Drive. Approximately 2.6 acres of ruderal/disturbed areas are present within the survey area (**Figure 7**).

Vegetation communities within the development lots are considered to have low biological value, are generally dominated by native and non-native plant species, and consist of relatively low-quality habitat from a wildlife perspective. However, common wildlife species which do well in urbanized and disturbed areas, such as the American crow (*Corvus brachyrhynchos*), turkey vulture (*Cathartes aura*), northern mockingbird (*Mimus polyglottos*), American robin (*Turdus migratorius*), mourning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), California ground squirrel (*Spermophilus beecheyi*), and Botta's pocket gopher (*Thomomys bottae*) may forage within the proposed development lots.

Sensitive Habitats

Sensitive habitats include riparian corridors, wetlands, habitats for legally protected species, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted habitat types. Habitat types considered sensitive include those listed on the California Department of Fish and Wildlife's ("CDFW's") *California Natural Communities List* (i.e., those habitats that are Rare or Endangered within the borders of California; CDFW, 2023a), those designated as critical habitat in accordance with ESA, and those designated as Environmentally Sensitive Habitat Areas ("ESHA") under the Coastal Act. Specific habitats may also be identified as sensitive in city or county general plans or ordinances. Sensitive habitats are regulated under federal regulations (such as the Clean Water Act and Executive Order 11990 – Protection of Wetlands), state regulations (such as CEQA and the CDFW Streambed Alteration Program), or local ordinances or policies (such as city or county tree ordinances and general plan policies).



Path: E:\GIS\GIS_Projects\2023-15 Comstock Road Subdivision\2023-15 Comstock Road Subdivision.aprx

Title: Vegetation Types Map	Date 1-23-2023 Scale 1in=0.1mi Project 2023-15	Monterey | San Jose **Denise Duffy and Associates, Inc.** Environmental Consultants Resource Planners 947 Cass Street, Suite 5 Monterey, CA 93940 (831) 373-4341	Figure 7

No sensitive habitats were observed within the survey area during the reconnaissance survey. The National Wetlands Inventory identifies a 2.47-acre freshwater pond within the proposed development lots (U.S. Fish and Wildlife Service ["USFWS"], 2023b); however, no evidence of wetlands or other waters (i.e., no hydrologic indicators or hydrophytic vegetation) were observed during the survey and this feature is no longer present as a result of the active agricultural activities on the project site.

Special-Status Species

Special-status species are those plants and animals that have been formally listed or are Candidates for listing as Endangered or Threatened under the federal Endangered Species Act ("ESA") or California Endangered Species Act ("CESA"), are CDFW "species of special concern," are listed as rare under the California Native Plant Protection Act (CNPPA), are included in the California Native Plant Society's ("CNPS's") California Rare Plant Ranks (CRPR) 1A, 1B, 2A, or 2B, or are California Fully Protected Species. In addition, raptors (e.g., eagles, hawks, and owls), migratory birds, and their nests are protected under California Fish and Game Code.

Appendix A includes a list of special-status plant and wildlife species known or with the potential to occur within the proposed development lots and vicinity, along with their legal status and habitat requirements. This information represents documented occurrences reported in the CDFW's California Natural Diversity Database ("CNDDB") occurrence reports from the United States Geological Survey ("USGS") Three Sisters quadrangle and the nine (9) surrounding quadrangles (Hollister, Hot Springs, Mariposa Peak, Pacheco Pass, Pacheco Peak, Quien Sabe Valley, San Felipe, and Tres Pinos) (CDFW, 2023b), the CNPS Inventory of Rare and Endangered Vascular Plants of California (CNPS, 2023), the USFWS Information for Planning and Consultation ("IPaC") tool (USFWS, 2024), personal communication with relevant resources, agency staff, and local biologists, field observations, and review of other published literature. Species documented as known or with a moderate to high potential to occur within the survey area, based on comparing geographic ranges and habitat requirements of the species and habitat conditions within the development lots, are discussed further below. This analysis assumes that all other species are unlikely or have a low potential to occur based on the species-specific rationale provided in **Appendix A**.

Special-Status Plant Species

DD&A surveyed the site for botanical resources following the applicable guidelines outlined in the USFWS *Guidelines for Conducting and Reporting Botanical Inventories for Federally listed, Proposed and Candidate Plants* (USFWS, 2000), the CDFW *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, 2018), and the CNPS *Botanical Survey Guidelines* (CNPS, 2001). DD&A did not identify any special-status plant species during the reconnaissance survey effort. DD&A determined that all plant species were unlikely to occur or to have a low potential to occur within the proposed development lots, as identified in **Appendix A**.

Special-Status Wildlife Species

<u>California Tiger Salamander</u>

The USFWS listed the California tiger salamander (*Ambystoma californiense,* "CTS") as a federally threatened species on August 4, 2004 (69 FR 47211-47248). USFWS designated critical habitat for CTS on August 23, 2005 (70 FR 49379-49458), and went into effect on September 22, 2005. Additionally, the CDFW listed CTS as a state threatened species on March 3, 2010.

The CTS is a large, stocky salamander most commonly found in annual grassland habitat, but also occurs in the grassy understory of valley-foothill hardwood habitats and uncommonly along stream courses in valley-foothill riparian habitats. Adults spend most of their lives underground, typically in burrows of ground squirrels and other animals (USFWS, 2004). The CTS persists in disjunct remnant vernal pool complexes in Sonoma and

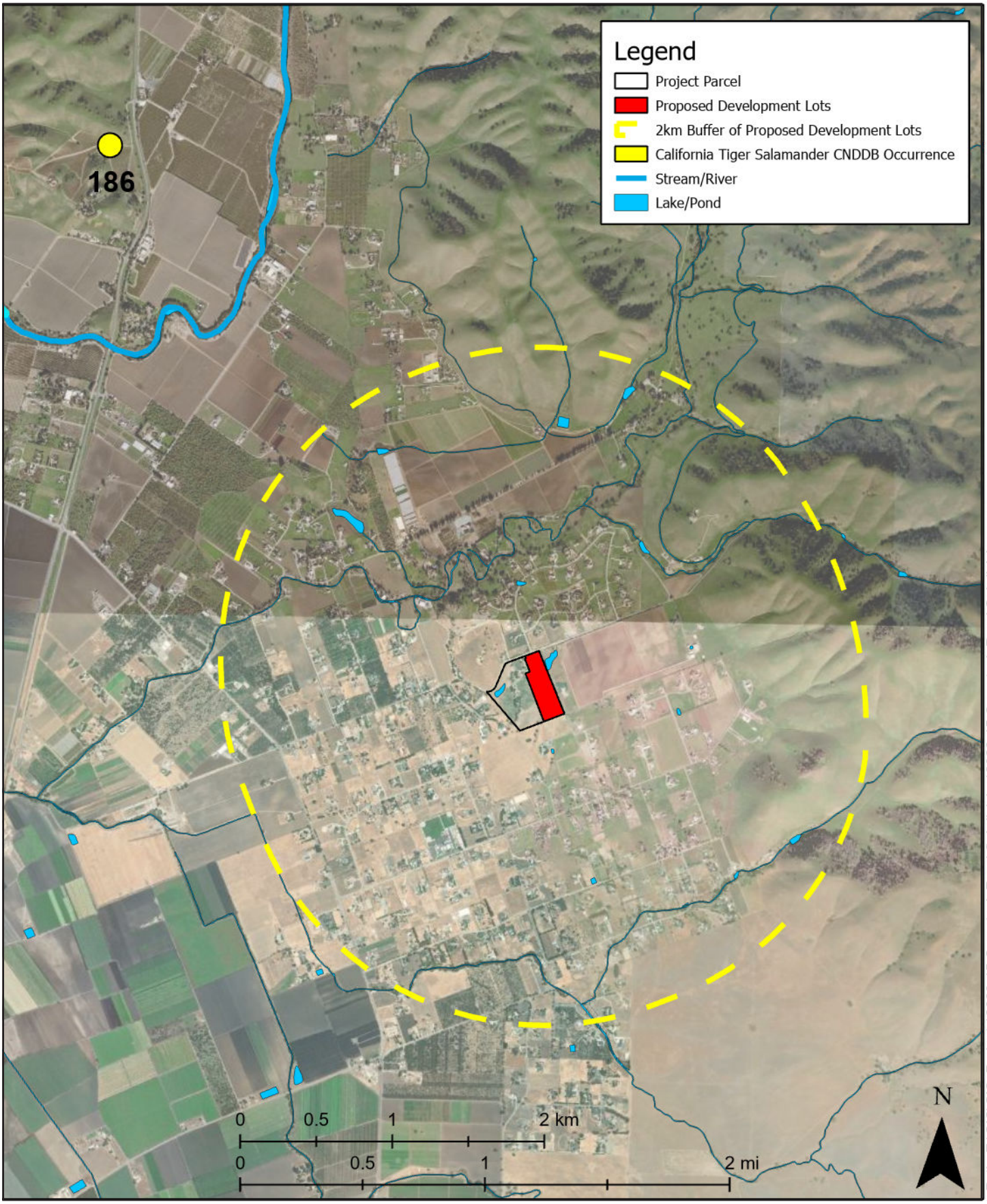
Santa Barbara Counties, in vernal pool complexes and isolated stock ponds scattered along a narrow strip of rangeland on the fringes of the Central Valley from southern Colusa County south to northern Kern County, and in sag ponds and human-maintained stock ponds in the coast ranges from the San Francisco Bay Area south to the Temblor Range. Adults emerge from underground retreats to breed during winter rains between November and February (Stebbins, 2003). Adults spend most of the year over-summering in subterranean refugia, especially burrows of California ground squirrels and occasionally man-made structures (Stebbins, 1972). Sub-adults may develop to sexual maturity in subterranean refugia (up to five [5] years) before surfacing to disperse to a breeding location (Trenham, 2000). Above-ground migratory and breeding activity may occur under suitable environmental conditions from mid-October through May. Adults may travel long distances between upland and breeding sites; adults have been found more than two (2) kilometers (1.24 miles) from breeding sites (USFWS, 2004). Individuals are sometimes found under surface objects such as rocks and logs during breeding migrations. The CTS breeds and lays eggs primarily in vernal pools and other temporary rainwater ponds following relatively warm rains in November to February (Stebbins, 1972; Jennings and Hayes, 1994). CTS sometimes utilize permanent human-made ponds if predatory fishes are absent; streams are rarely used for reproduction.

The proposed development lots are located within the historic range of CTS. No suitable breeding habitat is present within the proposed development lots; however, suitable upland habitat is present within all undeveloped areas, particularly the ruderal areas where small mammal burrows are present. The CNDDB reports 63 occurrences of the CTS within the quadrangles evaluated, the nearest of which is reported within a stock pond approximately 2.6 miles (4.2 km) northwest of the survey area, outside of the known dispersal range for this species (**Figure 8**). However, an agricultural pond that may provide suitable breeding habitat is present in the western portion of proposed Lot 1, approximately 0.1 miles (0.2 km) from the proposed development lots. In addition, several other aquatic resources which may provide suitable breeding habitat for the species are present within the dispersal distance of CTS to the survey area. Therefore, there is a moderate potential for this species to occur within the proposed development lots.

Raptors and Other Nesting Birds

Raptors and other nesting birds are protected under the Migratory Bird Treaty Act of 1918 ("MBTA") and Fish and Game Code Sections 3503 and 3503.5. While the life histories of these species vary, overlapping nesting similarities (approximately from mid-March to August 1) allow their concurrent discussion. Most raptors are breeding residents throughout most of the wooded portions of the state. Raptors can be found from sea level to above 9,000 feet. Stands of live oak, riparian deciduous, or other forest habitats, as well as open grasslands, are used most frequently. Nesting also occurs in isolated stands of trees adjacent to foraging habitat. Most species nest in tree crotches 10 to 80 feet, but usually 20 to 50 feet above ground. Breeding occurs between March and August, with peak activity occurring in May through July. Prey for these species include small birds (especially young during the nesting season), small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges and often in agricultural fields. Potential nesting trees appropriate for many raptor species and other protected avian species occur within and adjacent to the proposed development lots.

Raptor species that may occur within and immediately adjacent to the proposed development lots include but are not limited to, red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), and turkey vulture (*Cathartes aura*). In addition, other avian species that may occur include hermit thrush (*Catharus guttatus*), western meadowlark (*Sturnella neglecta*), and black phoebe (*Sayornis nigricans*).



Path: E:\GIS\GIS_Projects\2023-15 Comstock Road Subdivision\2023-15 Comstock Road Subdivision.aprx

Title: CTS CNDDB Occurrences and Aquatic Resources	Date 1-24-2024 Scale 1in=1km Project 2023-15	Monterey | San Jose **Denise Duffy and Associates, Inc.** Environmental Consultants Resource Planners 947 Cass Street, Suite 5 Monterey, CA 93940 (831) 373-4341	Figure 8

Regulatory Setting

Federal

Federal Endangered Species Act

Provisions of the ESA of 1973 (16 USC 1532 *et seq.*, as amended) protect federally listed threatened or endangered species and their habitats from unlawful take. Listed species include those for which proposed and final rules have been published in the Federal Register. The ESA is administered by the USFWS and the National Oceanic and Atmospheric Administration National Marine Service ("NMFS"). In general, NMFS is responsible for the protection of ESA listed marine and anadromous fish species, whereas other listed species are under USFWS jurisdiction.

Section 9 of ESA prohibits the take of any fish or wildlife species listed under ESA as endangered. Take, as defined by ESA, is "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." Harm is defined as "any act that kills or injures the fish or wildlife…including significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife." In addition, Section 9 prohibits removing, digging up, and maliciously damaging or destroying federally listed plants on sites under federal jurisdiction. Section 9 does not prohibit take of federally listed plants on sites unless those sites are on federal land. If there is the potential for incidental take of a federally listed fish or wildlife species, take of listed species can be authorized through either the Section 7 consultation process for federal actions or a Section 10 incidental take permit process for non-federal actions. Federal agency actions include activities that are on federal land, conducted by a federal agency, funded by a federal agency, or authorized by a federal agency (including issuance of federal permits).

Migratory Bird Treaty Act

The MBTA of 1918 prohibits killing, possessing, or trading migratory birds except in accordance with regulation prescribed by the Secretary of the Interior. Most actions that result in taking or in permanent or temporary possession of a protected species constitute violations of the MBTA. The USFWS is responsible for overseeing compliance with the MBTA and implements Conventions (treaties) between the United States and four (4) countries for the protection of migratory birds – Canada, Mexico, Japan, and Russia. The USFWS maintains a list of migratory bird species that are protected under the MBTA, which was updated in 2023 (USFWS, 2023).

State

California Endangered Species Act

The CESA was enacted in 1984. The California Code of Regulations (Title 14, Section 670.5) lists animal species considered endangered or threatened by the state. Section 2090 of CESA requires state agencies to comply with endangered species protection and recovery and to promote conservation of these species. Section 2080 of the Fish and Game Code prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill or attempt to hunt, pursue, catch, capture, or kill." Take does not include habitat destruction under this definition. A Section 2081 Incidental Take Permit from the CDFW is required to "take" any state listed species.

California Fish and Game Code

Birds. Section 3503 of the Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits take or possession of fully protected birds. Section 3513

prohibits the take or possession of any migratory nongame birds designated under the MBTA. Section 3800 prohibits take of nongame birds.

Fully Protected Species. The classification of fully protected species was the state's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. The state created lists for fish (§5515), mammals (§4700), amphibians and reptiles (§5050), and birds (§3511). Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock. However, Governor Newsom signed Senate Bill 147 (SB 147) on July 10, 2023, allowing for permits to take fully protected species for certain renewable energy and infrastructure projects, which took effect immediately. Eligible projects include maintenance, repair, or improvement projects to the State Water Project, including existing infrastructure, undertaken by the Department of Water Resources or to critical regional or local water agency infrastructure.

Species of Special Concern. The CDFW also maintains a list of wildlife "species of special concern." Although these species have no legal status, the CDFW recommends considering these species during analysis of project impacts to protect declining populations and avoid the need to list them as endangered in the future.

Local

County of San Benito Code of Ordinance

The County of San Benito regulates the removal or significant trimming all trees greater than eight (8) inches in diameter measured at breast height (DBH) or a multi-trunked tree having an aggregate diameter of ten (10) inches or more in DBH, per the provisions in the County Code of Ordinances (County Code) Chapter 25.07 (Tree Protection) and 19.33 (Management and Conservation of Woodlands). The removal of a protected tree requires a tree removal permit from the County as defined in the County Code.

4.4.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES. Would the project:				
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, or regulations, or by the California Department of Fish and Game or U.S. 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 Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, 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?	☐	☐	☐	☒

4.4.3 Explanation

a) **Less-than-Significant Impact with Mitigation Incorporated.** CTS, raptors, and other protected bird species have the potential to occur within or immediately adjacent to the proposed development lots. These species are unlikely to be impacted by proposed subdivision of the lots; however, future construction activities within the lots may result in potentially significant impact to these species either directly or through habitat modification, as described below.

Future construction activities would occur within agricultural and ruderal areas, which may provide suitable dispersal and upland habitat for CTS. Future development facilitated by the proposed project is expected to include grading and vegetation removal to facilitate construction of access roads, private driveways, septic systems, residential buildings, a barn, and utilities within the identified building envelopes. These activities would result in temporary impacts to and permanent loss of upland habitat for CTS. Project-specific plans have not been developed for the proposed development lots and impacts to CTS habitat cannot be fully quantified at this time; therefore, the building envelopes identified on the tentative map are assumed to be fully developed. Grading, vegetation removal, and construction-related traffic may also result in mortality of CTS if they are present at the time of construction, and construction-related noise may result in disturbance to their movement. These are potentially significant impacts that can be reduced to less than significant with the implementation of **Mitigation Measures BIO-1** and **BIO-3**. (27, 34, 36, 37, 38, 39, 40)

Raptors and other nesting birds may nest in trees within and immediately adjacent to the proposed development lots. Future construction and construction-related disturbance during the avian nesting season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment within the site and immediately adjacent areas. Vegetation removal, particularly removal of trees or limbing, may result in direct loss of nests and individual birds. These are potentially

significant impacts that can be reduced to less than significant with the implementation of **Mitigation Measures BIO-2** and **BIO-3**. (27, 42, 43, 44)

Mitigation

BIO-1 The project applicant or future property owner shall comply with ESA and CESA and will coordinate with USFWS and CDFW to determine whether incidental take authorization for CTS is required prior to issuance of a grading permit. If it is determined that authorization for the incidental take of this species is required, the project applicant or future property owner shall comply with ESA and/or CESA to obtain the required incidental take permits from USFWS and/or CDFW prior to the issuance of a grading permit. Permit requirements typically involve the preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation, restoration, and/or purchase of conservation credits from an approved mitigation bank. The project applicant or future property owner would be required to retain a qualified biologist to prepare a mitigation plan, which shall include, but is not limited to, identifying avoidance and minimization measures, and identifying a mitigation strategy that includes a take assessment, avoidance and minimization measures, compensatory mitigation lands, success criteria, and funding assurances. The project applicant or future property owner shall be required to implement the approved plan and any additional permit requirements. Proof of consultation with USFWS and CDFW, as well as any required incidental take permits, shall be provided to the County prior to the issuance of a grading permit.

BIO-2 Construction activities that may affect nesting raptors and other protected avian species may be timed to avoid the avian nesting season (which occurs February 1 through September 15). Specifically, vegetation and/or tree removal can be scheduled between September 16 and January 31. If this is not possible, pre-construction surveys for protected avian species shall be conducted by a qualified biologist within 15 days prior to the commencement of construction activities in all areas that may provide suitable nesting habitat that exist in or within 300 feet of the project boundary. If nesting birds are identified during pre-construction surveys, an appropriate buffer shall be imposed within which no construction activities or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, as determined by the qualified biologist, or until after September 1 (when young are assumed fledged). This determination shall be documented in a brief memorandum to be reviewed and approved by the County prior to the start of construction.

BIO-3 A qualified biologist shall conduct an Employee Education Program for the construction crew prior to any construction activities. The qualified biologist shall meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following: 1) the appropriate access route(s) in and out of the construction area and review project boundaries; 2) how a biological monitor shall examine the area and agree upon a method which shall ensure the safety of the monitor during such activities; 3) the identification of special-status species that may be present; 4) the specific mitigation measures that shall be incorporated into the construction effort; 5) the general provisions and protections afforded; and 6) the proper procedures if a special-

status species is encountered within the project site to avoid impacts. The qualified biologist shall provide the County with written documentation that the Employee Education Program was conducted prior to the start of construction.

b) **No Impact.** There are no riparian areas or other sensitive natural communities present within the proposed development lots. Therefore, future construction facilitated by the proposed project would not result in impacts to riparian habitat or other sensitive natural communities identified in local or regional plans/policies, or regulations, or by the CDFW, and no mitigation is required. (26, 27, 28, 29, 43, 44)

c) **No Impact.** Federally protected wetlands are not present within the proposed development lots. Therefore, the proposed project would not impact federally protected wetlands and no mitigation is required. (26, 27, 43, 44)

d) **No Impact**. The California Department of Transportation ("Caltrans") and CDFW's California Essential Habitat Connectivity Project (Spencer et al., 2010) identifies large remaining blocks of intact habitat or natural landscape and models linkages between them to provide a basis for management of these important areas, particularly as corridors for wildlife. The California Essential Habitat Connectivity Project does not identify any natural landscape blocks or modeled essential connectivity areas in or near the proposed development lots. The project site is fenced off and is on agricultural and developed land. Therefore, the project site does not provide valuable migratory wildlife corridors or native wildlife nursery sites for native fish or wildlife species. The proposed project would not impede the use of any wildlife corridors or interfere with wildlife movement; therefore, there would be no impact and no mitigation is required. (26, 27, 35, 40)

e) **Less-than-Significant Impact.** The proposed project does not include the removal of any trees; however, future development within the proposed development lots may impact trees. The species of trees identified throughout the project site include valley oak, coast redwood, and eucalyptus sp.. A tree inventory was not conducted during the reconnaissance survey therefore diameter at breast height ("DBH") data was not collected. These trees appear to be planted; however, the County of San Benito regulates the removal of protected trees (i.e., all trees greater than eight [8] inches in DBH or a multi-trunked tree having an aggregate diameter of 10 inches or more in DBH, as defined in the County Code Chapter 25.07 [Tree Protection] and 19.33 [Management and Conservation of Woodlands]). If future development requires removal of these trees, a tree removal permit from the County may be required depending on the size of the trees. Therefore, the project would result in a less-than-significant impact related to conflicts with any local policies or ordinances protecting biological resources, and no mitigation is required. (26, 27, 32, 33)

f) **No Impact.** The proposed development lots are located within the San Benito County Natural Community Conservation Plan and Habitat Conservation Plan area for which a Planning Agreement was signed by the County, CDFW, and USFWS in March 2023. However, these Plans have not yet been developed and are therefore not applicable to the proposed project. The project area is not located within an approved Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur and no mitigation is required. (26, 27, 29)

4.5 Cultural Resources

4.5.1 Environmental Setting

The County of San Benito General Plan notes that only three (3) percent of the land area of San Benito County has been surveyed for cultural resources, yet over 1,300 cultural sites have been documented, including over 500 prehistoric and historic archaeological sites and over 850 historic buildings. The 2035 County General Plan RDEIR identified that the majority of historic properties in the County are in the incorporated cities of Hollister and San Juan Bautista, with the exception of two (2) small historic communities, Paicines and Tres Pinos.

Albion Environmental, Inc. ("Albion") prepared a Phase I Cultural Resource Inventory for the proposed project (Albion, 2023) summarizing the results of the records search and site survey conducted for the proposed project. This report is not included as an appendix to this document due to the potentially confidential nature of the results of the report. Qualified personnel may request to view a copy of this report at the County's office at 2301 Technology Parkway, Hollister CA 95023. Albion's report identified that the proposed project site is considered to be of high sensitivity for archaeological resources.

4.5.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

4.5.3 Explanation

a) **No Impact**. CEQA Guidelines §15064.5 describes a historical resources as: 1) any resource that is listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; 2) a resource included in a local register of historical resources; and, 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant based on substantial evidence in light of the whole record. A substantial adverse change includes the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance would be materially impaired (CEQA Guidelines §15064.5(b)).

The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5. The project site does not contain any historic resources listed in the California Inventory of Historical Resources, California Historical Landmarks, or the National Register of Historic Places. The proposed project consists of the subdivision of an existing lot to create three (3) new five (5)-acre lots and the construction of a single-family residence,

accessory structures, septic system, and access driveway on each of the new lots. Implementation of the proposed project would not have an impact on a historical resource as defined in accordance with the requirements of CEQA. There would be no impact as a result of the proposed project. (1, 2, 3, 21)

b) **Less than Significant Impact with Mitigation Incorporated.** Public Resources Code §21083.2 requires that lead agencies evaluate potential impacts to archaeological resources. Specifically, lead agencies must determine whether a project may have a significant effect or cause a substantial adverse change in the significance of an archaeological resource.

Albion prepared a Phase I Cultural Resource Inventory for the proposed project as discussed above. Albion performed a records search on April 13, 2023, at the Northwestern Information Center ("NWIC") for cultural resources and cultural resources studies within one-quarter mile of the proposed project site. According to the results received from the NWIC search, one (1) cultural resource study was completed within the proposed project site and two (2) additional studies were conducted within one-quarter mile of the project site. No previously recorded cultural resources were identified within the proposed project site during the NWIC search. One (1) cultural resource was identified within one-quarter mile of the site.

Albion conducted a site reconnaissance pedestrian survey on April 26, 2023, which was limited to the portion of the site that is proposed to be subdivided and developed. Ground visibility during the survey was considered poor due to development, weeds, and grass cover. Albion's pedestrian survey did not identify any previously recorded or new precolonial or historic resources.

While no archaeological resources have been documented on-site, the proposed project site is considered sensitive for precolonial archaeological resources. As a result, previously unknown or buried archaeological resources could be present at the proposed project site. Therefore, the project could result in a significant impact to unknown or buried resources during construction**.** Implementation of **Mitigation Measures CR-1** through **CR-3** would ensure that potential impacts would be less-than-significant. (1, 2, 3, 21)

Mitigation

CR-1 Prior to any ground disturbance requiring an encroachment, grading, or building permit, an extended Phase I study shall be conducted within the proposed project's Area of Direct Impact ("ADI") to determine the following:

- Whether the proposed project site contains subsurface archaeological deposits; and
- If subsurface archaeological deposits are present, assess whether these deposits (within the project alignment) constitute an archaeological site and retains sufficient integrity for the evaluation of eligibility for the California Register of Historical Resources ("CRHR").

CR-2 The project applicant shall retain a qualified archaeologist (project archaeologist) to be present on the project site from the start of ground disturbing work for the planned construction. If potentially significant archaeological resources are discovered, the project archaeologist shall halt excavation until any finds are property evaluated. If a find is determined to be significant, work shall remain halted near the find to permit development and implementation of the appropriate mitigations (including selective data recovery) with the concurrence of the CEQA Lead Agency (San Benito County). At the discretion of the

qualified archaeologist, monitoring could be discontinued if there is enough information collected from direct observation of the subsurface conditions to conclude that cultural resources do not exist. The qualified archaeologist shall provide either a monitoring report following the completion of construction or a written recommendation that monitoring is no longer necessary during construction for the County's review and approval.

CR-3 Prior to construction, the project applicant's project archeologist shall conduct a sensitivity training for cultural resources for all onsite personnel involved in ground disturbing activities. The qualified archaeologist shall provide the County with written documentation that the sensitivity training for cultural resources was conducted prior to the start of construction.

c) **Less than Significant Impact with Mitigation Incorporated.** No human remains, including those interred outside of formal cemeteries, are known to occur within the project site. While the likelihood of human remains being discovered within the proposed project site is low, it is possible that previously unknown human remains may be present. Previously unknown human remains could be impacted during ground-disturbing construction and grading activities. Implementation of **Mitigation Measure CR-4** would ensure that any potential adverse impacts would be reduced to a less than significant level. (1, 2, 3)

Mitigation

CR-4 If human remains are found at any time on the project site, work shall be stopped by the construction manager, and the County Coroner shall be notified immediately. If the Coroner determines that the remains are Native American, the Native American Heritage Commission shall be notified as required by law. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. (Ref: California Public Resources Code Section 5097.98; and Health and Safety Code Section 7050.5)

Specific County of San Benito provisions and further measures shall be required as follows if human remains are found:

If, at any time in the preparation for, or process of, excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:

a. Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains.

b. Arrange for staking completely around the area of discovery by visible stakes no more than ten (10) feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking. Said staking shall not include flags or other devices which may attract vandals.

c. Notify Resource Management Agency Director shall also be notified within 24 hours if human and/or questionable remains have been discovered. The

Sheriff–Coroner shall be notified immediately of the discovery as noted above.

d. Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code. [Planning]

4.6 Energy

4.6.1 Environmental Setting

Starting in 2018, all Pacific Gas & Electric ("PG&E") customers within Monterey, San Benito, and Santa Cruz Counties were automatically enrolled in Central Coast Community Energy (3CE), formerly known as Monterey Bay Community Power. 3CE is a locally-controlled public agency providing carbon-free electricity to residents and businesses. Formed in February 2017, 3CE is a joint powers authority, and is based on a local energy model called community choice energy. 3CE partners with PG&E, which continues to provide billing, power transmission and distribution, customer service, grid maintenance services and natural gas services to San Benito County. 3CE's standard electricity offering is carbon free and is classified as 30 percent renewable (3CE, 2023).

4.6.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ENERGY. Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

4.6.3 Explanation

a) **Less than Significant Impact.** The proposed project would result in the future construction of up to three (3) single-family residences, two (2) ADUs, and a barn, which is assumed to intensify energy use compared to the existing agricultural uses (i.e., grazing). Energy use consumed by the proposed project is expected to be low because the construction and operation of the proposed project would conform to state and local standards for energy efficiency.

Construction of the proposed project would consist of the construction of three new single-family residences, two (2) ADUs, a barn, three (3) septic systems, and three (3) access driveways. The length of the construction schedule is not known at this time; the lots created by the subdivision may be developed all at once or gradually over time. The construction phase would require energy for the

manufacture and transportation of building materials, preparation of the site, and the actual construction of the structures. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks. The construction energy use has not been determined at this time. However, the project would not cause inefficient, wasteful, or unnecessary consumption of energy as the construction schedule and process is designed to be efficient to avoid excess monetary costs. Energy use required to complete construction would be limited and short-term.

Operation of the proposed project would consume energy primarily for the operation of the proposed single-family residences and ADUs. Energy would typically be consumed as a result of heating and cooling, lighting cooking, and water heating. Given the scale of the proposed project, operational activities are unlikely to result in a significant increase in energy use. Additionally, the proposed project would be required to comply with California Building Code Title 24 and the California Green Building Standards Code ("CalGreen"), which would ensure energy use related to project operation is not wasteful or inefficient. As a result, implementation of the proposed project would not result in a substantial environmental impact on energy resources.

Based on the discussion above, the proposed project would not result in potentially significant environmental impact, during operation or construction, due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use or energy resources during project operation or construction. This results in less-than-significant impact. (1, 2, 3, 4, 7, 8)

b) **Less than Significant Impact.** As mentioned in discussion (a) above, construction and operation of the proposed project would have a less than significant impact due to energy usage and efficiency and, thus, would not conflict with local or state plans for energy efficiency. The proposed project would also be required to build to California Building Code standards, Title 24 energy efficiency standards (or subsequently adopted standards during the construction term), and CALGreen code, which includes design provisions to minimize wasteful energy consumption, thereby improving the efficiency of the overall project. As a result, the project would comply with existing state energy standards and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. (1, 2, 3, 4, 7, 8)

4.7 Geology and Soils

4.7.1 Environmental Setting

A Geotechnical Investigation Report was prepared for the proposed project by Butano Geotechnical Engineering, Inc. (January 2022) (**Appendix B**). The purpose of the investigation was to explore the surface and subsurface conditions at the project site and develop geotechnical criteria and recommendations for design and construction of the proposed project.

The investigation included site reconnaissance, subsurface exploration, soil sampling, laboratory testing, and engineering analysis. Based on the findings, geotechnical design criteria and recommendations were developed for building foundations, site clearing and preparation, and acceptable fill materials. Seismic design criteria based on the 2019 California Building Code was also presented.

Site Conditions. Site topography slopes gently to the south, with site elevations ranging between approximately 285-328 feet above sea level. The existing site is occupied by three (3) single-family residences, two (2) garages, and a shop building. These structures will remain on Lot 1 following implementation of the proposed project. The majority of the site has historically been used for agricultural production and is minimally vegetated, while the eastern portion of the parcel consists of grasslands sloping gently to the south.

General Subsurface Conditions. A total of six (6) borings were drilled as part of the geotechnical investigation, with depths ranging from 4.5 feet to 16.5 feet below existing grade. During subsurface explorations loose to stiff to hard lean to fat clay was encountered. Locally, the site geology is characterized by marine and nonmarine (continental) sedimentary rocks (Pleistocene) (Qoa), which is generally composed of older alluvium, lake, playa, and terrace deposits. Borings encountered similar materials consistent with the mapped deposit.

Groundwater Conditions: No groundwater was encountered during the field exploration. According to a review of local groundwater data, nearby groundwater wells located within approximately 1.5 miles of the site range from 30 to 70 feet below ground surface (California Department of Water Resources, 2023). It can be anticipated that groundwater levels will fluctuate due to variations in rainfall, irrigation practice, and other factors not evident at the time measurements were made.

Geologic and Geotechnical Feasibility. Based on the geotechnical report prepared for the project site, future development on the project site that would be facilitated by the proposed project is feasible from a geotechnical standpoint. Some of the geologic and geotechnical issues include:

Faulting and Ground Shaking

Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces of active faults in California (see **Figure 9 – Fault Map)**. The California Earthquake Hazards Zone Application ("EQ Zapp") shows that the Quien Sabe Fault Line, a Holocene-age fault (activity within the last 11,000 years) runs through the western portion of the project site (Lot 1). As a result, the project site is located within an Alquist-Priolo earthquake fault zone. However, the three (3) new residential lots and the proposed single-family residences would be sited approximately 800 feet east of the known fault zone for the Quien Sabe Fault Line.

The project site is located in the seismically active Monterey Bay region. Beyond the Quien Sabe Fault, other earthquake faults in the vicinity of the proposed project include: the San Felipe Fault, located approximately four (4) miles southwest of the site; the Calaveras Fault, located approximately five (5) miles southwest of the site; the Paicines Fault, located approximately 9.5 miles south of the site; and the San Andreas Fault, located approximately 11.5 miles southwest of the site.

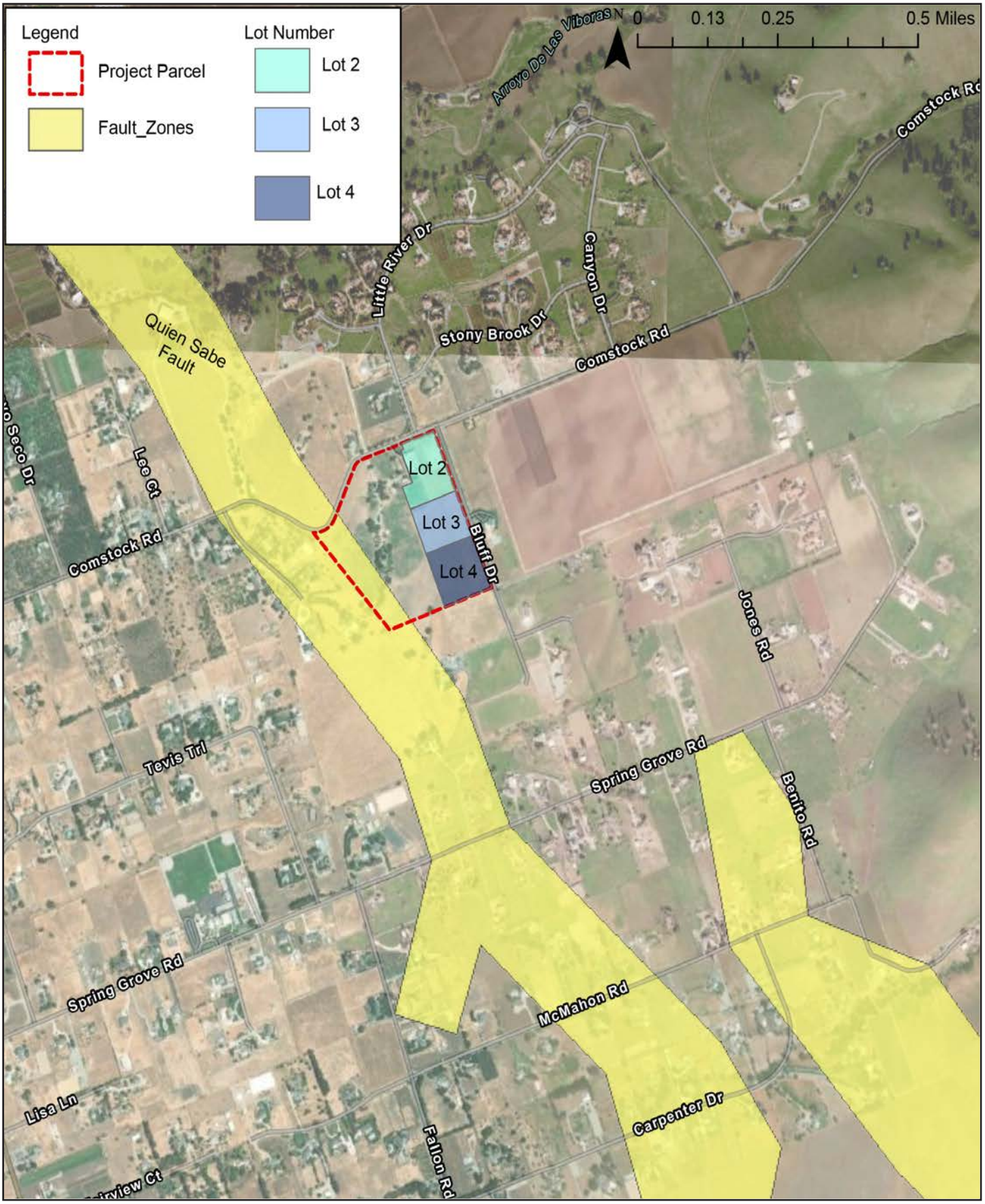
An earthquake of moderate to high magnitude generated within Northern California region could cause considerable ground shaking at the site. Potential seismic hazards include surface ground rupture, strong seismic shaking and potential liquefaction, and dynamic settlement. Since fault traces cross the property, the potential for surface ground rupture at the site exists. In addition, due to the proximity of the referenced nearby faults, there is potential for strong seismic shaking at the site during the design life of the proposed project.

Liquefaction, Lateral Spreading, and Seismic Induced Settlement

The term liquefaction refers to the liquefied condition and subsequent softening that can occur in soils when they are subject to cyclic strains, such as those generated during a seismic event. Liquefaction typically occurs due to a combination of low soil density, grain sizes within a certain range, and a sufficiently strong earthquake. The effects of liquefaction can include ground settlement, lateral soil spreading, and localized loss, of foundation support. Loose to stiff to hard lean to fat clay was encountered in test borings. No groundwater was encountered. The risk of liquefaction at the project site is considered low (**Appendix B**).

Slope Stability

According to EQ Zapp, the site is in an area that has not been mapped for landslide hazards. However, the project site is relatively flat, sloping gently to the south; therefore, the risk of slope failure is low.



Title:

Fault Map

Date 11-17-2023

Scale

Project 2023-15

Monterey | San Jose

Denise Duffy and Associates, Inc.

Environmental Consultants Resource Planners

947 Cass Street, Suite 5
Monterey, CA 93940
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Figure 9

4.7.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) 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, as defined in Table 18-1-B of the Uniform Building Code (1994), 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?	☐	☐	☐	☒

4.7.3 Explanation

a.i) **Less than Significant Impact**. The western portion of the site is located within an Alquist-Priolo setback zone where traces of the Quien Sabe fault, oriented in the northwest-southeast direction, have been mapped. Earthquake fault zone boundaries are defined in **Figure 9**. The Quien Sabe fault is a Holocene-era fault, meaning that the fault is thought to have experienced displacement activity within the last 11,000 years. The Quien Sabe fault is considered an active fault and constitutes a potential

hazard to structures from surface faulting or creep. The fault occurs on the west side of the property on the developed portion of the site (Lot 1), whereas the new single-family residences, septic systems, and access driveways would be located away from the fault on the east side of the site. According to **Appendix B,** the site would be suitable for future residential development with adherence to the seismic design requirements of the California Building Code ("CBC") and the recommendations of the Geotechnical Report. Adherence to **Mitigation Measure GEO-1**, below would further reduce this impact. This represents a less-than-significant impact. (1, 2, 8, 16, 22)

a.ii) **Less than Significant Impact with Mitigation Incorporated.** Due to the project site's location in a seismically active region, the proposed project could be subject to strong seismic ground shaking during its design life. Future buildout of the project site would be required to comply with the recommendations of a design-level geotechnical analysis consistent with Section 19.17.010 of the San Benito County Code, thereby ensuring impacts would be minimized Implementation of the **Mitigation Measure GEO-1**, as well as compliance with all applicable building requirements related to seismic safety, including applicable provisions of the California Building Code and Title 24 of the California Administrative Code, would ensure that potential seismic-related hazards would be less-than-significant. (1, 2, 16, 22)

Mitigation

GEO-1 Prior to the issuance of any grading or building permit, the applicant shall submit evidence demonstrating that the design-plans (including grading plans, foundation plans, and design loads) have been reviewed by a qualified professional certifying that the design complies with the recommendations outlined in Butano Geotechnical Engineering's geotechnical report (Project No. 21-293-SB). If additional testing is recommended by the qualified professional, the applicant shall provide the results of the additional testing to the County for review and approval.

a.iii) **Less than Significant Impact**. EQ Zapp identifies that the project site has not been mapped for liquefaction hazards. However, based on the results of the Geotechnical Investigation Report (**Appendix B**), the potential for liquefaction at the site is low. In addition, future development facilitated by the proposed project would require a design-level geotechnical report to confirm site conditions related to liquefaction are suitable for development. This represents a less-than-significant impact. (1, 2, 16, 22)

a.iv) **Less than Significant Impact**. As stated above, EQ Zapp identifies that the project site has not been mapped for landslide hazards. However, the project site slopes gently to the south and would not be subject to substantial downslope movement of soil movement that could result in landslides. Future development facilitated by the proposed project would require a design-level geotechnical report to confirm site conditions related to landsliding are suitable for development. This represents a less-than-significant impact. (1, 2, 16, 22)

b) **Less than Significant Impact with Mitigation Incorporated**. Chapter 19.17 of the San Benito County Code regulates grading, drainage and erosion, and contains requirements regarding discharge and construction site stormwater runoff control. Grading associated with site preparation and construction activities on the project site would be minimal and is not expected to significantly disturb soil or increase its susceptibility to erosion. Construction contractors would be required to implement standard BMPs for avoiding erosion and sedimentation to protect water quality during construction. Any temporary erosion related to construction would be reduced to a less-than-significant level through the implementation **Mitigation Measure GEO-2**. (1, 2, 8, 16)

Mitigation

GEO-2 During construction activities, the construction contractor shall implement the following erosion control measures and associated BMPs to reduce soil disturbance and the potential for erosion and sedimentation as a result of the project:

- Stockpiling and disposing of demolition debris, concrete, and soil.
- Protecting existing storm drain inlets and stabilizing disturbed areas.
- Hydroseeding/re-vegetating disturbed areas.
- Minimizing areas of impervious surfaces.
- Implementing runoff controls (e.g., percolation basins and drainage facilities).
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.
- Limiting grading to the minimum area necessary for construction and operation of the project.

County staff shall verify that the above conditions are shown on project plans prior to issuance of any grading or building permit.

c) **Less than Significant Impact**. As described in aiii) and aiv) above, the potential for the project to result in liquefaction, on- or off-site landslides, lateral spreading, subsidence, or collapse is considered low. Future development facilitated by the proposed project would be subject to a design-level geotechnical analysis to confirm that the geologic unit on which the project is located would not become unstable because of the project. As such, this impact would be less-than-significant. (1, 2, 8, 16, 22)

d) **Less than Significant Impact with Mitigation Incorporated**. According to the Geotechnical Investigation Report, the soils at the site have a plasticity index of 30 and therefore a moderate expansion potential. These soils are typical to the area. Development on expansive soils could result in a potentially significant impact. The implementation of the **Mitigation Measure GEO-1** would reduce potential impacts to the site to less-than-significant impact. (1, 2, 8, 16)

e) **Less than Significant Impact.** The proposed project would include the installation of three (3) septic tanks. Each septic tank would serve one of the proposed new single-family residences (and ADU for Lots 2 and 4). The building envelopes for installation of the proposed septic tanks are shown on **Figure 5.** A memorandum consisting of a report of soil profile test pit and percolation testing (**Appendix C**) was prepared for the project site by Earth Systems Pacific (August 2008). Test pits were excavated to an approximate depth of 15-feet within the approximate location of each proposed septic system. Percolation test holes were subsequently drilled adjacent to the test pits at depths ranging from nine (9) to 11 feet. Four (4)-inch diameter perforated pipes were installed in the test holes and saturated water for a 24-hour period. No groundwater was detected in the percolation tests. As a result, the soils at the proposed project site are considered suitable for the proposed septic systems. This would be confirmed as part of the design level geotechnical report prepared as part of final design of any development facilitated by the proposed project. This represents a less-than-significant impact. (1, 2, 8, 16, 23)

f) **No Impact**. Significant paleontological specimens have been found throughout the County.[4] Specifically, fossils have been found in the Cantua Canyon, Los Gatos Creek Canyon, Coalinga and Pleasant Valley areas, Tumey Gulch, Griswold Hills, Larious Creek, San Carlos Creek, the Bolsa Valley, Tres Pinos Creek, and the San Benito River valley. There are no known paleontological resources or unique geologic features on the project site. The project site is not listed within an area identified as containing paleontological resources nor is it located in close proximity to any known paleontological resources. In addition, the project site is disturbed and there are no records of paleontological resources found on the site. For these reasons, the project would not impact any paleontological resources as none are known in the project area. (1, 2, 3, 4)

4.8 Greenhouse Gas Emissions

4.8.1 Environmental Setting

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases ("GHGs"), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide ("CO_2"), methane ("CH_4"), O_3, water vapor, nitrous oxide ("N_2O"), and chlorofluorocarbons ("CFCs"). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs.

4.8.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS. Would the project:				
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?	☐	☐	☒	☐

[4] Paleontological resources (fossils) are the remains and/or traces of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and wood are found in the geologic deposits (rock formations) in which they were originally buried. Paleontological resources represent limited, non-renewable, sensitive scientific, and educational resources. The potential for fossil remains at a location can be predicted through previous correlations that have been established between the fossil occurrence and the geologic formations within which they are buried. For this reason, knowledge of the geology of a particular area and the paleontological resource sensitivity of particular rock formations make it possible to predict where fossils will or will not be encountered.

4.8.3 Explanation

a) **Less than Significant Impact**. The project is located in the NCCAB, where air quality is regulated by MBARD. Neither the State, MBARD, nor San Benito County have adopted GHG emissions thresholds or a GHG emissions reduction plan that would apply to the project. MBARD has determined that if a project emits less than 10,000 metric tons per year ("MT/yr") of Carbon Dioxide equivalent (CO_2e), then its impact would be considered less than significant. This calculation is determined by combining the estimated greenhouse gas emissions generated by construction, amortized over a 30-year period, with the estimated annual GHG emissions resulting from the operation of the project.

Implementation of the proposed project would contribute GHG emissions that are associated with global climate change. GHG emissions attributable to future development would be primarily associated with increases of CO_2 and, to a lesser extent, other GHG pollutants, such as CH_4 and N_2O. Greenhouse gas emissions would be generated by the proposed project from sources that include vehicle trips, on-site electricity consumption, on-site natural gas combustion, and solid waste disposal (decomposition of solid waste disposed in a landfill).

The project would generate temporary and minor construction-related GHG emissions that would not exceed the MBARD thresholds. Any potential impacts from GHG generation during construction would be short-term and temporary. Once constructed, the proposed project would generate some additional operational trips associated with the new residential uses compared to the existing operation of the site (see **Section 4.17, Transportation/Traffic**). However, due to the overall scale of the proposed project (three [3] single-family residences, two [2] ADUs, and one [1] barn), the total trips generated would be minimal and would not generate GHG emissions in excess of the above threshold. As a result, the project is not anticipated to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, the project would have a less-than-significant impact. (1, 2, 6, 7)

b) **Less than Significant Impact**. Neither the State, MBARD, nor San Benito County have adopted GHG emissions thresholds or a GHG emissions reduction plan that would apply to the project. As described above, the project would not exceed acceptable thresholds. Also, in accordance with the General Plan Goals and Policies, the project would be required to include energy and water-efficient appliances, fixtures, lighting, and windows that meet applicable State energy performance standards. Therefore, the proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases as described above. This represents a less-than-significant impact. (1, 2, 6, 7)

4.9 Hazards and Hazardous Materials

4.9.1 Environmental Setting

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer.

The State of California uses databases such as EnviroStor, GeoTracker, and the Cortese List to map the location of hazardous waste sites including sites that have been remediated, sites currently undergoing remediation, and sites that require cleanup. Based on a search of the above databases, no hazardous materials contamination has been documented within the project site.

To address airport safety hazards, San Benito County created an Airport Land Use Commission ("ALUC") to provide orderly growth of San Benito's two (2) public airports. The Commission ensures compatible land uses around the Hollister Municipal Airport and the Frazier Lake Airpark through the implementation of their respective Comprehensive Land Use Plans. The nearest airport to the project site is the Hollister Municipal Airport, located about three (3) miles southwest of the project site. The project site is located outside of the airport influence area as defined by the Hollister Municipal Airpark's airport land use plan.

The California Department of Forestry and Fire Protection ("CalFire") prepares maps of Fire Hazard Severity Zones ("FHSZ"), which are used to develop recommendations for local land use agencies and for general planning purposes. The project site is not located in a moderate, high, or very high fire hazard severity zones, as delineated by CalFire. However, surrounding properties, including those directly across Comstock Road from the project site, are designated as "moderate" fire hazard severity zones by CalFire.

4.9.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
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, would it 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 public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
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?	☐	☐	☒	☐

4.9.3 Explanation

a) **Less than Significant Impact**. The proposed project consists of the subdivision of an existing lot and the construction of three (3) single-family residences, two (2) ADUs, and a barn. Construction and operation of the project would not create a significant impact due to routine transport, use, or disposal of hazardous materials. Construction activities would, however, require the temporary use of hazardous substances, such as fuel for construction equipment, oil, solvents, or paints. Removal and disposal of hazardous materials from the project site would be conducted by an appropriately licensed contractor. Any handling, transporting, use, or disposal would comply with manufacturer labels and applicable laws, regulations, policies, and programs set forth by various federal, state, and local agencies. Required compliance with applicable hazardous material laws and regulations would ensure that construction-related hazardous material use would not result in significant impacts. These construction impacts would be temporary in nature and would be considered less-than-significant.

In addition, because of the residential nature of the project, hazardous materials are not expected to be used or stored on site in significant quantities. Residential uses would involve the use of limited quantities of hazardous materials such as solvents, fertilizers, pesticides, and other materials used for regular maintenance of buildings and landscaping. On-site use of hazardous materials may vary, but would likely be limited to fertilizers, herbicides, pesticides, solvents, cleaning agents, and similar materials used for daily residential operations and maintenance activities. These types of materials are common for residential uses and represent a low risk to people and the environment when used as intended. Therefore, long-term operational impacts associated with hazardous materials would be less-than-significant with incorporation of standard County regulations and conditions of approval. (1, 2, 3, 4)

b) **Less than Significant Impact**. Implementation of the proposed project is not anticipated to create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Construction and operation of the project could result in the accidental release of hazardous material resulting in a potential hazard to the public. Construction activities would require the use of hazardous materials (e.g., fuel for construction equipment, oil, solvents, or paints). The potential for hazardous material impacts during operation would be minimal due to small quantities of hazardous materials (herbicides, fertilizer, pesticides, etc.) required for daily residential operations and maintenance activities. Hazardous materials used during construction and operation would be stored within the staging area in accordance with BMPs, manufacturer labels, and applicable regulations. Runoff controls would be implemented to prevent water quality impacts and a spill plan would be developed to address any

accidental spills. Any waste products resulting from construction and operations would be stored, handled, and recycled or disposed of in accordance with federal, state, and local laws. For these reasons, this is considered a less-than-significant impact. (1, 2, 3)

c) **No Impact**. Spring Grove School, located about 0.5 miles southeast of the project site, is the closest school to the site. There are no schools within a one-quarter mile radius of the project boundaries. As a result, the project would not result in the generation of a hazardous emission within a one-quarter mile radius of a school. There would be no impact in connection with the proposed project. (1, 2, 4)

d) **No Impact**. The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5. There would be no impact in connection with the proposed project. (1, 2, 9, 10)

e) **No Impact**. The project site is not located within an adopted airport land use plan or within two (2) miles of any public or public use airports. The nearest airport to the project site is the Hollister Municipal Airport, located about three (3) miles southwest of the project site. The proposed project would not result in safety hazards or excessive noise from aircraft, and no impact would occur. (1, 2, 3, 4, 15)

f) **No Impact**. San Benito County has prepared a Multi-Jurisdiction Local Hazard Mitigation Plan ("LHMP") with the cities of Hollister and San Juan Bautista, and with two (2) water agencies. The LHMP designates certain roadways in the County for primary evacuation routes. Panoche Road is the primary evacuation roadway for the County. The project site, located on Comstock Road and Bluff Drive, would not impair implementation of or physically interfere with designated evacuation routes or otherwise conflict with an adopted emergency response plan or emergency evacuation plan. The proposed project would comply with the County Code and Fire Department standards for emergency vehicle access and would not conflict with the approved LHMP. For these reasons, the project would not interfere with any emergency response or evacuation plans and there would be no impact in connection with the proposed project. (1, 2, 3, 4, 13)

g) **Less than Significant Impact**. CalFire prepares maps of FHSZs, which are used to develop recommendations for local land use agencies and for general planning purposes. The project site is not located within a fire hazard severity zone as delineated by CalFire. However, the parcels located north of the project site on the opposite side of Comstock Road, as well as land to the east of the project site, are designated as moderate fire hazard severity zones by CalFire. While the project is located in a rural area and wildfire could expose people or structures directly or indirectly, the proposed project would comply with the applicable fire safety provisions of the California Building Code as well as standard conditions of approval, thereby reducing the risk of damage from fire to the maximum extent practicable. This is a less-than-significant impact. (1, 2, 11)

4.10 Hydrology and Water Quality

4.10.1 Environmental Setting

San Benito County has a moderate California coastal climate with a hot and dry summer season lasting May through October. Average annual rainfall ranges from seven (7) inches in the drier eastern portion of the County, to 27 inches per year in high elevations to the south. Most of the annual rainfall occurs in the fall, winter, and to a lesser extent, spring, generally between November and April (San Benito County, 2015).

Groundwater is the major source of water supply in the County. Groundwater is generally available throughout the County. The project is located on the Bolsa sub-basin of the North San Benito Basin (San Benito County Water District, 2018). The North San Benito Basin is not critically over-drafted, as defined by the Sustainable Groundwater Management Act ("SGMA") and has been marked as medium priority.

The existing site is currently and has historically been used for agricultural uses. The site drains to the southwest.

Through the Federal Emergency Management Agency's ("FEMA's") flood hazard mapping program, FEMA identifies flood hazards, assesses flood risks, and partners with states and communities to provide accurate flood hazard and risk data to guide them to mitigation actions. Flood hazard mapping is an important part of the National Flood Insurance Program ("NFIP"). The NFIP consists of three (3) components: flood insurance, floodplain management, and flood hazard mapping. FEMA maintains and updates data through Flood Insurance Rate Maps ("FIRMs"), which are used in the NFIP. These maps identify the locations of special flood hazard areas, including the 100-year flood zone.

Flood hazard areas identified on the FIRMs are identified as a Special Flood Hazard Area ("SFHA"). SFHA are defined as the area that will be inundated by the flood event having a one (1) percent chance of being equaled or exceeded in any given year. The 1% chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood zone hazard areas, labeled Zone B or Zone X (Shaded) are also shown on the FIRM, and are the areas between the limits of base flood and the 0.2% annual chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2% annual chance flood, are labeled Zone C or Zone X (Unshaded).

Per the FEMA FIRM for the project site the project site is located in Zone X (Unshaded), which is outside the 0.2% annual chance floodplain (see **Figure 10 – Floodplain Map)**.

Tsunamis or "tidal waves" are seismic waves created when displacement of a large volume of seawater occurs as a result of movement on seafloor faults. A seiche is a standing wave in an enclosed or partially enclosed body of water. Seiches are triggered by earthquake waves and have been observed on lakes, reservoirs, swimming pools, bays, harbors, and seas. A mudflow is a form of mass wasting involving very rapid to extremely rapid surging flow of debris that has become partially or fully liquified by the addition of significant amounts of water.

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the **elevations** shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 10. The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #8202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713-3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was provided in digital format by the USDA National Agriculture Imagery Program (NAIP). This information was photogrammectrically compiled at a scale of 1:24,000 from aerial photography dated 2005.

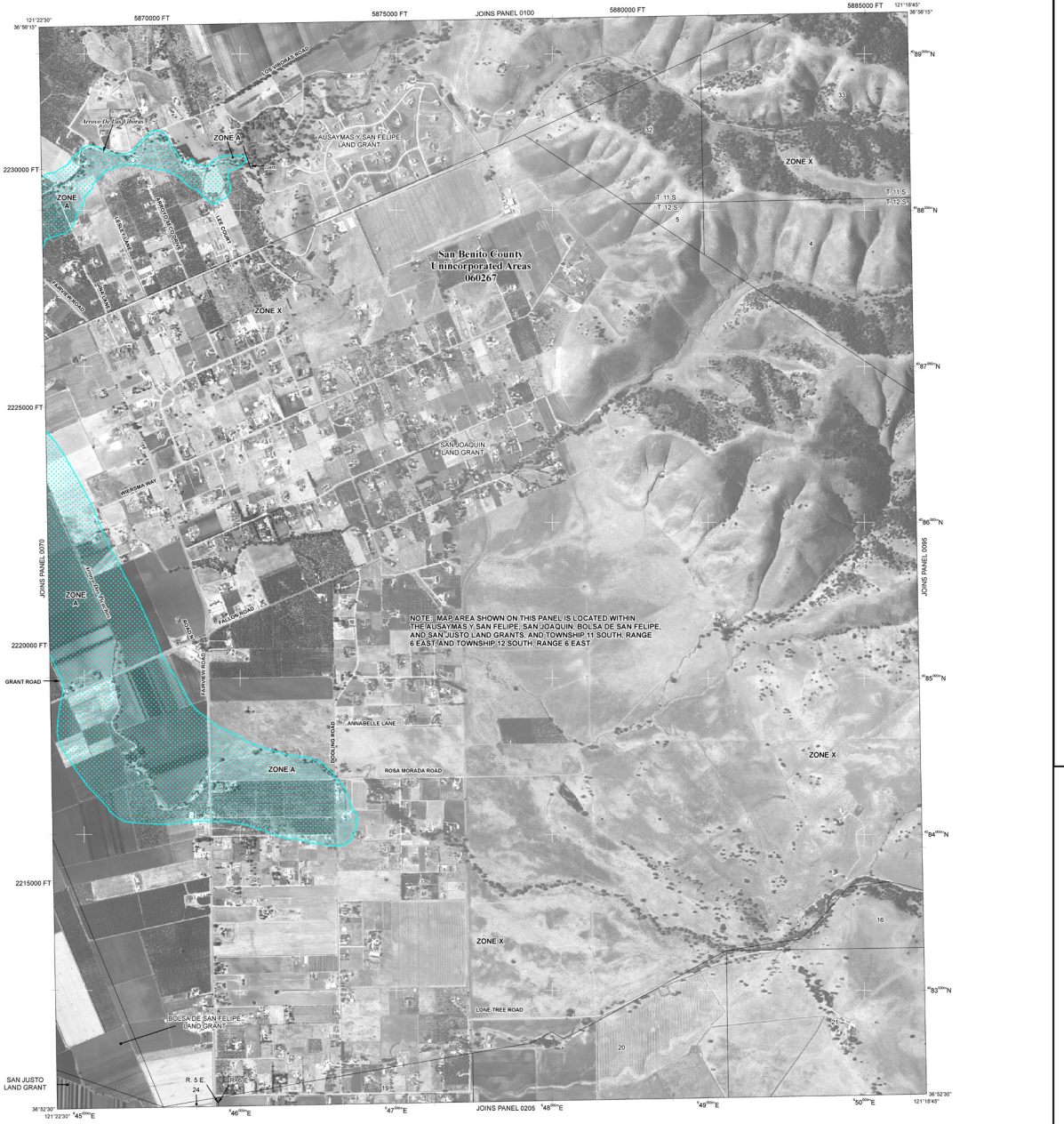
This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at http://msc.fema.gov.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call **1-877-FEMA MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov.



LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, A1-A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- **ZONE A** — No Base Flood Elevations determined.
- **ZONE AE** — Base Flood Elevations determined.
- **ZONE AH** — Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- **ZONE AO** — Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- **ZONE AR** — Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- **ZONE A99** — Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- **ZONE V** — Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- **ZONE VE** — Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

- **ZONE X** — Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

- **ZONE X** — Areas determined to be outside the 0.2% annual chance floodplain.
- **ZONE D** — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL. 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988

- A — A — Cross section line
- 23 — 23 — Transect line
- 87°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 4376000mN — 1000-meter Universal Transverse Mercator grid values, zone 10N
- 600000 FT — 5000-foot grid ticks: California State Plane coordinate system, zone IV (FIPSZONE 0404), Lambert Conformal Conic projection
- DX5510 — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 — River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
September 27, 1991

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
April 18, 2009 - to update corporate limits, to incorporate previously issued Letters of Map Revision

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'
500 0 1000 2000 FEET
300 0 300 600 METERS

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0090D

FIRM
FLOOD INSURANCE RATE MAP

SAN BENITO COUNTY, CALIFORNIA
AND INCORPORATED AREAS

PANEL 90 OF 955

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
SAN BENITO COUNTY	060267	0090	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
06069C0090D

MAP REVISED
APRIL 16, 2009

Federal Emergency Management Agency

Title:

Floodplain Map

Date 11-17-2023
Scale
Project 2023-15

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 10

4.10.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY. Would the project:				
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:	☐	☐	☒	☐
i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) 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?	☐	☐	☐	☒

4.10.3 Explanation

a) **Less than Significant with Mitigation Incorporated**.

Construction

Temporary soil disturbance would occur during construction of the proposed project as a result of earth-moving activities, such as excavation and trenching for utilities, soil compaction and moving, cut and fill activities, and grading. If not managed properly, disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project site. In addition, the proposed project would potentially disturb more than one (1) acre of soil, which can result in potentially significant impacts. As a result, construction of future development facilitated by the proposed project could result in a significant impact related to water quality standards. The implementation of mitigation identified below would ensure that impacts would be less than significant.

Operation

Moreover, the proposed project would result in a net increase in impervious surfaces on the site by 15,189 sf compared to existing conditions, thereby potentially generating additional sources of polluted runoff. The types of pollutants contained in runoff may include sediments and contaminants such as oils, fuels, paints, and solvents. Additionally, other pollutants, such as nutrients, trace metals, and hydrocarbons, can attach to sediment and be transported to downstream drainages and ultimately into collecting waterways, contributing to degradation of water quality.

These construction and operational phase impacts would be reduced to a less than significant level with implementation of **Mitigation Measure HYD-1**.

Mitigation

HYD-1 Prior to the issuance of a grading or building permit, the applicant shall retain a certified Qualified SWPPP Practitioner ("QSP") and/or Qualified SWPPP Developer ("QSD") to prepare a SWPPP. The SWPPP shall be submitted to County Resource Management Agency for review and approval prior to the issuance of grading or building permit. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the RWQCB and to monitor the project as to compliance with requirements until its completion. BMPs that are typically specified within the SWPPP may include, but would not be limited to, the following:

- The use of sandbags, straw bales, and temporary de-silting basins during project grading and construction during the rainy season to prevent discharge of sediment-laden runoff into storm water facilities.
- Revegetation as soon as practicable after completion of grading to reduce sediment transport during storms.
- Installation of straw bales, wattles, or silt fencing at the base of bare slopes before the onset of the rainy season (October 15th through April 15th).
- Installation of straw bales, wattles, or silt fencing at the project perimeter and in front of storm drains before the onset of the rainy season (October 15th through April 15th).

The QSD/QSP shall provide written documentation of compliance with the requirements of these measures to the County for review and approval following the completion of construction.

In addition, the proposed project would be required to obtain coverage under the RWQCB NPDES General Storm Water Permit. Chapter 19.17 of the San Benito County Code regulates grading, drainage and erosion, and contains requirements regarding discharge and construction site stormwater runoff control. BMPs for construction and post construction runoff.

Compliance with **Mitigation Measure HYD-1,** implementation of standard BMPs, and compliance with County erosion control requirements would reduce temporary impacts to surface water quality. As such, construction of the proposed project would not violate water quality standards or contribute additional sources of polluted runoff. Therefore, project-related impacts to water quality would be less-than-significant with mitigation incorporated. (1, 2, 8, 12)

b) **Less than Significant Impact.** The proposed project involves the subdivision of an existing lot and the future construction of three (3) single-family residential units, two (2) ADUs, and a barn. The new residential units would be served by new wells drilled on each of the proposed lots. The California Department of Water Resources estimates a water use rate of 55 gallons per person per day for indoor use (Department of Water Resources, 2021). The proposed project would add approximately 14 people based on California Department of Finance estimates (see **Section 4.13 Population and Housing**), which represents daily water consumption of 770 gallons per day and 281,050 gallons annually. This would represent a minor intensification of water use compared to the existing agricultural (grazing) use of the site. Permits would be required for each of the proposed wells and the project applicant would be required to complete a water quality analysis to prove that potable water is available for each proposed lot.

The project would potentially affect groundwater recharge by increasing impervious surface. The site is approximately 39 acres and is currently used for agricultural purposes, including animal grazing. The proposed project would result in approximately 69,216 sf of new buildings and other site improvements. However, the proposed project also includes the removal of 54,027 sf of existing impervious surfaces. The proposed project would result in a net increase of 15,189 sf compared to existing conditions.

The proposed project would not significantly decrease groundwater and would adhere to San Benito County Code Article I. Groundwater Aquifer Protections, which limits extraction of groundwater. Stormwater runoff from the site would be affected by the net increase in impervious surfaces. However, the majority of the area within each lot would remain undisturbed, which would allow for some groundwater recharge on the site. The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table level at the site. Therefore, impacts would be less-than-significant. (1, 2, 8, 12, 49)

ci-ciii) **Less than Significant Impact.** The proposed project would introduce new impervious surfaces that could alter the existing drainage pattern of the site or result in substantial erosion or siltation or flooding on- or off-site. Site topography is relatively flat, sloping slightly to the south, with an average elevation of approximately 318 feet above sea level (Google Earth, March 2023). The site drains to the southwest. There are no drainages or waterways on the portion of the project parcel proposed for development. As described above, the proposed project would include a SWPPP to identify required stormwater improvements to ensure that the design of the proposed project is in accordance with applicable standards and requirements of the County ordinances and permit requirements. The proposed project would not alter the course of a stream or river since none exist on the site. The proposed project would be required to comply with standard BMPs, including standard County requirements related to erosion control. The project site is relatively flat, and only minimal grading would be required for the building envelopes and access driveways. As a result, the project would have a less-than-significant impact.

The proposed project could create or contribute runoff water during construction and operation of the project. The project would be required to comply with standard BMPs, including standard County requirements related to erosion control and stormwater runoff. More specifically, the Applicant would be required to submit detailed grading permits to the County for review and approval prior to the issuance of any grading permit demonstrating compliance with applicable County requirements to manage on-site drainage and erosion. Compliance with applicable regulations and implementation of the proposed project drainage features and BMPs would reduce impacts due to runoff and water quality to a less-than-significant level. (1, 2, 8, 12, 20)

civ) **Less than Significant Impact.** The project site is located within FEMA Zone X (Unshaded), which indicates that it is outside of the FEMA designated 100-year flood hazard area. As a result, the proposed project would not redirect or impede flood flows, as the site is located outside of the flood hazard area. Therefore, impacts would be less-than-significant. (1, 2, 4, 12, 14)

d) **No Impact.** The proposed project site is not located in an area subject to significant seiche, tsunami, or mudflow risk. There would be no impact in connection with the proposed project. (1, 2, 4)

e) **No Impact.** The project site is not subject to any water quality control plans or sustainable groundwater management plans. The project is located on the North San Benito Basin, which is not critically over-drafted as defined by the SGMA and has been marked as medium priority. The project would have no impact with respect to conflicting with an adopted water quality control plan or sustainable groundwater management plan. (1, 2, 3, 4, 24)

4.11 Land Use and Planning

4.11.1 Environmental Setting

The project site is located in an agricultural, rural area of unincorporated San Benito County, California. The project site is composed of an approximately 39-acre parcel (APN 017-030-015) that contains three (3) single-family residences, two (2) garages, a shop building, two (2) paved driveways, and farmland. The portion of the project site that would be subdivided and developed is largely vacant. Surrounding land uses are primarily agricultural, with some rural residential uses in the vicinity.

The San Benito County 2035 General Plan is the planning document that guides development within the County. Surrounding lands are rural and consist primarily of agricultural uses. The project site is within the General Plan Agricultural (A) designation and Agricultural Productive (AP) Zoning District.

4.11.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a 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?	☐	☐	☒	☐

4.11.3 Explanation

a) **No Impact**. The proposed project consists of the subdivision of an existing parcel and the construction of three (3) single-family residences, two (2) ADUs, and a barn on existing agricultural land and would not physically divide an established community. There would be no impact in connection with the proposed project. (1, 2)

b) **Less than Significant Impact**. The proposed project would introduce new residential uses to an area designated for agricultural use. This introduction of new residential uses would not conflict with applicable land use plans and regulations adopted for the purpose of avoiding or mitigating an environmental effect as single-family residential uses are a permitted use under the Agricultural Productive (AP) Zoning District for lots a minimum of five (5) acres in size. Mitigation measures are identified throughout this document to ensure that potential adverse impacts associated with the proposed project would be minimized to a less than significant level. Thus, impacts would be less-than-significant. (1, 2, 3)

4.12 Noise

4.12.1 Environmental Setting

Noise is generally defined as unwanted sound that is disturbing or annoying. The policies in the County 2035 General Plan identify noise standards to avoid conflicts between noise-sensitive uses and noise source contributors. The project site is located in an agricultural area with a few residences located nearby. This includes the existing residences that would remain on the site on Lot 4, as well as additional, off-site residences located approximately 450 feet to the north, 400 feet to the southeast, 800 feet to the east, 500 feet to the south, and 870 feet to the west.

Health and Safety Policies under Goal HS-8 of the San Benito County 2035 General Plan identify noise and land use compatibility guidelines. San Benito County Code, Title 19, Chapter 19.39, Article IV, Sound Level Restrictions, limits received noise generated by any sources at any property line. The noise guidelines generally utilize an exterior noise limit of 70 decibels Ldn (day/night level)[5] at residential properties. Existing noise levels on the site were not measured, but given the site's location in a rural area, they are expected to be low, in the range of 45 – 55 Ldn.

4.12.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE. Would the project result in:				
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 applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

[5] The Ldn represents the average sound level over a 24-hour period, accounting for greater noise sensitivity during night hours by adding five (5) decibels to noise between 7-10 p.m. and 10 decibels to noise between 10 p.m.-7 a.m.

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE. Would the project result in:				
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, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

4.12.3 Explanation

a) **Less than Significant Impact.**

Construction

Construction of the project would result in short-term noise increases in the project vicinity. Noise impacts from construction activities depend on the type of construction equipment used, the timing and length of activities, the distance between the noise generating construction activities and receptors and shielding. The length of the construction schedule is not known at this time; the lots created by the subdivision may be developed all at once or gradually over time. Construction equipment is expected to include, but not be limited to, a mini excavator, backhoe, water truck, and forklift. **Table 3** shows the typical construction equipment noise levels.

Table 3
Typical Construction Equipment Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source	
	L_{Max}	L_{eq}
Compactor, Concrete Vibratory Mixer	80	73
Backhoe/Front-end Loader, Air Compressor	80	76
Generator	82	79
Crane, Mobile	85	77
Jack Hammer, Roller	85	78
Dozer, Excavator, Grader, Concrete Mixer Truck	85	81
Paver, Pneumatic Tools	85	82

According to the San Benito County 2035 General Plan, typical hourly average construction noise levels could be as loud as 75 - 80 decibels at a distance of ±100-feet from the construction area during active construction periods. The nearest sensitive receptors are residences located approximately 450 feet to the north, 400 feet to the southeast and 500 feet to the south of the site. Based on the average construction noise levels in **Table 3** and the distance to the nearest sensitive receptors, the proposed project would not exceed County noise standards.

Construction activities would be limited to weekdays between the hours of 8:00 AM and 5:00 PM; no night-time construction would be required. Additionally, the distance to the nearest receptor would limit noise impacts to neighboring residences. Construction noise would be temporary and would cease following completion of construction activities. Therefore, short-term construction noise impacts would be less-than-significant.

Operation

The proposed development is located in a rural agricultural setting and would introduce new residential land uses to the site. Residential land uses are permitted under the Agricultural Productive (AP) Zoning District for lots a minimum of five (5) acres in size. Section 19.39.030 of the San Benito County Code sets maximum sound level standards of 45 dBA during daytime and 35 dBA during nighttime for the Agricultural Productive Zoning District. The three (3) single-family residences introduced to the site as part of the proposed project would not be a major source of ambient noise during occupancy. Therefore, long-term operational noise impacts would be less-than-significant. (1, 2, 3, 4)

b) **Less than Significant Impact.** Construction of the project would generate temporary groundborne vibration. **Table 4** shows typical vibration velocities for construction equipment.

Table 4
Vibration Velocities for Construction Equipment

Equipment	Approximate Velocity Level at 25 Feet ("VdB")	Approximate Peak Particle Velocity at 25 Feet ("inches/second")	Approximate Peak Particle Velocity at 50 feet ("inches/second")	Approximate Peak Particle Velocity at 400 feet ("inches/second")
Pile Driving (sonic)	104	0.644	N/A[1]	0.006
Pile Driver (impact)	112	1.518	N/A[1]	0.015
Large Bulldozers	87	0.089	0.031	0.001
Small Bulldozer	58	0.003	0.001	0.000
Loaded Trucks	86	0.076	0.027	0.001
Jackhammer	79	0.035	N/A[1]	0.000
Note: Data reflects typical vibration level. Source: (U.S. Department of Transportation, May 2006)				

A vibration impact could occur where noise-sensitive land uses are exposed to excessive vibration levels. Residences, which are considered sensitive receptors, are not located within close proximity of the site, with the closest residences located approximately 400 feet to the southeast and 450 feet to the north of the project site.

Vibration levels from construction equipment attenuate as they radiate from the source. Sensitive receptors in the area could be exposed to groundborne vibrations of varying magnitudes depending on the type of equipment and proximity to construction activities. Ground-disturbing activities associated with project grading could involve the operation of construction equipment such as a mini-excavator and water truck. These activities would not impact sensitive receptors in the area due to the distance to the project construction site and limited construction equipment requirements. The vibration level associated with these types of equipment would attenuate to a maximum of approximately 0.003 inches per second at 25 feet, which would be well under the threshold of 0.2 inches per second. Vibration associated with the construction of the proposed project would be below levels that could cause damage to structures, would not result in prolonged interference for sensitive receptors, and would barely be perceptible. For these reasons, this represents a less-than-significant impact. (1, 2, 3, 4)

c) **No Impact.** The project site is not located within the vicinity of a private airstrip or within the boundaries of any adopted airport land use plans. The project site is not located within two (2) miles of any airports. The nearest airport to the project site is the Hollister Municipal Airport, located about three (3) miles southwest of the project site. The proposed project would not be subject to excessive airport noise and no impact would occur. (1, 2, 4, 15)

4.13 Population and Housing

4.13.1 Environmental Setting

The most recent U.S. census population estimates for the County (2022) estimated a total population of 67,579 residents living in the County (US Census Bureau, 2022). The California Department of Finance's E-5 Population and Housing Estimates for Cities, Counties, and the State for 2023 estimated that the total amount of housing units was 21,576 homes in the County (including the incorporated Cities of Hollister and San Juan Bautista) (California Department of Finance, 2023).

The County 2035 General Plan REIR notes that employment for 2010 in unincorporated areas of the County was approximately 4,530 jobs. The County 2035 General Plan REIR notes that there will be an increase at an estimated 6.44 percentage per year, and an estimated 94,731 total residents living in the County between 2010 and 2035. Concerning employment, a large number of San Benito County residents commute to other counties for work. Employment in the unincorporated areas of the County are projected to increase approximately 10 percent per year to an estimated 12,030 and 13,130 total jobs between 2010 and 2035. It is anticipated that there will be approximately 14,844 dwelling units located in unincorporated areas of the County, and 5,425 located within the City of Hollister's sphere of influence, for a total of 20,269 homes. There is an estimated ratio of 2.85 persons per household in the unincorporated County, reflecting the past 50 years of declining persons per dwelling with a two (2)-percent decline from the 2010 ratio of persons per dwelling.

The County anticipates providing 182 new residential units for very low-income households, 282 residential units for low-income households, 331 new residential units for moderate income households, and 678 new residential units for above moderate households for a total of 1,655 new residential units located in the unincorporated County by the year 2035 (County of San Benito, 2015). Various General Plan goals and policies, including those listed in the Housing Element, and the County Code reflect the County's planning vision to accommodate the future growth projections. The proposed project would provide additional housing by facilitating construction of three (3) single-family residences and two (2) ADUs, consistent with Goal HOU-2 of the Housing Element.

4.13.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

4.13.3 Explanation

a) **Less than Significant Impact.** The proposed project would add 14 residents, based on a factor of 2.87 residents per unit (inclusive of ADUs) (California Department of Finance, 2023). This increase in population represents a negligible amount in comparison with the 94,731 total residents accounted for

by the General Plan between 2010 and 2035 (0.0002%). As such, the population increase resulting from the project would not constitute substantial unplanned growth. Impacts would be less than significant. (1, 2, 3, 4, 18)

b) **No Impact.** The proposed project would subdivide an existing lot to create three (3) new lots, each of which would be developed with a new single-family residence. In addition, ADUs may be constructed on Lots 2 and 4. The areas where the new lots will be sited are currently used for agricultural purposes and do not contain any housing units. Therefore, the proposed project would not displace existing people or require the construction of new, off-site housing. No impact would occur. (1, 2)

4.14 Public Services

4.14.1 Environmental Setting

Fire Protection: Fire protection services at the project site are provided to the project site by the San Benito County Fire Department. Hollister Fire Station 3 is the nearest fire station, located at Hollister Municipal Airport, Hollister, CA 95023, approximately four (4) miles southwest of the project site. Residential development in San Benito County is required to pay a fire protection impact fee to offset costs associated with increased demand for fire protection services. All fees for fire protection must be paid to the County prior to the issuance of permits. The County's fire protection impact fee for single-family residential is $1,662 per structure (County of San Benito, 2018).

Police Protection: Police protection services are provided to the project site by the San Benito County Sheriff's Office. The County operates one (1) Sheriff's Office located at 2301 Technology Parkway in the City of Hollister, which is located approximately four (4) miles southwest of the project site. Residential development in San Benito County is required to pay a law enforcement impact fee to offset costs associated with increased demand for policing services. All fees for law enforcement must be paid to the County prior to the issuance of permits. The County's law enforcement impact fee for single-family residential is $1,518 per structure (County of San Benito, 2018).

Schools: The project is located within the North County Joint Union Elementary District ("NCJUSD")_and the San Benito High School District ("SBHSD"). The closest school to the proposed project is the North County Joint Union School, which is located approximately 0.68 miles southwest of the project site. Both NCJUSD and SBHSD charge developer impact fees to offset impacts from new residential and commercial development on existing schools. NCJUSD's development impact fee for residential development is currently $2.63 per sf and SBHSD's development impact fee for residential development is currently $1.68 per sf.

Parks: The closest park to the proposed project is Hollister Wayside Park, which is located approximately 3.5 miles southwest of the project site. The County charges parks and recreation impact fees for new residential structures. The County's impact fee for single-family residential structures is currently $4,634 per structure (County of San Benito, 2018).

Other Public Facilities: The County assesses various other impact fees for residential development to offset impacts on public facilities. All fees must be paid to the County prior to the issuance of permits (County of San Benito, 2018).

4.14.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities 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 public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

4.14.3 Explanation

a-b) **Less than Significant Impact.** Construction and implementation of the proposed project would require fire and police protection services. However, this increase in service would not require additional police staff and vehicles such that new or expanded fire or police facilities would need to be constructed. Future construction facilitated by the proposed project would result in approximately 14 new residents. The City of Hollister Fire Department and San Benito County Sheriff already serve adjacent properties, including the project site. In addition, the proposed project would be required to pay the current fire protection and law enforcement impact fees to the County prior to the issuance of permits. The proposed project would not include a substantial population increase that would trigger the need to construct new stations or expand existing services. This represents a less-than-significant impact. (1, 2, 3, 4, 47)

c-e) **Less than Significant Impact.** The project does not include new or physically altered schools, parks or other public services or facilities. In addition, the proposed project would not require any additional public services such as new schools, parks or other facilities, as the population increase associated with the proposed project would be minimal (14 total residents) and would not put a significant burden on public services such as schools and parks. Future residential construction facilitated by the proposed project would be subject to the current developer fees imposed by the NCJUSD (NCJUSD, 2024) and the SBHSD (SBHSD, 2024) at the time of development. In addition, the proposed project would be required to pay the parks, library, drainage, and other applicable impact fees to the County prior to the issuance of permits. This represents a less than significant impact. (1, 2, 45, 46, 47)

4.15 Recreation

4.15.1 Environmental Setting

Please refer to the discussion under **Section 4.14, Public Services**, above.

4.15.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION. Would the project:				
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?	☐	☐	☒	☐

4.15.2 Explanation

a, b) **Less than Significant Impact.** The project consists of the construction of three (3) single-family residences, two (2) ADUs, and a barn and would result in population increase estimated at 14 total residents. These new residents would be expected to incrementally increase the use of existing neighborhood and regional parks. However, the increase in population of 14 total individuals would be accommodated by existing local and regional park facilities and would not result in substantial physical deterioration of these facilities. In addition, the proposed project would be required to pay the current parks and recreation impact fees to the County prior to the issuance of permits. The population increase associated with the proposed project would not require the construction of additional recreational facilities, and no new recreational facilities are included in the proposed project. This represents a less than significant impact. (1, 2, 47)

4.16 Transportation/Traffic

4.16.1 Environmental Setting

The existing project site is accessible via Comstock Road, located approximately two (2) miles east of SR 156. The existing site is accessed via two (2) driveways that connect to Comstock Road. Regional access to the project site is provided by SR 156. Other roadways in the study area include Bluff Drive to the east, Ausaymas Court (which bisects the western portion of the existing site), and Little River Drive to the north. There are no sidewalks or marked crosswalks within the project area. There are no bicycle facilities in the project area. There are no bus stops within the vicinity of the project site.

4.16.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with a 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 (for example, sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

4.16.3 Explanation

a) **Less than Significant Impact.** The Circulation Element of the 2035 General Plan includes policies directing the development of the County transportation network. The 2035 General Plan (Policy C-1.12) states the County shall endeavor to maintain a General Plan target goal on LOS D at all locations. The proposed project consists of three (3) new single-family units and two (2) ADUs with an estimated population increase of 14 people. The addition of 14 people resulting from the project would not substantially increase the number of trips during AM or PM peak hours at intersections near the project site compared to existing conditions. In addition, the proposed project includes a right-of-way dedication and improvements to Comstock Road. These improvements are anticipated to consist of the installation of 38 feet of AB along the site's Comstock Road frontage and construction of half of a planned 28-foot improvement consisting of laying down AC surface on top of the AB. These improvements would be required prior to recordation of the final map and would be consistent with Policies C-1.5 and C-1.9 of the Circulation Element of the 2035 General Plan. As a result, the proposed project would not conflict with existing policies addressing circulation. This represents a less than significant impact. (1, 2, 3)

b) **Less than Significant Impact**. Section 15064.3 (b)(1) of the CEQA Guidelines identifies that VMT exceeding an applicable threshold of significance may indicate that a project has a significant transportation related effect. Currently, the County of San Benito does not have adopted VMT thresholds. As a result, the analysis completed for the proposed project used state published guidance to determine the threshold for significance. Technical Advisory on Evaluating Transportation Impacts in CEQA (Page 12) provides "screening thresholds" for the project description that indicate whether a project may have a significant impact. It states that "[s]creening thresholds such as project size, maps, transit availability, and provision of affordable housing, quickly identify when a project is expected to cause a less-than-significant impact without conducting a detailed study. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy ("SCS") or general plan, projects that generate or attract fewer than

110 trips per day generally may be assumed to cause a less-than-significant transportation impact." (Office of Planning and Research, 2018). The proposed project consists of the subdivision of an existing lot and the construction of three (3) single-family residences and two (2) ADUs, with a projected population increase of 14 people. Construction of the proposed project would generate vehicle trips associated with moving equipment on- and off-site as well as worker trips. However, construction phase trips would be temporary and would not represent a permanent increase in VMT. The proposed project would generate approximately 9.43 daily trips per residence, for a total of approximately 47 daily trips (inclusive of ADUs), based on trip generation rates provided by the Institute of Transportation Engineers ("ITE") 2021 Trip Generation Manual (Institute of Transportation Engineers, 2021). Trips generated by the proposed project would be under the 110 trips per day threshold due to the limited size of the proposed development and number of proposed units. Therefore, the proposed project would not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2). This is a less-than-significant transportation impact under CEQA. (1, 2, 3, 25, 50)

c) **Less than Significant Impact.** The proposed project includes new access driveways with a minimum width of 30 feet for each of the residential lots. This would be adequate for the minimal anticipated traffic demand to and from each single-family residence and ADU. The driveways would be designed to comply with all current design and safety criteria, as well as Policy C-1.14 of the Circulation Element of the 2035 General Plan. The proposed project would not increase hazards or introduce incompatible uses onto a public roadway. This represents a less-than-significant impact. (1, 2, 3, 4)

d) **Less than Significant Impact.** San Benito County has prepared a Multi-Jurisdiction LHMP with the cities of Hollister and San Juan Bautista, and with two (2) water agencies. The LHMP designates certain roadways in the County for primary evacuation routes, as described in **Section 4.9, Hazards and Hazardous Materials**. Panoche Road is the primary evacuation roadway for the County. The proposed project, located on Comstock Road and Bluff Drive, would not impair implementation of or physically interfere with designated evacuation routes or otherwise conflict with an adopted emergency response plan or emergency evacuation plan. The proposed project would comply with County Code and Fire Department standards for emergency vehicle access and would not conflict with the approved LHMP. Therefore, the proposed project would not interfere with any emergency response or evacuation plans. This represents a less-than-significant impact. (1, 2, 3, 4)

4.17 Tribal Cultural Resources

4.17.1 Environmental Settings

California Assembly Bill ("AB") 52, in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code §21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the CRHR or a local historic register, or that the lead agency has determined to be of significant tribal cultural value.

In compliance with AB 52, the County RMA sent notices to California Native American Tribes notifying the tribes of the proposed project and soliciting requests for consultation (see attached sample AB 52 Consultation letter sent by the County, **Appendix D**) on August 12, 2022. The County received a request for consultation from Valentin Lopez, Chairperson of the Amah Mutsun Tribal Band ("AMTB"). County staff conducted a site visit with AMTB representatives on November 2, 2022. AMTB did not identify any specific tribal cultural

resources concerns associated with the proposed project. The proposed project would not result in new or increased development in portions of Lot 1 which were previously assessed for cultural sensitivity. AMTB requested notification in the event that any future development or significant ground disturbance is proposed within the identified area of cultural sensitivity located on Lot 1.

4.17.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES. Would the project 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, 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:				
a) 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	☐	☐	☐	☒
b) 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 Resources Code Section5024.1, the lead agency shall consider the significance of the resource to a California Native America Tribe.	☐	☒	☐	☐

4.17.3 Explanation

a) **No Impact.** As described above in **Section 4.5 Cultural Resources,** the project site does not contain any resources that are 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). There are no historical resources within the project area, and, as a result, there is no impact. (1, 2, 3)

b) **Less than Significant Impact with Mitigation Incorporated.** No tribal cultural resources or Native American resources have been documented on the portion of the project site intended for future development under the proposed project. The County conducted a site visit with representatives of the AMTB on November 2, 2022. AMTB confirmed that the portion of the property previously assessed for cultural sensitivity is within Lot 1 and is not proposed for future development under the proposed project. However, as described above in **Section 4.5, Cultural Resources**, previously unknown or buried resources could be present within the areas of Lots 2, 3, and 4 proposed for future development under the proposed project. The implementation of **Mitigation Measures CR-1** and **CR-2** would ensure that potential impacts would be less-than-significant. (1, 2, 3)

4.18 Utilities and Service Systems

4.18.1 Environmental Setting

Water and Wastewater: The proposed project would be served by new groundwater wells drilled on each lot, as well as new septic systems installed on each lot.

Storm Drainage. The San Benito River, Pajaro River, and the Santa Ana Creek tributary are the three (3) natural channels that receive stormwater from the County. Stormwater drainage systems serve very few areas of the County. Water and/or wastewater service are provided by five (5) service providers and several CSAs. Most residents and businesses in the unincorporated County rely on individual drainage solutions or small-scale drainage systems. Impervious surfaces would be increased by approximately 17,760 sf for Lot 2, 19,305 sf for Lot 3, and 14,160 sf for Lot 4 (inclusive of driveways), for a total of 51,255 sf of impervious surfaces. The project also includes an additional 17,991 sf of impervious surfaces associated with the proposed improvements to Comstock Road. However, two (2) concrete pads would be removed from Lot 2, resulting in a reduction of 54,027 sf of impervious surfaces compared to existing conditions. Overall, the proposed project would result in a 15,189 sf net increase in impervious surfaces (see **Table 1**).

Solid Waste. The current solid waste disposal and recycling service provider for the City of Hollister, the City of San Juan Bautista, and most parts of unincorporated San Benito County is Recology. Recology transports solid waste to the John Smith Road Landfill ("JSRL"), which is owned by the San Benito County Integrated Waste Management Department ("IWMD") and operated by Waste Connections, Inc. The JSRL is the only operating active solid waste landfill in the County and has a maximum permitted throughput of 1,000 tons per day. As of May 16, 2023, the JSRL has a remaining capacity of approximately 1,921,000 cubic yards (CalRecycle, 2023).[6]

Electric and Gas. Beginning in 2018, all PG&E customers within Monterey, San Benito, and Santa Cruz Counties were automatically enrolled in Central Coast Community Energy (3CE, originally called Monterey Bay Community Power). 3CE is a locally controlled public agency providing carbon-free electricity to residents and businesses. Formed in February 2017, 3CE is a joint powers authority, and is based on a local energy model called community choice energy. 3CE partners with PG&E who continues to provide billing, power transmission and distribution, customer service, grid maintenance services and natural gas services to San Benito County. 3CE's standard electricity offering is carbon free and is classified as 31 percent renewable (3CE, 2023).

[6] https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2151?siteID=2583

4.18.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, 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 adequate 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 statuses and regulations related to solid waste?	☐	☐	☒	☐

4.18.3 Explanation

a) **Less than Significant Impact**. The proposed project would result in the creation of three (3) new lots and the future development of three (3) single-family residences, two (2) ADUs, and a barn. Each of the new lots would require a new on-site well to provide potable water for the new development. A well permit would be required for each new on-site well. Conformance with the terms and conditions of the well permits would ensure that the new wells are sited to avoid resulting in any additional environmental impacts. Construction of these well would not result in any additional impacts beyond those identified and mitigated in this document.

Septic systems would be installed for each of the three (3) new lots created by the proposed project. According to the geotechnical analysis conducted by Butano Geotechnical Engineering, Inc. (January 2022), on-site soils were determined to be suitable for installation of septic systems (see **Appendix B**). The locations of the septic systems are shown in **Figure 5**. The septic systems would be sized appropriately to serve the proposed development for each of the new lots. A sewage disposal system permit would be required for each new on-site septic system. Conformance with the requirements of the sewage disposal system permit would ensure that the proposed project would have a less than significant impact related to the expansion of wastewater systems.

The proposed project would result in a 15,189 sf net increase in impervious surfaces when accounting for the removal of two (2) existing concrete slabs, improvements to Comstock Road and the building envelopes for the structures and driveways for each of the three (3) new lots. Detailed drainage plans would need to be submitted to the County for review and approval prior to issuance of construction permits for development of each lot. The County will review drainage plans to ensure the stormwater facilities for the development is designed to detain the difference between a 10-year pre and 100-year post development, in accordance with County standards, and to detain flows in excess of this to release post-development flows at pre-development levels, satisfying post construction requirements, LID requirements, and County stormwater management requirements.

Electricity and natural gas services for the proposed project would be provided by PG&E by way of existing electrical infrastructure in the project vicinity. The proposed project would likewise connect to existing telecommunications service infrastructure in the project vicinity. The proposed project would require additional electricity and natural gas consumption compared to what is currently used on-site. While additional electricity and natural gas would be consumed, the use would be accommodated by existing infrastructure and would not require relocation or expansion of existing infrastructure. Thus, the proposed project would have a less than significant impact related to expansion of existing or creation of new utility systems. (1, 2, 3, 8, 23)

b) **Less than Significant Impact**. The California Department of Water Resources estimates a water use rate of 55 gallons per person per day for indoor use (Department of Water Resources, 2021). The proposed project would add approximately 14 people, which represents daily water consumption of 770 gallons per day and 281,050 gallons annually. The project is located on the North San Benito Basin, which is not critically over-drafted as defined by the SGMA and has been marked as medium priority. The proposed project includes the installation of three (3) new wells to serve the three (3) single-family residences, which would result in an increase in demand on available water supplies. Each of the proposed wells would require a permit from the County and completion of a Title 22 water quality analysis to prove that potable water is available for each proposed lot during normal, dry, and multiple dry years. This represents a less-than-significant impact. (1, 2, 14, 24)

c) **Less than Significant Impact**. The proposed project includes the installation of new septic systems to serve each of the proposed three (3) new lots. The remainder of the site would continue to be connected to the existing septic system. The proposed project would not connect to an existing off-site wastewater treatment system and would not affect existing treatment capacity. This represents a less-than-significant impact. (1, 2)

d-e) **Less Than Significant Impact**. The proposed project would not generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure, negatively impact solid waste services, impair the attainment of solid waste reduction goals. Additionally, the project would comply with federal, state, and local management and reduction statues and regulations related to solid waste. General trash and recycling would be transported to the JSRL near Hollister. There would be a less-than-significant impact associated with solid waste generation. (1, 2, 19)

4.19 Wildfire

4.19.1 Environmental Setting

The project site is not located within moderate, high, or very high FHSZ, as designated by the California Department of Forestry and Fire Protection (CalFire, California Fire Hazard Severity Zone Viewer, 2020).

4.19.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
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 a 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 impact 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?	☐	☐	☒	☐

4.19.3 Explanation

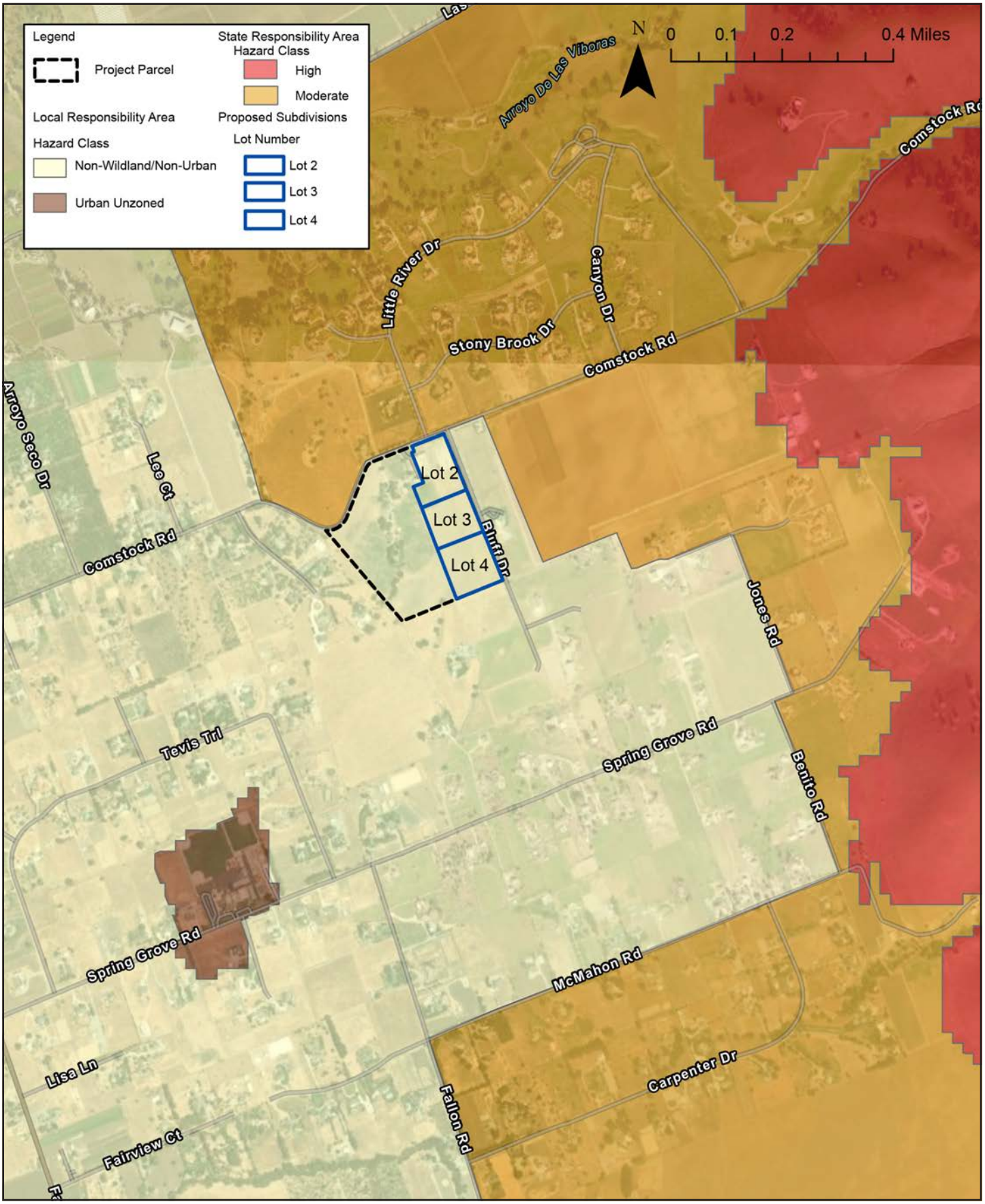
a) **No Impact.** The proposed project is not located within a fire hazard severity zone as delineated by CalFire (see **Figure 11**). However, the parcels located north of the project site on the opposite side of Comstock Road, as well as land to the east of the project site, are designated as moderate fire hazard severity zones by CalFire. The proposed project would facilitate the future construction of three (3) single-family residences, two (2) ADUs, and a barn to the site. These new structures would be accessed via new paved driveways on Bluff Drive. The addition of this limited number of residential units would not substantially impair an adopted emergency response plan or evacuation plans. As a result, no impact would occur. (1, 2, 3, 4, 11)

b) **Less Than Significant Impact**. The proposed project site slopes slightly to the south but is generally flat. The proposed project is not located within a fire hazard severity zone as delineated by CalFire. However, the parcels located north of the project site on the opposite side of Comstock Road, as well as land to the east of the project site, are designated as moderate fire hazard severity zones by CalFire. The proposed project does not interface directly with these parcels; therefore, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors. For these reasons, the proposed project would have a less-than-significant impact with respect to exposing occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. (1, 2, 3, 4, 11)

c) **Less Than Significant Impact**. The proposed project includes the subdivision of three (3) lots and the future construction of up to three (3) single-family residences, two (2) ADUs, and a barn. The proposed project also includes three (3) new septic systems, three (3) new water wells, and three (3) new access driveways. The access driveways would be paved and would not result in increased fire risk

beyond existing conditions. Utility connections would be required to each of the new lots; however, all utilities, including powerlines, would be installed underground consistent with Section 23.17.003 of the San Benito County Code. Undergrounding of powerlines would reduce the risk of fire from utility malfunction compared to overhead powerlines. Therefore, the proposed project would have a less than significant impact related to exacerbating fire risk from installation or maintenance of infrastructure. (1, 2, 3, 4, 8)

d) **Less Than Significant Impact**. The proposed project slopes slightly to the south as stated above, which could result in downslope flooding on the site under post-fire conditions. However, as discussed in **Section 4.10 Hydrology and Water Quality**, the proposed project would require drainage improvements to serve the proposed project, which would manage on-site drainage in the event of an on-site fire. In addition, the proposed project does not directly interface with any areas susceptible to wildfire. This represents a less than significant. (1, 2, 3, 4, 8)



Title: Fire Hazard Sensitivity Map

Date 11-17-2023
Scale
Project 2023-15

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 11

4.20 Mandatory Findings of Significance

4.20.1 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) 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) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

4.20.2 Explanation

a) **Less than Significant Impact with Mitigation.** The proposed project would not 1) degrade the quality of environment, 2) substantially reduce the habitat of a fish or wildlife species, 3) cause a fish or wildlife population to drop below self-sustaining levels, 4) threaten to eliminate a plant or animal community, 5) reduce the number or restrict the range of a rare or endangered plant or animal, or 6) eliminate important examples of major periods of California history or prehistory. Future development facilitated by the proposed project could result in temporary and permanent impacts that would be mitigated to a less-than-significant level through the incorporation of mitigation measures identified in this IS/MND. Compliance with the mitigation measures contained in this document would ensure that all impacts are less-than-significant. Moreover, the proposed project would not adversely impact a cultural or historic resource that is an important example of a major period in California history with mitigation proposed in this IS/MND. Mitigation would reduce potential impacts to cultural resources resulting from ground-disturbing construction activities. With implementation of these measures (summarized in **Table 5**), the proposed project would not have the potential to significantly degrade the quality of the environment and impacts would be less-than-significant. No additional mitigation is necessary beyond mitigation identified in each of the respective topical CEQA sections contained in this IS/MND.

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
Biological Resources					
BIO-1: The project applicant or future property owner will comply with ESA and CESA and will coordinate with USFWS and CDFW to determine whether incidental take authorization for CTS is required prior to issuance of a grading permit. If it is determined that authorization for the incidental take of this species is required, the project applicant or future property owner will comply with ESA and/or CESA to obtain the required incidental take permits from USFWS and/or CDFW prior to the issuance of a grading permit. Permit requirements typically involve the preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation, restoration, and/or purchase of conservation credits from an approved mitigation bank. The project applicant or future property owner would be required to retain a qualified biologist to prepare a mitigation plan, which will include, but is not limited to, identifying avoidance and minimization measures, and identifying a mitigation strategy that includes a take assessment, avoidance and minimization measures, compensatory mitigation lands, success criteria, and funding assurances. The project applicant or future property owner would be required to implement the approved plan and any additional permit requirements. Proof of consultation with USFWS and CDFW, as well as any required incidental take permits, shall be provided to the County prior to the issuance of a grading permit.	Coordination with USFWS/CDFW, obtaining Incidental Take Permits, if required.	Prior to issuance of a grading permit.	Project Applicant or future property owner, USFWS, CDFW		
BIO-2: Construction activities that may affect nesting raptors and other protected avian species may be timed to avoid the avian nesting season (which occurs February 1 through September 15). Specifically, vegetation and/or tree removal can be scheduled between September 16 and January 31. If this is not possible, pre-construction surveys for protected avian species shall be conducted by a qualified biologist within 15 days prior to the commencement of construction activities in all areas that may provide suitable nesting habitat that exist in or within 300 feet of the project boundary. If nesting birds are identified during pre-construction surveys, an appropriate buffer shall be imposed within which no construction	Schedule construction outside of nesting season. If not feasible, conduct pre-construction surveys for protected avian species within 15 days in all areas that may provide suitable nesting habitat that exist in or within 300 feet of the project boundary.	Prior to the commencement of construction activities.	Project Applicant, qualified biologist.		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
activities or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, as determined by the qualified biologist, or until after September 1 (when young are assumed fledged). This determination shall be documented in a brief memorandum to be reviewed and approved by the County prior to the start of construction,					
BIO-3: A qualified biologist will conduct an Employee Education Program for the construction crew prior to any construction activities. The qualified biologist will meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following: 1) the appropriate access route(s) in and out of the construction area and review project boundaries; 2) how a biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities, 3) the identification of special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; 5) the general provisions and protections afforded; and 6) the proper procedures if a special-status species is encountered within the project site to avoid impacts. The qualified biologist shall provide the County with written documentation that the Employee Education Program was conducted prior to the start of construction.	Conduct an Employee Education Program for the construction crew	Prior to any construction activities.	Qualified biologist.		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
Cultural Resources					
CR-1: Prior to any ground disturbance requiring an encroachment, grading, or building permit, an extended Phase I study shall be conducted within the proposed project's Area of Direct Impact ("ADI") to determine the following: • Whether the proposed project site contains subsurface archaeological deposits; and • If subsurface archaeological deposits are present, assess whether these deposits (within the project alignment) constitute an archaeological site and retains sufficient integrity for the evaluation of eligibility for the California Register of Historical Resources ("CRHR").	Phase I Archaeological Monitoring Report, Additional Mitigation Measures (if needed)	Prior to any ground disturbance requiring an encroachment, grading, or building permit.	County – RMA, Qualified Archaeologist, Construction Manager		
CR-2: The project applicant shall retain a qualified archaeologist (project archaeologist) to be present on the project site from the start of ground disturbing work for the planned construction. If potentially significant archaeological resources are discovered, the project archaeologist shall halt excavation until any finds are property evaluated. If a find is determined to be significant, work shall remain halted near the find to permit development and implementation of the appropriate mitigations (including selective data recovery) with the concurrence of the CEQA Lead Agency (San Benito County). At the discretion of the qualified archaeologist, monitoring could be discontinued if there is enough information collected from direct observation of the subsurface conditions to conclude that cultural resources do not exist. The qualified archaeologist shall provide either a monitoring report following the completion of construction or a written recommendation that monitoring is no longer necessary during construction for the County's review and approval.	Monitoring report or recommendation that ongoing monitoring is not required.	During construction and following completion of construction.	Qualified archaeologist, County- RMA		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
CR-3: Prior to construction, the project applicant's project archeologist shall conduct a sensitivity training for cultural resources for all onsite personnel involved in ground disturbing activities. The qualified archaeologist shall provide the County with written documentation that the sensitivity training for cultural resources was conducted prior to the start of construction.	Documentation proving sensitivity training occurred.	Prior to construction.	Qualified archaeologist, County -RMA		
CR-4: If human remains are found at any time on the project site, work must be stopped by the construction manager, and the County Coroner must be notified immediately. If the Coroner determines that the remains are Native American, the Native American Heritage Commission will be notified as required by law. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. (Ref: California Public Resources Code Section 5097.98; and Health and Safety Code Section 7050.5) Specific County of San Benito provisions and further measures shall be required as follows if human remains are found: If, at any time in the preparation for, or process of, excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall: a. Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains. b. Arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property	Coordination with NAHC, adherence to MLD's recommendations.	During construction activities	County – RMA, Qualified Archaeologist, Construction Manager, Native American Heritage Commission, County Coroner, Project Applicant		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
authorizes such staking. Said staking shall not include flags or other devices which may attract vandals. c. Notify Resource Management Agency Director shall also be notified within 24 hours if human and/or questionable remains have been discovered. The Sheriff–Coroner shall be notified immediately of the discovery as noted above. d. Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code. [Planning]					
Geology and Soils					
GEO-1: Prior to the issuance of any grading or building permit, the applicant shall submit evidence demonstrating that the design-plans (including grading plans, foundation plans, and design loads) have been reviewed by a qualified professional certifying that the design complies with the recommendations outlined in Butano Geotechnical Engineering's geotechnical report (Project No. 21-293-SB). If additional testing is recommended by the qualified professional, the applicant shall provide the results of the additional testing to the County for review and approval.	Verification of design-plans.	Prior to issuance of grading or building permits	Project applicant, County RMA, Qulified Professional		
GEO-2: During construction activities, the construction contractor shall implement the following erosion control measures and associated BMPs to reduce soil disturbance and the potential for erosion and sedimentation as a result of the project: • Stockpiling and disposing of demolition debris, concrete, and soil.	Plan review by County.	Prior to issuance of grading or building permits During construction	Construction contractor, project applicant, County RMA		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
• Protecting existing storm drain inlets and stabilizing disturbed areas. • Hydroseeding/re-vegetating disturbed areas. • Minimizing areas of impervious surfaces. • Implementing runoff controls (e.g., percolation basins and drainage facilities). • Properly managing construction materials. • Managing waste, aggressively controlling litter, and implementing sediment controls. • Limiting grading to the minimum area necessary for construction and operation of the project. County staff shall verify that the above conditions are shown on project plans prior to issuance of any grading or building permit.		activities (implementation)			
Hydrology and Water Quality					
HYD-1: Prior to the issuance of a grading or building permit, the applicant shall retain a certified Qualified SWPPP Practitioner ("QSP") and/or Qualified SWPPP Developer ("QSD") to prepare a SWPPP. The SWPPP shall be submitted to County Resource Management Agency for review and approval prior to the issuance of a grading or building permit. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the RWQCB and to monitor the project as to compliance with requirements until its completion. BMPs that are typically specified within the SWPPP may include, but would not be limited to, the following: • The use of sandbags, straw bales, and temporary de-silting basins during project grading and construction during the rainy season to prevent discharge of sediment-laden runoff into storm water facilities. • Revegetation as soon as practicable after completion of grading to reduce sediment transport during storms.	Prepare a SWPPP Retain QSD/QSP to coordinate and comply with RWQCB requirements.	Prior to start of grading/ construction activities Throughout the duration of construction.	Project applicant, qualified QSP/QSD, County RMA		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
• Installation of straw bales, wattles, or silt fencing at the base of bare slopes before the onset of the rainy season (October 15th through April 15th). • Installation of straw bales, wattles, or silt fencing at the project perimeter and in front of storm drains before the onset of the rainy season (October 15th through April 15th). The QSD/QSP shall provide written documentation of compliance with the requirements of these measures to the County for review and approval following the completion of construction.					
Tribal Cultural Resources					
CR-1: Prior to any ground disturbance requiring an encroachment, grading, or building permit, an extended Phase I study shall be conducted within the proposed project's Area of Direct Impact ("ADI") in order to determine the following: • Whether the proposed project site contains subsurface archaeological deposits; and • If subsurface archaeological deposits are present, assess whether these deposits (within the project alignment) constitute an archaeological site and retains sufficient integrity for the evaluation of eligibility for the California Register of Historical Resources ("CRHR").	Phase I Archaeological Monitoring Report, Additional Mitigation Measures (if needed)	Prior to any ground disturbance requiring an encroachment, grading, or building permit.	County – RMA, Qualified Archaeologist, Construction Manager		
CR-2: The project applicant shall retain a qualified archaeologist (project archaeologist) to be present on the project site from the start of ground disturbing work for the planned construction. If potentially significant archaeological resources are discovered, the project archaeologist shall halt excavation until any finds are property evaluated. If a find is determined to be significant, work shall remain halted near the find to permit development and implementation of the appropriate mitigations (including selective data recovery) with the concurrence of the CEQA	Monitoring report or recommendation that ongoing monitoring is not required.	During construction and following completion of construction.	Qualified archaeologist, County- RMA		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
Lead Agency (San Benito County). At the discretion of the qualified archaeologist, monitoring could be discontinued if there is enough information collected from direct observation of the subsurface conditions to conclude that cultural resources do not exist. The qualified archaeologist shall provide either a monitoring report following the completion of construction or a written recommendation that monitoring is no longer necessary during construction for the County's review and approval.					
CR-3: Prior to construction, the project applicant's project archeologist shall conduct a sensitivity training for cultural resources for all onsite personnel involved in ground disturbing activities. The qualified archaeologist shall provide the County with written documentation that the sensitivity training for cultural resources was conducted prior to the start of construction.	Documentation proving sensitivity training occurred.	Prior to construction.	Qualified archaeologist, County -RMA		
CR-4: If human remains are found at any time on the project site, work must be stopped by the construction manager, and the County Coroner must be notified immediately. If the Coroner determines that the remains are Native American, the Native American Heritage Commission will be notified as required by law. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. (Ref: California Public Resources Code Section 5097.98; and Health and Safety Code Section 7050.5) Specific County of San Benito provisions and further measures shall be required as follows if human remains are found: If, at any time in the preparation for, or process of, excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:	Coordination with NAHC, adherence to MLD's recommendations.	During construction activities	County – RMA, Qualified Archaeologist, Construction Manager, Native American Heritage Commission, County Coroner, Project Applicant		

Table 5 Summary of Mitigation Measures					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible Agency or Party	Verification of Completion	
				Date	Initial
e. Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains. f. Arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking. Said staking shall not include flags or other devices which may attract vandals. g. Notify Resource Management Agency Director shall also be notified within 24 hours if human and/or questionable remains have been discovered. The Sheriff–Coroner shall be notified immediately of the discovery as noted above. h. Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code. [Planning]					

b) **Less than Significant Impact.** Under CEQA "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. The proposed project would not result in a cumulatively considerable adverse environmental effect. This IS/MND contains mitigation to ensure that all impacts would be minimized to a less-than-significant level. The project would have temporary air quality impacts and GHG emissions that could contribute to the overall regional and global GHG emissions. However, air quality impacts and GHG emissions would not exceed the MBARD's thresholds of significance. In addition, the proposed project would not induce potential population growth beyond existing levels; therefore, the project would not conflict with and/or obstruct the implementation of the MBARD 2012-2015 AQMP, or any other plans to address exceedance of State air quality standards. For these reasons, the project would have a less-than-significant cumulative impact on the air quality and GHG. Overall, the project would have a less-than-significant cumulative impact.

Additionally, the RDEIR prepared for the County's 2035 General Plan identified several significant unavoidable impacts that would potentially occur with buildout of the General Plan, including loss of prime farmland, light and glare, effects to sensitive species and habitats, exposure to flood hazards, noise, population growth, and transportation level of service impacts. This project is consistent with the General Plan land use designation; thus, the effects of the project were already considered programmatically as part of the General Plan RDEIR. As stated above and in topical sections of this IS/MND, in many cases, the proposed project would have no effect on impacts cited. For these reasons, the proposed project would not result in impacts that are individually limited, but cumulatively considerable.

c) **Less than Significant Impact with Mitigation**. The proposed project would not cause any adverse effects on human beings with incorporation of mitigation. Specifically, potentially significant impacts from seismic hazards, including strong-seismic ground shaking, would be mitigated to a less than significant level with implementation of **Mitigation Measure GEO-1**. All potentially significant impacts associated with the proposed project can be mitigated to a less-than-significant level. Additionally, future construction-phase impacts facilitated by the proposed project would be temporary in nature and operation of future development facilitated by the proposed project would be required to comply with all federal, state, regional, and local regulations and all potentially significant impacts associated with project operations are mitigated to a less-than-significant level. Therefore, the proposed project would not have a substantial adverse effect on human beings, either directly or indirectly.

Chapter 5. References

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Appendix A

CNDDB Database List

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Special-Status Species Table

(Quadrangles: Hot Springs, Pacheco Pass, Pacheco Peak, San Felipe, Three Sisters, Mariposa Peak, Hollister, Tres Pinos, Quien Sabe Valley)

Species	Status (USFWS/CDFW/ CNPS)	General Habitat	Potential Occurrence within Survey Area
MAMMALS			
Antrozous pallidus Pallid bat	-- / CSC / --	Occurs in a wide variety of habitats including grasslands, shrublands, arid desert areas, oak savanna, coastal forested areas, and coniferous forests of the mountain regions of California. Most common in open, dry habitats with rocky areas for roosting. Day roosts include caves, crevices, mines, and occasionally hollow trees and buildings. Seems to prefer rocky outcrops, cliffs, and crevices with access to open habitats for foraging. Similar structures are used for night roosting and will also use more open sites such as eaves, awnings, and open areas under bridges for feeding roosts.	**Unlikely** No suitable habitat present within the survey area.
Corynorhinus townsendii Townsend's big-eared bat	-- / CSC / --	Found primarily in rural settings from inland deserts to coastal redwoods, oak woodland of the inner Coast Ranges and Sierra foothills, and low to mid-elevation mixed coniferous-deciduous forests. Typically roost during the day in limestone caves, lava tubes, and mines, but can roost in buildings that offer suitable conditions. Night roosts are in more open settings and include bridges, rock crevices, and trees.	**Low** Trees within the survey area may provide suitable night roosts; however, no suitable day roost habitat is present within the survey area.
Eumops perotis californicus Western mastiff bat	-- / CSC / --	Many open habitats including conifer and deciduous woodlands, coastal scrub, grassland, and chaparral. Roost in crevices in cliff faces, high buildings, trees, and tunnels. Nursery roosts are tight rock crevices at least 35 inches deep and 2 inches wide, or crevices in buildings.	**Not Present** No suitable habitat present within the survey area.
Lasiurus frantzii Western red bat	-- / CSC / --	Roosting and nursery habitat include trees and sometimes shrubs in forests and woodlands from sea level up through mixed conifer forests. Roost sites are often in edge habitats adjacent to streams, fields, or urban areas. Preferred roost sites are protected from above, open below, and located above dark groundcover. Feeds over a wide variety of habitats, including grasslands, shrublands, open woodlands and forests, and croplands.	**Unlikely** No suitable habitat present within the survey area.

Species	Status (USFWS/CDFW/ CNPS)	General Habitat	Potential Occurrence within Survey Area
Taxidea taxus American badger	-- / CSC / --	Dry, open grasslands, fields, pastures savannas, and mountain meadows near timberline are preferred. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds.	**Unlikely** Suitable habitat is not present within the survey area. Mammal burrows identified during project site survey however no sign of American badger activity and burrows were not of sufficient depth or diameter to support this species.
Vulpes macrotis mutica San Joaquin Kit fox	FE / ST / --	Open, level areas with loose-textured soils supporting scattered, shrubby vegetation with little human disturbance. Live in annual grasslands or grassy open stages dominated by scattered brush, shrubs, and scrub.	**Unlikely** The CNDDB identifies a historic occurrence of this species within the survey area; however, due to the active agricultural activities, suitable habitat for this species is not present. In addition, no burrows of sufficient size to support this species were observed during the survey effort.
BIRDS			
Agelaius tricolor Tricolored blackbird (nesting colony)	-- / ST / --	Nest in colonies in dense riparian vegetation, along rivers, lagoons, lakes, and ponds. Forages over grassland or aquatic habitats.	**Unlikely** Suitable habitat is not present within the survey area.
Aquila chrysaetos Golden eagle (nesting & wintering)	-- / CFP / --	Use rolling foothills, mountain terrain, wide arid plateaus deeply cut by streams and canyons, open mountain slopes, cliffs, and rocky outcrops. Nest in secluded cliffs with overhanging ledges as well as large trees.	**Unlikely** Suitable nesting habitat is not present within the survey area.
Athene cunicularia Burrowing owl (burrow sites & some wintering sites)	-- / CSC / --	Year-round resident of open, dry grassland and desert habitats, and in grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. Frequent open grasslands and shrublands with perches and burrows. Use rodent burrows (often California ground squirrel) for roosting and nesting cover. Pipes, culverts, and nest boxes may be substituted for burrows in areas where burrows are not available.	**Unlikely** Suitable habitat is not present within the survey area. Mammal burrows were identified during project site survey however no sign of burrowing owl activity was observed. Active agricultural practices preclude this species from nesting or overwintering.
Buteo swainsoni Swainson's hawk (nesting)	-- / ST / --	Generally found associated with plains, range, open hills, and sparse trees. Suitable nesting habitat includes trees within mature riparian forest or corridors, lone oak trees and oak groves, and mature roadside trees. Nest sites are generally adjacent to, or within easy flying distance to suitable foraging habitat that provides available prey resources. Within California, the majority of breeding for this species occurs within the Central Valley.	**Low** Trees present within the survey area may provide suitable nesting habitat; however most of the breeding for this species occurs within the Central Valley.

Species	Status (USFWS/CDFW/ CNPS)	General Habitat	Potential Occurrence within Survey Area
Circus hudsonius Northern harrier (nesting)	-- / CSC / --	Generally found in flat open areas with tall, dense grasses, shrubs, and edges for cover and breeding. Use tall grasses in wetlands or at wetland borders for nesting.	**Unlikely** No suitable nesting habitat within the survey area.
Haliaeetus leucocephalus Bald eagle	-- / SE/ --	Perches high in large, stoutly limbed trees, on snags or broken-topped trees, or on rocks near waters. Roosts communally in winter in dense, sheltered, remote conifer stands. Nests in large, old-growth, or dominant live tree with open branchwork, especially ponderosa pine. Often chooses largest tree in a stand on which to build stick platform nest. Require large bodies of water, or free flowing rivers with abundant fish.	**Unlikely** No suitable habitat for nesting within the survey area.
Riparia riparia Bank swallow (nesting)	-- / ST / --	Nest colonially in steep sand, dirt, or gravel banks, in burrows dug near the top of the bank, along the edge of inland water, or along the coast, or in gravel pits, road embankments, etc. Found near water, fields, marshes, streams, and lakes.	**Unlikely** No suitable nesting habitat within the survey area.
REPTILES AND AMPHIBIANS			
Ambystoma californiense California tiger salamander	FT / ST / --	Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Need underground refuges and vernal pools or other seasonal water sources.	**Moderate** Ruderal habitat within the survey area may provide suitable upland habitat and small mammal burrows were documented within this area. Active agriculture areas may also provide marginal upland habitat. No breeding habitat is present within the survey area; however a pond is present approximately 0.1 mi (0.2 km) from the proposed development lots within proposed lot 1. The closest CNDDB occurrence is approximately 2.6 (4.2 km) from the survey area. Several other aquatic resources that may provide breeding habitat are present within the dispersal distance to the survey area.
Emys marmorata Western pond turtle	-- / CSC / --	Associated with permanent or nearly permanent water in a wide variety of habitats including streams, lakes, ponds, irrigation ditches, etc. Require basking sites such as partially submerged logs, rocks, mats of vegetation, or open banks.	**Unlikely** No suitable habitat within the survey area. The agricultural pond located 0.1 mi west of the survey area within the proposed lot 1 is void of basking sites and dense vegetation and unlikely to support this species. In addition, the survey area is not within the distance that this species is known to move from ponds to nest (100 m).

Species	Status (USFWS/CDFW/ CNPS)	General Habitat	Potential Occurrence within Survey Area
Masticophis flagellum ruddocki San Joaquin whipsnake	-- / CSC / --	Variety of habitats-deserts, scrub land, juniper-grassland, woodland, thorn forest, and farmland. Usually avoids dense vegetation. Ranges from Arbuckle in the Sacramento Valley in Colusa County southward to the Grapevine in the Kern County portion of the San Joaquin Valley and westward into the inner South Coast Ranges. An isolated population also occurs in the Sutter Buttes.	**Low** Lack of or poor-quality habitat within the survey area.
Phrynosoma blainvillii Coast horned lizard	-- / CSC / --	Associated with open patches of sandy soils in washes, chaparral, scrub, and grasslands.	**Unlikely** No suitable habitat present within the survey area.
Rana boylii Foothill yellow-legged frog (Central Coast DPS)	FT / SE / --	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats, including hardwood, pine, and riparian forests, scrub, chaparral, and wet meadows. Rarely encountered far from permanent water.	**Unlikely** No suitable habitat within the survey area.
Rana draytonii California red-legged frog	FT / CSC / --	Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows.	**Low** Only poor-quality habitat is present within the survey area. The agricultural pond located approximately 0.1 mile from the survey area within proposed lot 1 generally lacks vegetation within and surrounding the pond to support this species and therefore has a low potential to support breeding. The closest CNDDB occurrence is approximately 2 miles northwest from the survey area.
Spea hammondii Western spadefoot	-- / CSC / --	Grasslands with shallow temporary pools are optimal habitats for the western spadefoot. Occur primarily in grassland habitats but can be found in valley and foothill woodlands. Vernal pools are essential for breeding and egg laying.	**Unlikely** No suitable habitat within the survey area.
Taricha torosa torosa Coast Range newt (Monterey County south only)	-- / CSC / --	Occurs mainly in valley-foothill hardwood, valley-foothill hardwood-conifer, coastal scrub, and mixed chaparral but is known to occur in grasslands and mixed conifer types. Seek cover under rocks and logs, in mammal burrows, rock fissures, or man-made structures such as wells. Breed in intermittent ponds, streams, lakes, and reservoir.	**Unlikely** No suitable habitat within the survey area.
FISH			
Lavinia exilicauda harengus Monterey hitch	-- / CSC / --	Found only within the Pajaro and Salinas River systems. Can occupy a wide variety of habitats, however, they are most abundant in lowland areas with large pools or small reservoirs that mimic such conditions. May be found in brackish water conditions within the Salinas River lagoon during the early summer months when the sandbar forms at the mouth of the river.	**Not Present** Suitable habitat is not present within the survey area.

Species	Status (USFWS/CDFW/ CNPS)	General Habitat	Potential Occurrence within Survey Area
INVERTEBRATES			
Branchinecta lynchi Vernal pool fairy shrimp	FT / -- / --	Require ephemeral pools with no flow. Associated with vernal pool/grasslands from near Red Bluff (Shasta County), through the central valley, and into the South Coast Mountains Region. Require ephemeral pools with no flow.	**Not Present** Suitable habitat is not present within the survey area.
PLANTS			
Arctostaphylos pajaroensis Pajaro manzanita	-- / -- / 1B	Chaparral on sandy soils at elevations of 30-760 meters. Evergreen shrub in the Ericaceae family; blooms December-March.	**Unlikely** Suitable habitat is not present within the survey area.
Astragalus tener var. *tener* Alkali milk-vetch	-- / -- / 1B	Playas, valley and foothill grassland on adobe clay, and vernal pools on alkaline soils at elevations of 1-60 meters. Annual herb in the Fabaceae family; blooms March-June.	**Unlikely** Suitable habitat is not present within the survey area, and the survey area is not within the elevation tolerance range of the plant.
Delphinium californicum ssp. interius Hospital Canyon California larkspur	-- / -- / 1B	Openings in chaparral, coastal scrub, and mesic areas of cismontane woodland at elevations of 230-1095 meters. Perennial herb in the Ranunculaceae family; blooms April-June.	**Unlikely** Suitable habitat is not present within the survey area.
Deinandra halliana Hall's tarplant	-- / -- / 1B	Chenopod scrub, cismontane woodland, and valley and foothill grassland on clay soils at elevations of 260-950 meters. Annual herb in the Asteraceae family; blooms April-May.	**Unlikely** Suitable habitat is not present within the survey area.
Dudleya abramsii ssp. setchellii Santa Clara Valley dudleya	-- / -- / 1B	Cismontane woodland and valley and foothill grasslands on rocky serpentinite soils, at elevations of 60-455 meters. Perennial herb in the Crassulaceae family; blooms April-October.	**Unlikely** No suitable habitat within the survey area.
Eriogonum heermannii var. occidentale Western Heermann's buckwheat	-- / -- / 1B	Often serpentinite; usually roadsides or alluvium floodplains, rarely clay or shale slopes. Cismontane woodland (openings). 102-986 meters, blooms July-October.	**Unlikely** Suitable habitat is not present within the survey area.
Eriogonum nortonii Pinnacles buckwheat	-- / -- / 1B	Chaparral and valley and foothill grassland on sandy soils, often on recent burns, at elevations of 300-975 meters. Annual herb in the Polygonaceae family; blooms May-September.	**Unlikely** Suitable habitat is not present within the survey area.
Eryngium aristulatum var. hooveri Hoover's button-celery	-- / -- / 1B	Vernal pools at elevations of 3-45 meters. Annual/perennial herb in the Apiaceae family; blooms June-August.	**Unlikely** Suitable habitat is not present within the survey area. The survey area is not within the elevation tolerance range of the plant
Eryngium spinosepalum Spiny-sepaled button celery	-- / -- / 1B	Valley and foothill grassland and vernal pools at elevations of 80-975 meters. Annual/perennial herb in the Apiaceae family; blooms April-June. Loam soils with a pH 5.9-8.1.	**Unlikely** Suitable habitat is not present within the survey area.

Species	Status (USFWS/CDFW/ CNPS)	General Habitat	Potential Occurrence within Survey Area
Extriplex joaquiniana San Joaquin spearscale	-- / -- / 1B	Meadows and seeps, playas, chenopod scrub, and valley and foothill grassland on alkaline soils at elevations of 1-835 meters. Annual herb in the Chenopodiaceae family; blooms April-October.	**Unlikely** Suitable habitat is not present within the survey area.
Lessingia micradenia var. glabrata Smooth lessingia	-- / -- / 1B	Chaparral and cismontane woodlands on serpentinite soils, often on roadsides, at elevations of 120-420 meters. Annual herb in the Asteraceae family; blooms July-November.	**Unlikely** Suitable habitat is not present within the survey area.
Malacothamnus aboriginum Indian Valley bush-mallow	-- / -- / 1B	Chaparral and cismontane woodland on rocky or granitic soils, often in burned areas, at elevations of 150-1700. Deciduous shrub in the Malvaceae family; blooms April-October.	**Unlikely** Suitable habitat is not present on within the survey area.
Malacothamnus hallii Hall's bush mallow	-- / -- / 1B	Chaparral and coastal scrub at elevations of 10-760 meters. Perennial evergreen shrub in the Malvaceae family; blooms May-October.	**Unlikely** Suitable habitat is not present within the survey area.
Monolopia gracilens Woodland wollythreads	-- / -- / 1B	Openings of broadleaved upland forest, chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland on serpentinite soils at elevations of 100-1200 meters. Annual herb in the Asteraceae family; blooms February-July.	**Unlikely** Suitable habitat is not present on within the survey area.
Navarretia nigelliformis ssp. *radians* Shining navarretia	-- / -- / 1B	Cismontane woodland, valley and foothill grasslands, and vernal pools at elevations of 76-1000 meters. Annual herb in the Polemoniaceae family; blooms April-July.	**Unlikely** Suitable habitat is not present on within the survey area.
Navarretia prostrata Prostrate vernal pool navarretia	-- / -- / 1B	Meadows, seeps, vernal pools, and mesic areas of coastal scrub and valley and foothill grassland at elevations of 15-2110 meters. Annual herb in the Polemoniaceae family; blooms April-July.	**Unlikely** Suitable habitat is not present on within the survey area.
Plagiobothrys glaber Hairless popcorn-flower	-- / -- / 1A	Alkaline meadows and seeps, and coastal salt marshes and swamps at elevations of 15-180 meters. Annual herb in the Boraginaceae family; blooms March-May.	**Unlikely** Suitable habitat is not present within the survey area.
Ravenelia exigua Chaparral harebell	-- / -- / 1B	Thrives on the chaparral ecosystem on dry, fire-prone hillsides at elevations of 80-1300 meters. Serpentine, rocky and gravel soils. Annual herb in the Campanulaceae Family; blooms May-June	**Unlikely** Suitable habitat is not present within the survey area.
Trifolium hydrophilum Saline clover	-- / -- / 1B	Marshes and swamps, mesic and alkaline valley and foothill grassland, and vernal pools at elevations of 0-300 meters. Annual herb in the Fabaceae family; blooms April-June.	**Unlikely** Suitable habitat is not present within the survey area.

STATUS DEFINITIONS

Federal

FE = listed as Endangered under the federal Endangered Species Act
FT = listed as Threatened under the federal Endangered Species Act
-- = no listing

California Native Plant Society

1A = California Rare Plant Rank 1A species; plants presumed extirpated in California and either rare or extinct elsewhere
1B = California Rare Plant Rank 1B species; plants rare, threatened, or endangered in California and elsewhere
-- = no listing

State

SE = listed as Endangered under the California Endangered Species Act
ST = listed as Threatened under the California Endangered Species Act
SC = Candidate for listing under California Endangered Species Act
CFP = California Fully Protected Species
CSC = CDFW Species of Concern
-- = no listing

POTENTIAL TO OCCUR

Present	= known occurrence of species within the site; presence of suitable habitat conditions; or observed during field surveys
High	= known occurrence of species in the vicinity from the CNDDB or other documentation; presence of suitable habitat conditions
Moderate	= known occurrence of species in the vicinity from the CNDDB or other documentation; presence of marginal habitat conditions within the site
Low	= species known to occur in the vicinity from the CNDDB or other documentation; lack of suitable habitat or poor quality
Unlikely	= species not known to occur in the vicinity from the CNDDB or other documentation, no suitable habitat is present within the site
Not Present	= species was not observed during surveys

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Appendix B

Geotechnical Investigation Report

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GEOTECHNICAL INVESTIGATION
DESIGN PHASE

FOR
PROPOSED RESIDENTIAL CONSTRUCTION
1175 COMSTOCK (APN 017-030-015)
HOLLISTER, SAN BENITO COUNTY, CALIFORNIA

PREPARED FOR
FRANK RUSSELL
PROJECT NO. 21-293-SB

PREPARED BY

BUTANO GEOTECHNICAL ENGINEERING, INC.
JANUARY 2022

BUTANO GEOTECHNICAL ENGINEERING, INC.
231 GREEN VALLEY ROAD, SUITE E, FREEDOM, CALIFORNIA 95019
PHONE: 831.724.2612
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January 17, 2022
Project No. 21-220-SB

Frank Russell
1175 Comstock Lane
Hollister, CA 95023

SUBJECT: **GEOTECHNICAL INVESTIGATION - DESIGN PHASE**
Proposed Residential Construction
1175 Comstock Lane (APN 017-030-015)
Hollister, San Benito County, California

Dear Mr. Russell:

In accordance with your authorization, we have completed a geotechnical investigation for the subject project. This report summarizes the findings, conclusions, and recommendations from our field exploration, laboratory testing, and engineering analysis. It is a pleasure being associated with you on this project. If you have any questions, or if we may be of further assistance, please do not hesitate to contact our office.

Sincerely,

BUTANO GEOTECHNICAL ENGINEERING, INC.

PROFESSIONAL ENGINEER
GREG BLOOM
C.E. 58819
CIVIL
STATE OF CALIFORNIA

Greg Bloom, PE, GE
Principal Engineer

Appendices
Appendix A Figures and Standard Details
Appendix B Field Exploration Program
Appendix C Laboratory Testing Program

Distribution: (4) Addressee

1.0 INTRODUCTION

This report presents the results of our geotechnical investigation for the proposed residential construction at 1175 Comstock Lane (APN 017-030-015) in unincorporated Hollister, San Benito County, California.

The purpose of our investigation is to provide information regarding the surface and subsurface soil conditions and provide geotechnical recommendations for the design of the proposed construction. Conclusions and recommendations related to site grading, foundations, driveways and drainage are presented herein.

This work included site reconnaissance, subsurface exploration, soil sampling, laboratory testing, engineering analyses, and preparation of this report. The scope of services for this investigation is outlined in our agreement dated October 18, 2021.

The recommendations contained in this report are subject to the limitations presented in Section 8.0 of this report. The Association of Engineering Firms Practicing the Geosciences has produced a pamphlet for your information titled *Important Information About Your Geotechnical Report*. This pamphlet has been included with the copies of your report.

2.0 FIELD EXPLORATION AND LABORATORY TESTING PROGRAMS

Our field exploration program included drilling, logging, and interval sampling of 6 borings advanced on November 16, 2021 with truck mounted 6 inch solid stem augers. The borings were advanced to depths ranging from 4 ½ to 16 ½ feet below existing grade. Details of the field exploration program, including the Boring Logs, are presented in Appendix B.

Representative samples obtained during the field investigation were taken to the laboratory for testing to determine physical and engineering properties. Details of the laboratory testing program are outlined in Appendix C. Test results are presented on the Boring Logs and in Appendix C.

3.0 SITE DESCRIPTION

3.1 Location

The project site is located northeast of Highway 25 in unincorporated Hollister, San Benito County, California. The site location is shown on the Site Location Plan, Appendix B, Figure B-1.

3.2 Surface Conditions

The site is irregular in shape and located in a rural neighborhood. The lot is approximately 38 acres in size and slopes gently to the south. The parcel is improved with a single-family residence and multiple other structures in the north and west.

The eastern portion of the parcel consists of grassland that slopes gently to the south.

3.3 Subsurface Conditions

A total of six borings were advanced to depths ranging from 4 ½ to 16 ½ feet below existing grade. The site is mapped as being underlain by older alluvium (Qoa) which is consistent with our investigation.

The borings generally encountered stiff to hard lean to fat clay within the depths explored. Thin gravel lenses were encountered in borings B1 and B3.

Groundwater was not encountered in any of the borings. The depth to groundwater will vary seasonally.

4.0 PROJECT DESCRIPTION

Based on our discussions with the client the project will consist of subdividing the parcel. Three additional parcels (Lots 1 through 3) will be created along the eastern boundary adjacent to Bluff Drive. The parcels will be approximately 5 acres in size and single-family residences are proposed on each new site. The existing improvements will remain on Lot 4.

5.0GEOTECHNICAL HAZARDS

5.1 General

In our opinion the geotechnical hazards that could potentially affect the proposed project are:

- Intense seismic shaking
- Collateral seismic hazards

5.2 Intense Seismic Shaking

Intense seismic shaking may occur at the site during the design lifetime of the proposed structure from an earthquake along one of the local fault systems. Generally, the intensity of shaking will increase the closer the site is to the epicenter of an earthquake, however, seismic shaking is a complex phenomenon and may be modified by local topography and soil conditions. The transmission of earthquake vibrations from the ground into the structure may cause structural damage.

San Benito County has adopted the seismic provisions set forth in the 2019 California Building Code to address seismic shaking. The seismic provisions in the 2019 CBC are minimum load requirements for the seismic design for the proposed structure. The provisions set forth in the 2016 CBC will not prevent structural and nonstructural damage from direct fault ground surface rupture, coseismic ground cracking, liquefaction and lateral spreading, seismically induced differential compaction, seismically induced landsliding, or seismically induced inundation.

Table 1 has been constructed based on the 2019 CBC requirements as adopted from the ASCE 7 provisions for the seismic design of the proposed structure. The Site Class has been determined based on our field investigation and laboratory testing.

Table 1. Seismic Design Parameters

S_S	S_1	Site Class	F_a	F_v	S_{MS}	S_{M1}	S_{DS}	S_{D1}	Occupancy Category	Seismic Design Category
1.673	0.611	D	1.2	Null*	2.007	Null*	1.338	Null*	II	Null*

(Latitude: 36.9258649, Longitude: -121.3548681)

*Site specific analysis required for site class D and building structures having a period within the velocity domain of the design response spectrum (T_s <T<=T_L).

5.4 Collateral Seismic Hazards

In addition to intense seismic shaking, other seismic hazards that may have an adverse affect to the site and/or the structure are: coseismic ground cracking, seismically induced liquefaction and lateral spreading, seismically induced differential compaction, seismically induced landsliding, and seismically induced inundation (tsunami and seiche). It is our opinion that these hazards are low.

6.0 DISCUSSIONS AND CONCLUSIONS

The foundation zone soils consists of moderately expansive soil. Two swell tests were performed on representative samples of the lean to fat clay. The result of the swell tests were between 1600 and 2000 psf. Based on these test results the foundation design will need to mitigate potential expansion.

In addition, the building sites have been farmed on a regular basis. This has disturbed the upper 18 to 24 inches of soil.

7.0 RECOMMENDATIONS

7.1 General

Based on the results of our field investigation, laboratory testing, and engineering analysis it is our opinion that from the geotechnical standpoint, the subject site will be suitable for the proposed construction.

The site is underlain by lean to fat clay which can exhibit moderate shrink/swell potential with variations in moisture content.

7.2 Site Grading

7.2.1 Site Clearing

The site should be cleared of loose soil, organics, and debris within the project limits.

7.2.2 Preparation of On-Site Soils

Site Grading-General

The upper 24 inches of soil should be over-excavated and replaced as an engineered fill.

All fill should be compacted to a minimum of 90 percent relative compaction based on the optimum moisture and density in accordance with ASTM D1557.

Engineered fill should be well mixed and homogenous, moisture conditioned to 1 to 3 percent over optimum moisture, placed in relatively thin lifts, and compacted using heavy vibratory equipment.

Areas to receive fill should be scarified, moisture conditioned to 1 to 3 percent over optimum moisture and compacted to a minimum of 90 percent relative compaction.

The on-site soil may be re-used as engineered fill if a structural slab-on-grade is designed. Conventional shallow foundations and non-structural slab-on-grades should be underlain by imported granular engineered fill.

Imported fill material should be approved by a representative of Butano Geotechnical Engineering, Inc. prior to importing. Imported fill should be primarily granular with no material greater than 2½ inches in diameter and no more than 20 percent of the material passing the #200 sieve. The fines fraction of the fill should not consist of expansive material. The Geotechnical Engineer should be notified not less than 5 working days in advance of placing any fill or base course material proposed for import. Each proposed source of import material should be sampled, tested, and approved by the

Geotechnical Engineer prior to delivery of any soils imported for use on the site.

Imported engineered fill should be compacted to a minimum of 90 percent relative compaction per ASTM1557.

Any surface or subsurface obstruction, or questionable material encountered during grading, should be brought immediately to the attention of the Geotechnical Engineer for proper processing as required.

Paved Areas

The upper 6 inches of subgrade should be scarified, moisture conditioned to 1 to 2 percent over optimum and compacted to a minimum of 93 percent relative compaction. All aggregate baserock should be compacted to a minimum of 95 percent relative compaction. A minimum of 10 inches of aggregate baserock is recommended under paved areas. This should extend a minimum of 2 feet laterally of all paved areas.

7.2.3 Cut and Fill Slopes

Cut and fill slopes are not planned for this project.

7.2.4 Excavating Conditions

The on-site soil may be excavated with standard earthwork equipment.

7.2.5 Surface Drainage

Positive drainage should be maintained away from the structures at a minimum gradient of 3 percent for 10 feet.

7.2.6 Utility Trenches

Bedding material should consist of sand with SE not less than 30 which may then be jetted.

The on-site native soils may be utilized for trench backfill in landscaped areas. Imported engineered fill should be utilized in areas to be paved. Imported fill should be free of organic material and rocks over 2.5 inches in diameter.

If sand is used, a 3 foot concrete plug should be placed in each trench where it passes under the exterior footings.

Backfill of all exterior and interior trenches should be placed in thin lifts not to exceed 8 inches and mechanically compacted to achieve a relative compaction of not less than 95 percent in paved areas and 90 percent in other areas per ASTM D1557. Care should be taken not to damage utility lines.

Utility trenches that are parallel to the sides of a building should be placed so that they do not extend below a line sloping down and away at an inclination of 1:2 H:V from the bottom outside edge of all footings.

Trenches should be capped with 1 1/2 feet of relatively impermeable material. Import material must be approved by the Geotechnical Engineer prior to its use.

Trenches must be shored as required by the local regulatory agency, the State of California Division of Industrial Safety Construction Safety Orders, and Federal OSHA requirements.

7.3 Foundations

We are providing two options for foundations: 1. a structural slab-on-grade and 2. a conventional shallow foundation.

7.3.1 Structural Slab-on-Grade

General

A structural slabs-on-grade may be designed to mitigate against potential heave. The client can expect some cracking of the slab with this design. The subgrade should consist of 24 inches of on-site or imported engineered fill per section 7.2.2.

This option consists of constructing a post- tensioned slab-on-grade or structural slab-on-grade that is designed to mitigate heave potential based on its rigidity. Slabs should be designed in accordance with the latest recommendations of the Post-Tensioning Institute using the following criteria.

a. Depth to constant moisture= 6 feet from existing grade

b. Effective Plasticity Index=30
c. Allowable Bearing Capacity=2,000 psf
d. e_m=7.7 for center lift and 3.7 for edge lift
e. y_m=0.497 for center lift and 1.225 for edge lift

Capillary Break and Vapor Barrier

The following paragraph outlines the minimum capillary break and vapor barrier that shall be utilized for interior slab-on-grades, or slab-on-grades where moisture sensitive floor coverings are anticipated.

The vapor barrier shall consist of a waterproof membrane (**Stegowrap 15 Mil or equivalent**) placed directly below the floor slab and in direct contact with the concrete. Sheet overlap for the vapor barrier shall be a minimum of 6 inches. A 4-inch minimum layer of ¾ inch drainrock shall be placed below the waterproof membrane to act as a capillary break. Care must be taken to not rip the vapor barrier. A 6-inch layer of compacted Class II Baserock may be employed to prevent rips or tears in the vapor barrier if desired, and to keep the subgrade from becoming saturated prior to pouring concrete.

If the manufacturer's recommendations or the project requirements for the capillary break and vapor barrier are more stringent than the minimums outlined above, the designer should follow those recommendations and requirements. Recommendations by the manufacturer may include but is not limited to specifications for; concrete mix design, puncture resistance of vapor barrier, permeance of vapor barrier, soil flatness, capillary break section, structural section, and testing recommendations.

7.3.2 Conventional Shallow Foundations

General

The proposed improvements may be supported on conventional shallow foundations.

Foundations should bear on 24 inches of granular imported engineered fill per section 7.2.2.

Footing excavations for the new foundation must be checked by the Geotechnical Engineer before steel is placed and concrete is poured.

Conditions encountered under the existing residence may differ from those encountered in our geotechnical borings, any soft or unsuitable soil within the foundation zone will require mitigation during construction as directed by the geotechnical engineer.

Footing Dimensions

Footing widths should be based on the allowable bearing value but not less than 15 inches. The minimum recommended depth of embedment is 12 inches. Embedment depths should not be allowed to be affected adversely, such as through erosion, softening, digging, etc. Should local building codes require deeper embedment of the footings or wider footings, the local codes must apply.

Bearing Capacity

The allowable bearing capacity used should not exceed 2,000 psf for footings bearing on engineered fill. The allowable bearing capacity may be increased by one-third in the case of short duration loads, such as those induced by wind or seismic forces. In the event that footings are founded in structural fill consisting of imported materials, the allowable bearing capacities will depend on the type of these materials and should be re-evaluated.

Lateral Resistance

Friction coefficient - 0.30, between the engineered fill and rough concrete. A passive resistance of 300 pcf may be assumed below a depth of 12 inches for engineered fill. Where both friction and the passive resistance are utilized for sliding resistance, either of the values indicated should be reduced by one-third.

7.3.3 Non-structural Slabs-on-Grade

General

We recommend that non-structural concrete slabs-on-grade be founded on 24 inches of imported granular engineered fill per section 7.2.2. These slabs-on-grade should be physically separated from the house foundation.

The subgrade should be proof-rolled just prior to construction to provide a firm, relatively unyielding surface, especially if the surface has been loosened by the passage of construction traffic.

In areas where moisture sensitive floor covering are anticipated the recommendations in the capillary break and vapor barrier section under 7.3.1 should be incorporated into the design.

7.3.4 Settlements

Total and differential settlements beneath the proposed improvements are expected to be within tolerable limits. Vertical movements are not expected to exceed 1 inch. Differential movements are expected to be within the normal range (½ inch) for the anticipated loads.

7.4 Plan Review

The recommendations presented in this report are based on preliminary design information for the proposed project and on the findings of our geotechnical investigation. When completed, the Grading Plans, Foundation Plans and design loads should be reviewed by Butano Geotechnical Engineering, Inc. prior to submitting the plans and contract bidding. Additional field exploration and laboratory testing may be required upon review of the final project design plans.

7.5 Observation and Testing

Field observation and testing must be provided by a representative of Butano Geotechnical Engineering, Inc. to enable them to form an opinion regarding the adequacy of the site preparation, the adequacy of fill materials, and the extent to which the earthwork is performed in accordance with the geotechnical conditions present, the requirements of the regulating agencies, the project specifications, and the recommendations presented in this report. Any earthwork performed in connection with the subject project without the full knowledge of, and not under the direct observation of Butano Geotechnical Engineering, Inc., will render the recommendations of this report invalid.

Butano Geotechnical Engineering, Inc. should be notified at least 5 working days prior to any site clearing or other earthwork operations on the subject project in order to observe the stripping and disposal of unsuitable materials and to ensure coordination with the grading contractor. During this period, a preconstruction meeting should be held on the site to discuss project specifications, observation and testing requirements and responsibilities, and scheduling.

8.0 LIMITATIONS

The recommendations contained in this report are based on our field explorations, laboratory testing, and our understanding of the proposed construction. The subsurface data used in the preparation of this report was obtained from the borings drilled during our field investigation. Variation in soil, geologic, and groundwater conditions can vary significantly between sample locations. As in most projects, conditions revealed during construction excavation may be at variance with preliminary findings. If this occurs, the changed conditions must be evaluated by the Project Geotechnical Engineer and the Geologist, and revised recommendations be provided as required. In addition, if the scope of the proposed construction changes from the described in this report, our firm should also be notified.

Our investigation was performed in accordance with the usual and current standards of the profession, as they relate to this and similar localities. No other warranty, expressed or implied, is provided as to the conclusions and professional advice presented in this report.

This report is issued with the understanding that it is the responsibility of the Owner, or of his Representative, to ensure that the information and recommendations contained herein are brought to the attention of the Architect and Engineer for the project and incorporated into the plans, and that it is ensured that the Contractor and Subcontractors implement such recommendations in the field. The use of information contained in this report for bidding purposes should be done at the Contractor’s option and risk.

This firm does not practice or consult in the field of safety engineering. We do not direct the Contractor's operations, and we are not responsible for other than our own personnel on the site; therefore, the safety of others is the responsibility of the Contractor. The Contractor should notify the Owner if he considers any of the recommended actions presented herein to be unsafe.

The findings of this report are considered valid as of the present date. However, changes in the conditions of a site can occur with the passage of time, whether they be due to natural events or to human activities on this or adjacent sites. In addition, changes in applicable or appropriate codes and standards may occur, whether they result from legislation or the broadening of knowledge. Accordingly, this report may become invalidated wholly or partially by changes outside our control. Therefore, this report is subject to review and revision as changed conditions are identified.

The scope of our services mutually agreed upon did not include any environmental assessment or study for the presence of hazardous to toxic materials in the soil, surface water, or air, on or below or around the site. Butano Geotechnical Engineering, Inc. is not a mold prevention consultant; none of our services performed in connection with the proposed project are for the purpose of mold prevention. Proper implementation of the recommendations conveyed in our reports will not itself be sufficient to prevent mold from growing in or on the structures involved.

REFERENCES

ASTM International (2015). Annual Book of ASTM Standards, Section Four, Construction.Volume 4.08, Soil and Rock (I): D 430 - D 5611.

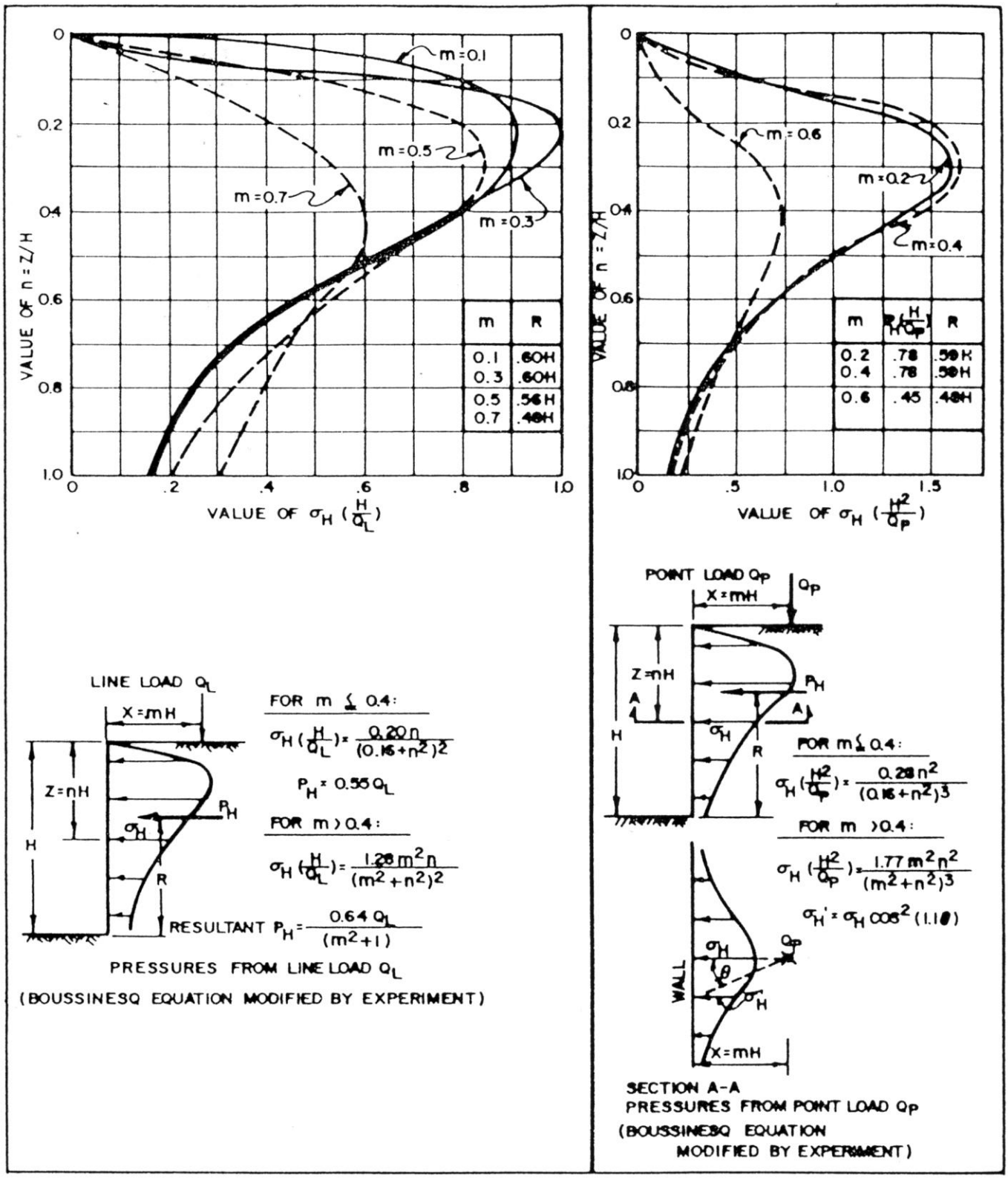
ASTM International (2016). Annual Book of ASTM Standards, Section Four, Construction.Volume 4.09, Soil and Rock (II): D 5714 - Latest.

California Building Code (2016).

Dibblee, T.W., and Minch, J.A. (ed.), 2006, Geologic map of the Tres Pinos quadrangle, San Benito County, California: Dibblee Geological Foundation, Dibblee Foundation Map DF-232, scale 1:24,000.

APPENDIX A

FIGURES AND STANDARD DETAILS



REFERENCE: NAVFAC Design Manual 7.2

Figure 11, Page 7.2-74

BUTANO GEOTECHNICAL ENGINEERING, INC.	**SURCHARGE PRESSURE DIAGRAM**	FIGURE A-1

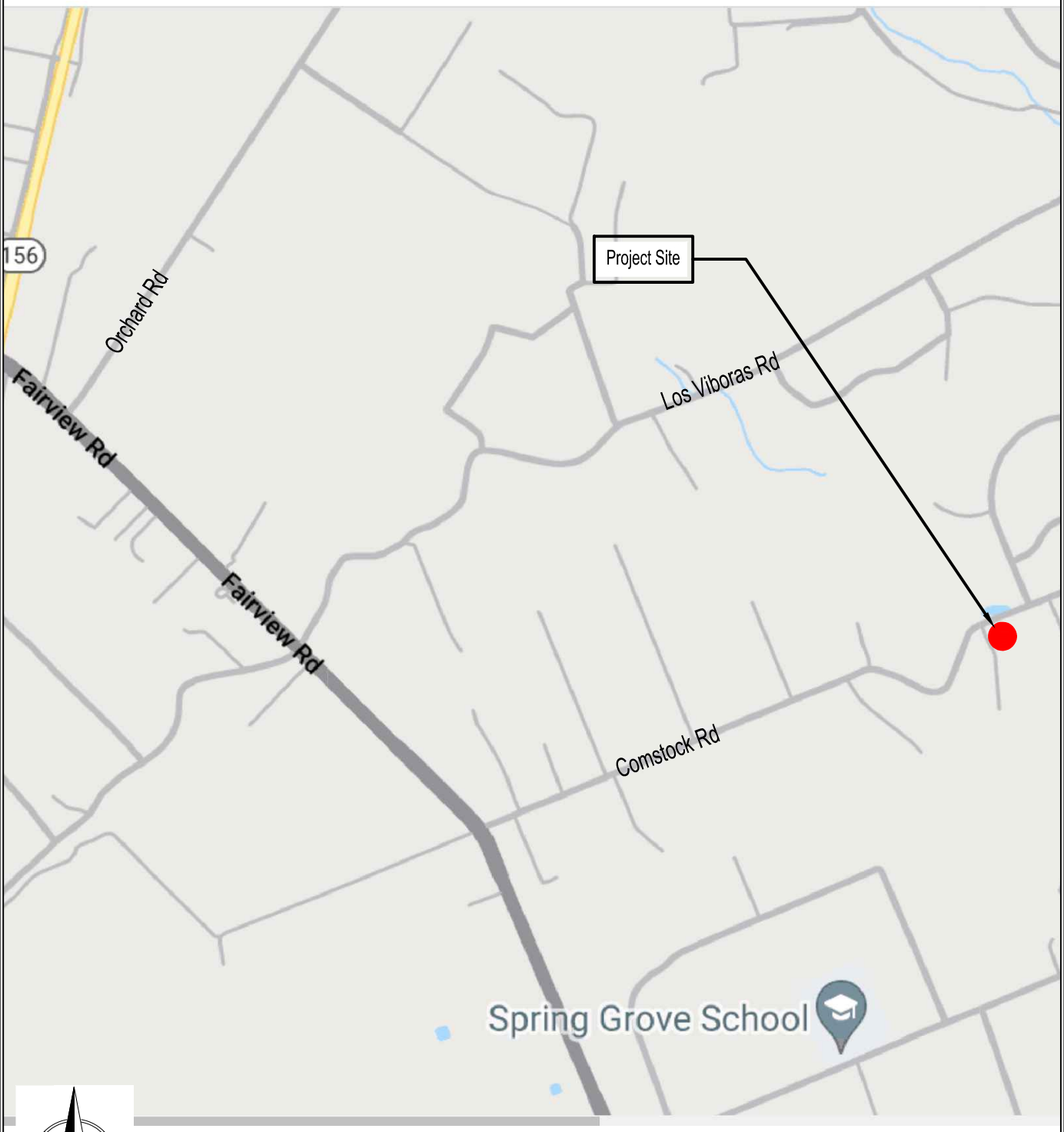
APPENDIX B

FIELD EXPLORATION PROGRAM

FIELD EXPLORATION PROCEDURES

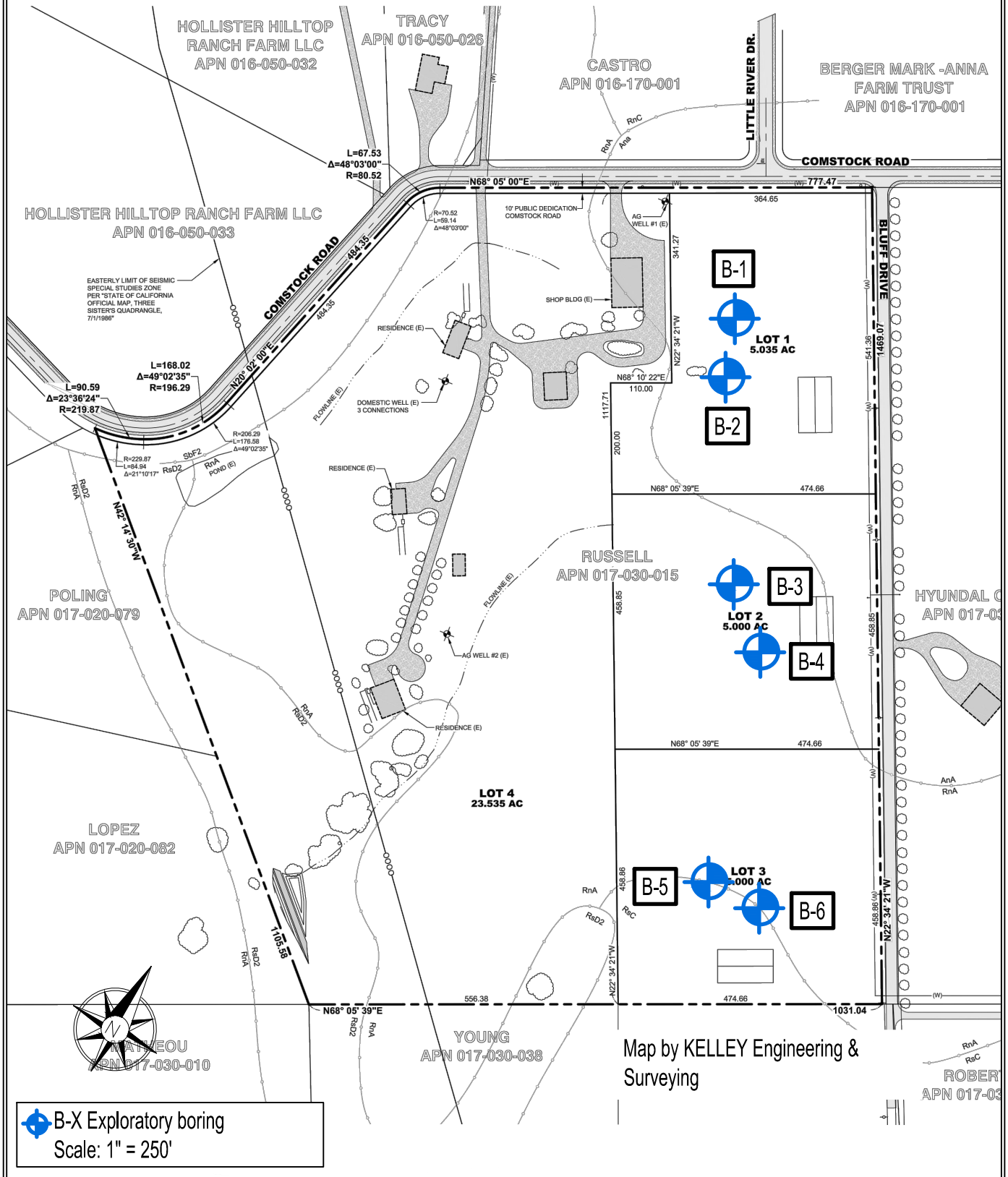
Subsurface conditions were explored by advancing two borings below existing grade. The borings were advanced using a six-inch solid stem auger on a truck mounted drill rig. The Key to The Logs and the Logs of the Boring are included in Appendix B, Figures B-3 through B-9. The approximate locations of the borings are shown on the Boring Site Plan, Figure B-2. The borings were located in the field by tape measurements from known landmarks. Their locations as shown are therefore within the accuracy of such measurement.

The soils encountered in the borings were continuously logged in the field by a representative of Butano Geotechnical Engineering, Inc. Bulk and relatively undisturbed soil samples for identification and laboratory testing were obtained in the field. These soils were classified based on field observations and laboratory tests. The classifications are accordance with the Unified Soil Classification System (USCS: Figure B-3).



N.T.S

BUTANO	**SITE LOCATION PLAN**	FIGURE
GEOTECHNICAL ENGINEERING, INC.	1175 Comstock Road	B-1



BUTANO	**BORING SITE PLAN**	FIGURE
GEOTECHNICAL ENGINEERING, INC.	1175 Comstock Road	B-2

KEY TO LOGS

UNIFIED SOIL CLASSIFICATION SYSTEM

PRIMARY DIVISIONS			GROUP SYMBOL	SECONDARY DIVISIONS
COARSE GRAINED SOILS More than half of the material is larger than the No. 200 sieve	GRAVELS More than half of the coarse fraction is larger than the No. 4 sieve	CLEAN GRAVELS (Less than 5% fines)	GW	Well graded gravels, gravel-sand mixtures, little or no fines
			GP	Poorly graded gravels, gravel-sand mixtures, little or no fines
		GRAVEL WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures, non-plastic fines
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines
	SANDS More than half of the coarse fraction is smaller than the No. 4 sieve	CLEAN SANDS (Less than 5% fines)	SW	Well graded sands, gravelly sands, little or no fines
			SP	Poorly graded sands, gravelly sands, little or no fines
		SAND WITH FINES	SM	Silty sands, sand-silt mixtures, non-plastic fines
			SC	Clayey sands, sand-clay mixtures, plastic fines
FINE GRAINED SOILS More than half of the material is smaller than the No. 200 sieve	SILTS AND CLAYS Liquid limit less than 50		ML	Inorganic silts and very fine sands, silty or clayey fine sands or clayey silts with slight plasticity
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
			OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS Liquid limit greater than 50		MH	Inorganic silts, micaceous or diatomacaceous fine sandy or silty soils, elastic silts
			CH	Inorganic clays of high plasticity, fat clays
			OH	Organic clays of medium to high plasticity, organic silts
HIGHLY ORGANIC SOILS			Pt	Peat and other highly organic soils

GRAIN SIZE LIMITS

SILT AND CLAY	SAND			GRAVEL		COBBLES	BOULDERS
	FINE	MEDIUM	COARSE	FINE	COARSE		

No. 200 No. 40 No. 10 No. 4 3/4 in. 3 in. 12 in.

US STANDARD SIEVE SIZE

RELATIVE DENSITY	
SAND AND GRAVEL	BLOWS/FT*
VERY LOOSE	0 - 4
LOOSE	4 - 10
MEDIUM DENSE	10 - 30
DENSE	30 - 50
VERY DENSE	OVER 50

CONSISTENCY	
SILT AND CLAY	BLOWS/FT*
VERY SOFT	0 - 2
SOFT	2 - 4
FIRM	4 - 8
STIFF	8 - 16
VERY STIFF	16 - 32
HARD	OVER 32

MOISTURE CONDITION	
CLAY	DRY
	MOIST
	SATURATED
SAND	DRY
	DAMP
	WET
	SATURATED

* Number of blows of 140 pound hammer falling 30 inches to drive a 2 inch O.D. (1 3/8 inch I.D.) split spoon (ASTM D-1586).

LOG OF EXPLORATORY BORING

Project No.: 21-293-SB
Project: 1175 Comstock
Date: November 16, 2021
Logged By: GB

Boring: B1
Location:
Elevation:
Method of Drilling: 6 inch diameter solid stem auger, truck mounted

2" Ring Sample | 2.5" Ring Sample | Terzaghi Split Spoon Sample | Bulk Sample
Perched Water Table | Static Water Table | Water Encountered During Drilling
Change in Soil Classification | Gradation or Minor Change in Classification

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows / Foot	N_{60}	Dry Density (pcf)	Moisture Content (%)	Expansion Index	Particle Size (% fines)	Unconfined - q_u (psf)	Atterberg Limits L.L.	Atterberg Limits P.I.
	CL			Brown Lean CLAY, very stiff, slightly moist	43	21	99.9	10.6	31				
					34	31		14.9					
5				hard	51	24	105.5	13.2					
10				hard	25	21		14.0					
				lense of fine gravel									
15				hard	24	20		19.2					
				Boring terminated at a depth of 16 1/2 feet. No groundwater encountered during drilling.									
20													
25													
30													
35													

LOG OF EXPLORATORY BORING

Project No.: 21-293-SB
Project: 1175 Comstock
Date: November 16, 2021
Logged By: GB

Boring: B2
Location:
Elevation:
Method of Drilling: 6 inch diameter solid stem auger, truck mounted

2" Ring Sample | 2.5" Ring Sample | Terzaghi Split Spoon Sample | Bulk Sample
Perched Water Table | Static Water Table | Water Encountered During Drilling
Change in Soil Classification | Gradation or Minor Change in Classification

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows / Foot	N_{60}	Dry Density (pcf)	Moisture Content (%)	Expansion Index	Particle Size (% fines)	Unconfined - q_u (psf)	Atterberg Limits L.L.	Atterberg Limits P.I.
	CL			Brown Lean CLAY, very stiff, moist	65	30	93.2	16.6					
					25	21		16.5					
5				Boring terminated at a depth of 4 1/2 feet. No groundwater encountered during drilling.									
10													
15													
20													
25													
30													
35													

LOG OF EXPLORATORY BORING

Project No.: 21-293-SB
Project: 1175 Comstock
Date: November 16, 2021
Logged By: GB

Boring: B3
Location:
Elevation:
Method of Drilling: 6 inch diameter solid stem auger, truck mounted

2" Ring Sample | 2.5" Ring Sample | Terzaghi Split Spoon Sample | Bulk Sample
Perched Water Table | Static Water Table | Water Encountered During Drilling
Change in Soil Classification | Gradation or Minor Change in Classification

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows / Foot	N_{60}	Dry Density (pcf)	Moisture Content (%)	Expansion Index	Particle Size (% fines)	Unconfined - q_u (psf)	Atterberg Limits L.L.	Atterberg Limits P.I.
	CL			Brown Lean CLAY, very stiff, slightly moist	35	17	110.2	12.3					
				hard, trace sand	50/6"	N/A		8.7					
5				hard	36	33		11.4					
10				very stiff	20	16		21.5					
				Boring terminated at a depth of 11 1/2 feet. No groundwater encountered during drilling.									
15													
20													
25													
30													
35													

LOG OF EXPLORATORY BORING

Project No.: 21-293-SB
Project: 1175 Comstock
Date: November 16, 2021
Logged By: GB

Boring: B4
Location:
Elevation:
Method of Drilling: 6 inch diameter solid stem auger, truck mounted

2" Ring Sample | 2.5" Ring Sample | Terzaghi Split Spoon Sample | Bulk Sample
Perched Water Table | Static Water Table | Water Encountered During Drilling
Change in Soil Classification | Gradation or Minor Change in Classification

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows / Foot	N_{60}	Dry Density (pcf)	Moisture Content (%)	Expansion Index	Particle Size (% fines)	Unconfined - q_u (psf)	Atterberg Limits L.L.	Atterberg Limits P.I.
	CL/CH	☒		Brown Lean to Fat CLAY, very stiff, slightly moist	45	22	100.4	14.8					
					20	16		13.6					
5				Boring terminated at a depth of 4 1/2 feet. No groundwater encountered during drilling.									
10													
15													
20													
25													
30													
35													

LOG OF EXPLORATORY BORING

Project No.: 21-293-SB
Project: 1175 Comstock
Date: November 16, 2021
Logged By: GB

Boring: B5
Location:
Elevation:
Method of Drilling: 6 inch diameter solid stem auger, truck mounted

2" Ring Sample | 2.5" Ring Sample | Terzaghi Split Spoon Sample | Bulk Sample
Perched Water Table | Static Water Table | Water Encountered During Drilling
Change in Soil Classification | Gradation or Minor Change in Classification

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows / Foot	N_{60}	Dry Density (pcf)	Moisture Content (%)	Expansion Index	Particle Size (% fines)	Unconfined - q_u (psf)	Atterberg Limits L.L.	Atterberg Limits P.I.
	CL/CH			Dark brown Lean to Fat CLAY, very stiff, moist	45	22		14.9	40				
				very stiff	14	11		14.3					
5					25	21		13.0					
				very stiff									
				lens of gravel									
10				very stiff	33	30		10.6					
				Boring terminated at a depth of 11 1/2 feet. No groundwater encountered during drilling.									
15													
20													
25													
30													
35													

BUTANO GEOTECHNICAL ENGINEERING, INC.

FIGURE B-8

LOG OF EXPLORATORY BORING

Project No.: 21-293-SB
Project: 1175 Comstock
Date: November 16, 2021
Logged By: GB

Boring: B6
Location:
Elevation:
Method of Drilling: 6 inch diameter solid stem auger, truck mounted

2" Ring Sample | 2.5" Ring Sample | Terzaghi Split Spoon Sample | Bulk Sample
Perched Water Table | Static Water Table | Water Encountered During Drilling
Change in Soil Classification | Gradation or Minor Change in Classification

Depth (ft.)	Soil Type	Undisturbed	Bulk	Description	Blows / Foot	N_{60}	Dry Density (pcf)	Moisture Content (%)	Expansion Index	Particle Size (% fines)	Unconfined - q_u (psf)	Atterberg Limits L.L.	Atterberg Limits P.I.
	CL/CH			Dark brown Lean to Fat CLAY, very stiff, moist	30	15		14.6					
					27	23		14.7					
5				Boring terminated at a depth of 21 1/2 feet. No groundwater encountered during drilling.									
10													
15													
20													
25													
30													
35													

APPENDIX C

LABORATORY TESTING PROGRAM

LABORATORY TESTING PROCEDURES

Classification

Soils were classified according to the Unified Soil Classification System in accordance with ASTM D 2487 and D 2488. Moisture content and density determinations were made for representative samples in accordance with ASTM D 2216. Results of moisture density determinations, together with classifications, are shown on the Boring Logs, Figures B-4 through B-9.

Swell Test

Two one-dimensional swell tests were performed on a representative relatively undisturbed sample in accordance with ASTM D-4546. The result is presented in Figure C-1 and C-2 and shown on the Boring Logs.

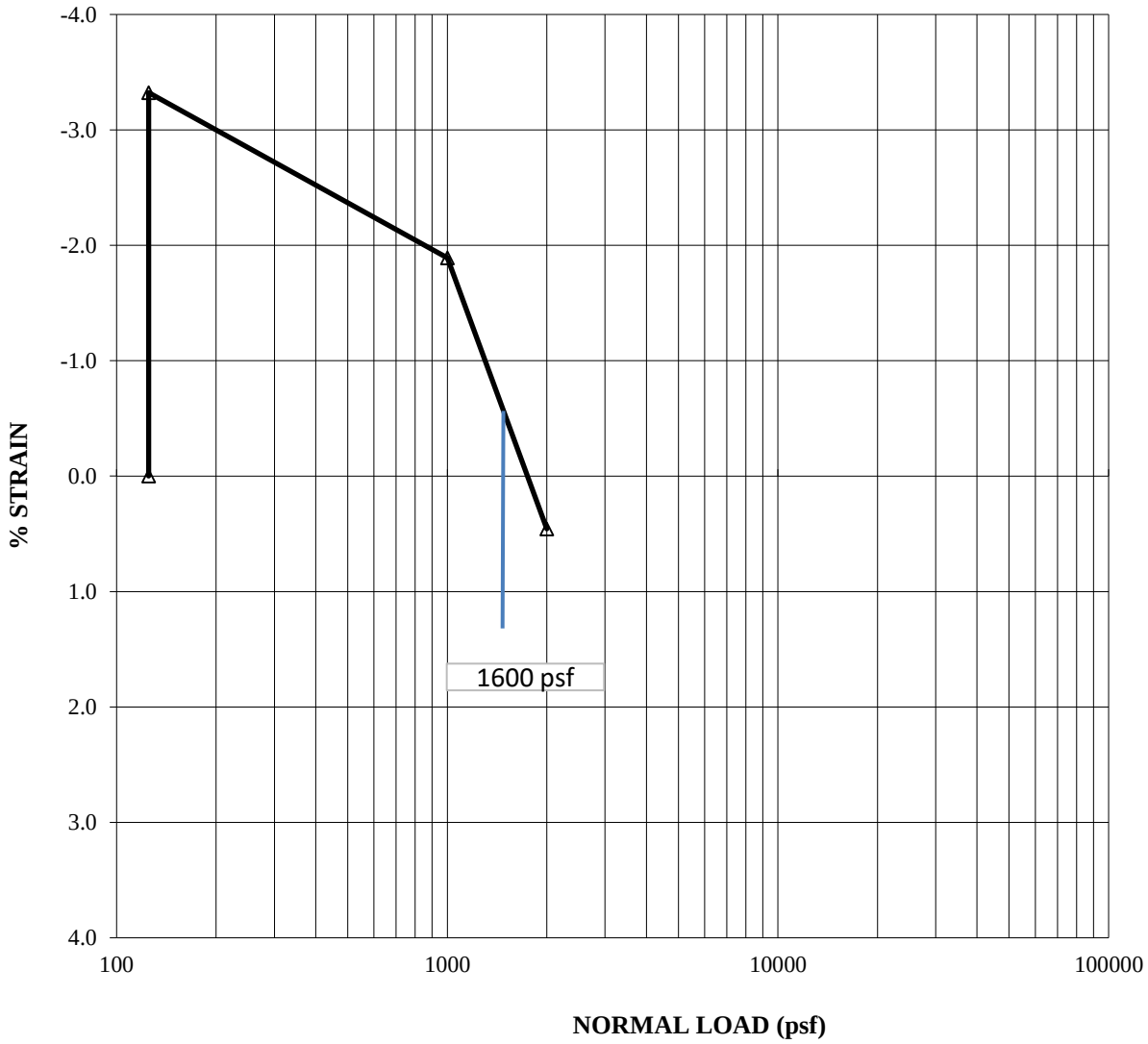
Expansion Index

Two expansion index test was performed on a representative bulk sample of the foundation zone soil in accordance with ASTM D 4829-03. The result is shown on the Boring Logs.

Unconfined Compression

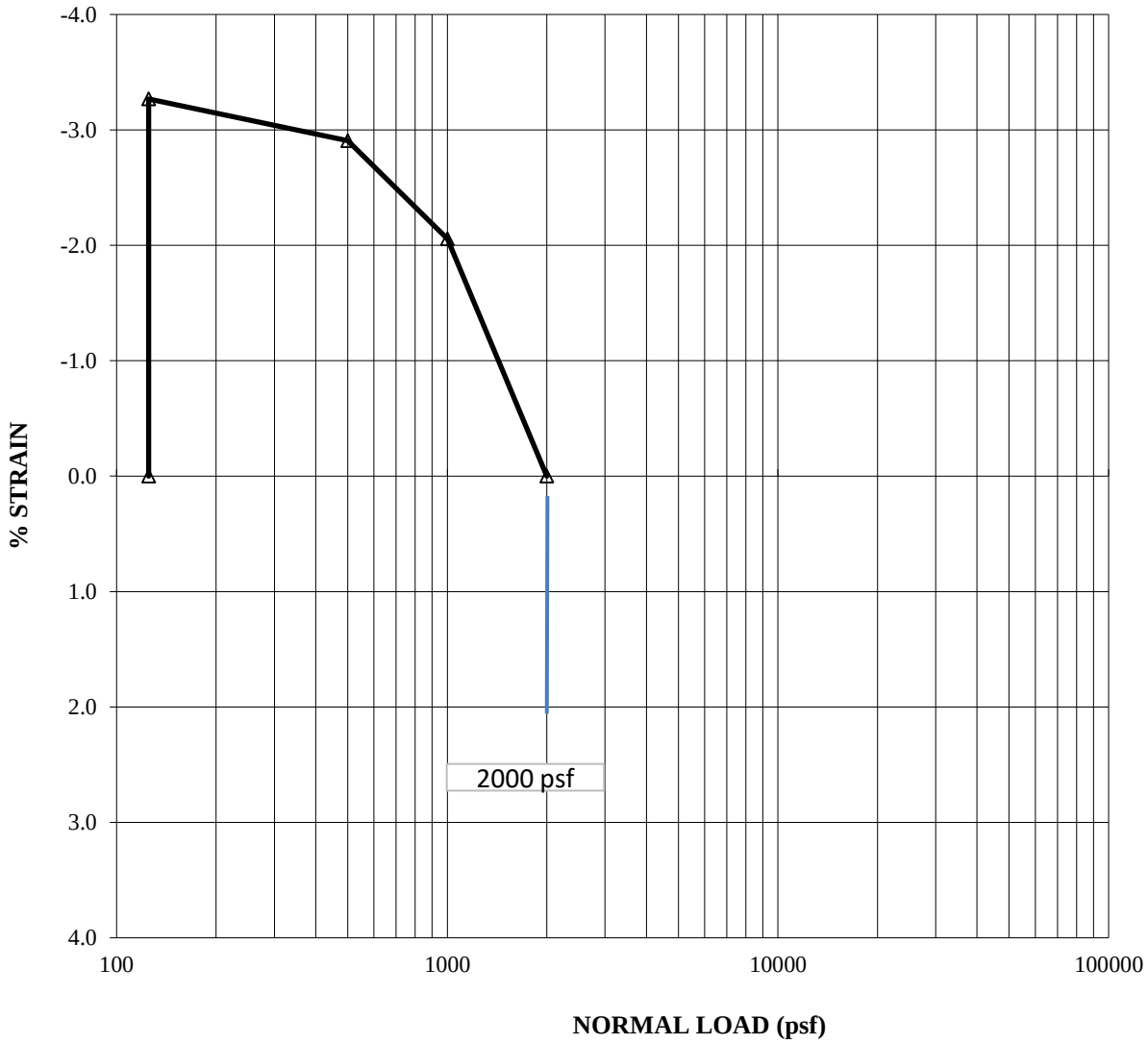
One unconfined compression tests were performed in accordance with ASTM D 2166. The result is shown on the boring logs.

BORING:	B5-1	ASTM D 4546-03	
DEPTH (ft):	2.0		
SOIL TYPE (USCS):	CL/CH	FIELD MOISTURE:	14.9%
		FINAL MOISTURE:	24.3%



BUTANO	**SWELL TEST RESULTS**	FIGURE
GEOTECHNICAL ENGINEERING, INC.	1175 Comstock Lane	C-1

BORING:	B6-1	ASTM D 4546-03	
DEPTH (ft):	2.5		
SOIL TYPE (USCS):	CL/CH	FIELD MOISTURE:	14.6%
		FINAL MOISTURE:	22.2%



BUTANO	**SWELL TEST RESULTS**	FIGURE
GEOTECHNICAL ENGINEERING, INC.	1175 Comstock Lane	C-2

Important Information about Your

Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical engineering study is unique, each geotechnical engineering report is unique, prepared *solely* for the client. No one except you should rely on your geotechnical engineering report without first conferring with the geotechnical engineer who prepared it. *And no one — not even you* — should apply the report for any purpose or project except the one originally contemplated.

Read the Full Report

Serious problems have occurred because those relying on a geotechnical engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

A Geotechnical Engineering Report Is Based on A Unique Set of Project-Specific Factors

Geotechnical engineers consider a number of unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:

- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse,
- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

Subsurface Conditions Can Change

A geotechnical engineering report is based on conditions that existed at the time the study was performed. *Do not rely on a geotechnical engineering report* whose adequacy may have been affected by: the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events, such as floods, earthquakes, or groundwater fluctuations. *Always* contact the geotechnical engineer before applying the report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ—sometimes significantly—from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are *Not* Final

Do not overrely on the construction recommendations included in your report. *Those recommendations are not final,* because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations only by observing actual

subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.*

A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure contractors have sufficient time* to perform additional study. Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations" many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a *geoenvironmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. *Do not rely on an environmental report prepared for someone else.*

Obtain Professional Assistance To Deal with Mold

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, a number of mold prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; ***none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.***

Rely, on Your ASFE-Member Geotechncial Engineer for Additional Assistance

Membership in ASFE/The Best People on Earth exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your ASFE-member geotechnical engineer for more information.

ASFE
THE BEST PEOPLE ON EARTH

8811 Colesville Road/Suite G106, Silver Spring, MD 20910
Telephone: 301/565-2733 Facsimile: 301/589-2017
e-mail: info@asfe.org www.asfe.org

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Appendix C

Soil Profile and Percolation Testing

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REPORT OF SOIL PROFILE TEST PITS AND SOIL PERCOLATION TESTING RUSSELL RESIDENTIAL DEVELOPMENT 1175 COMSTOCK ROAD, HOLLISTER SAN BENITO COUNTY, CALIFORNIA

August 17, 2008

Prepared for

Mr. Frank Russell

Prepared by

Earth Systems Pacific
400 Park Center Drive, Suite 1
Hollister, CA 95023

Earth Systems Pacific

400 Park Center Drive, Suite 1
Hollister, California 95023

(831) 637-2133 • FAX (831) 637-0510
E-mail: esp@earthsys.com

August 17, 2008

File No.: SH-10966-SA

Mr. Frank Russell
1175 Comstock Road
Hollister, CA 95023

PROJECT: RUSSELL RESIDENTIAL DEVELOPMENT
1175 COMSTOCK ROAD, HOLLISTER
SAN BENITO COUNTY, CALIFORNIA

SUBJECT: **Report of Soil Profile Test Pit and Percolation Testing**

REFERENCE: Proposal for a Geotechnical Engineering Investigation and Soil Percolation Testing, Russell Residential Development, 1175 Comstock Road, San Benito County, California, by Earth Systems Pacific, dated June 13, 2008

Dear Mr. Russell:

In accordance with your authorization of the above-referenced proposal, Earth Systems Pacific logged conditions in a profile test pits and performed soil percolation tests for your proposed 4-lot residential development at 1175 Comstock Road in the Hollister area of San Benito County, California.

On July 15, 2008, soil profile test pits were excavated near the site of the planned septic system leach field identified by the client's representative. The test pits were excavated to approximate depths of 15 feet using a Fermec TLK 760 backhoe equipped with a 24-inch wide bucket. The soils encountered in the test pits were classified and logged in general accordance with the Unified Soil Classification System.

Following excavation of the test pits, percolation test holes were drilled adjacent to the test pits using a 12-inch diameter auger attachment to the backhoe. The test holes were drilled to depths ranging from approximately 9 to 11 feet. Four-inch diameter perforated pipes, surrounded at the base by a small amount of free-draining gravel, were installed in the holes. The holes were pre-saturated with water for an approximate period of 24 hours prior to recording the test readings. The percolation tests were conducted in general accordance with the County of San Benito Division of Environmental Health guidelines.

The approximate locations of the test pits and percolation test holes are indicated on the Percolation Test Location Map in Appendix A. Copies of the test pit logs are included in Appendix B. Copies of the percolation test readings are included in Appendix C. Four copies of this report are being furnished for your use.

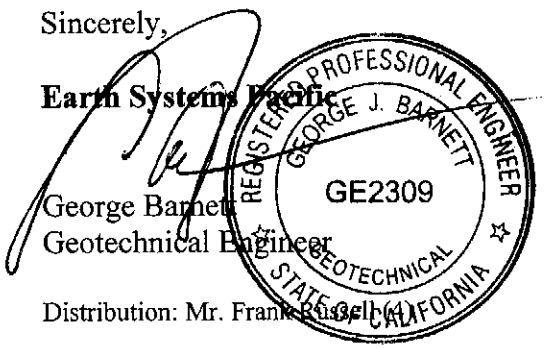
Closure

Our intent was to perform the percolation testing in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing in the locality of this project under similar conditions. No representation, warranty, or guarantee is either expressed or implied.

We appreciate the opportunity to have provided services for this project and look forward to working with you again in the future. Please do not hesitate to contact this office if you have any questions regarding this report.

Sincerely,

Earth Systems Pacific



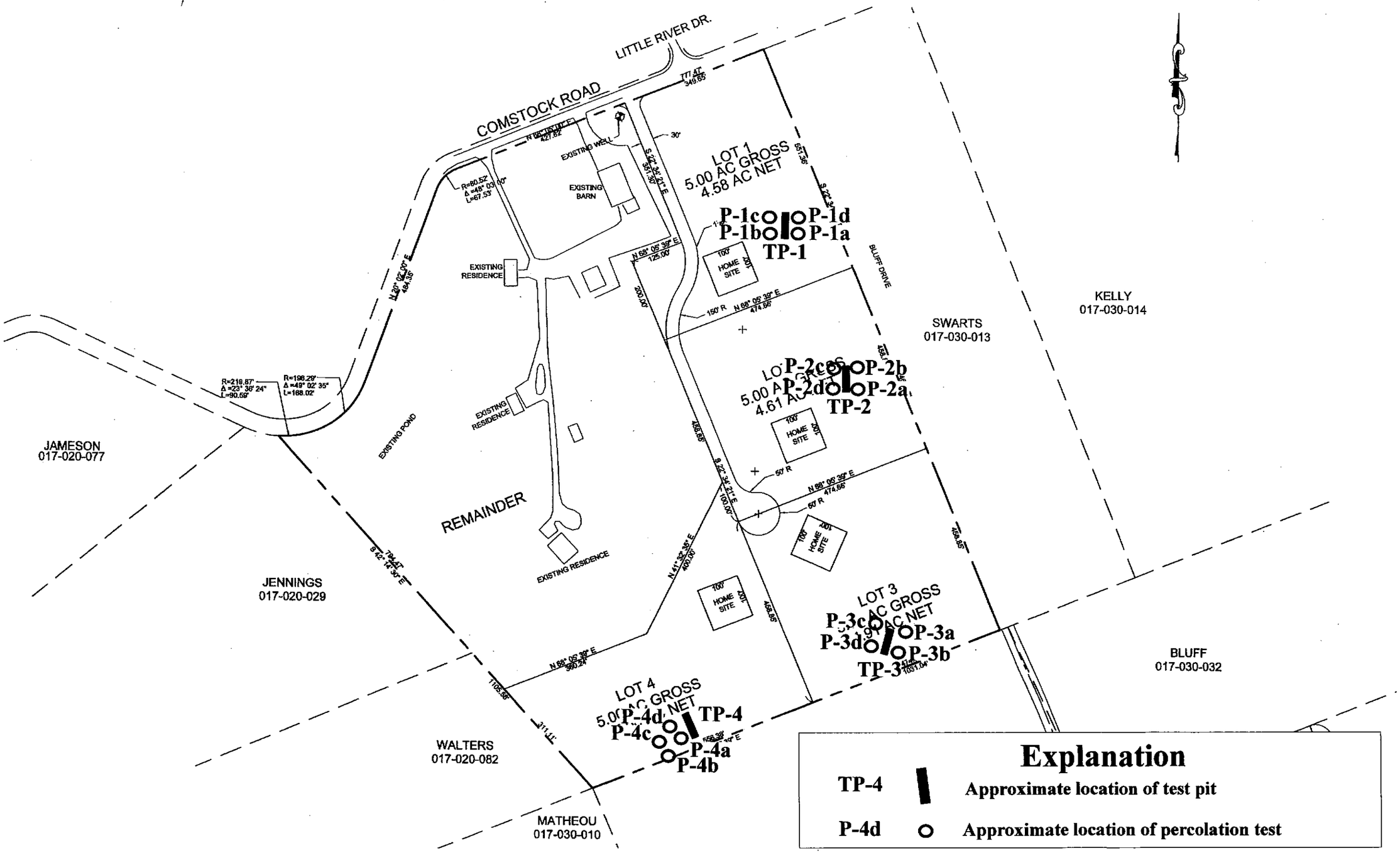
George Barnett
Geotechnical Engineer

Distribution: Mr. Frank Russell (1)

Doc. No.: 0808-531.RPT

APPENDIX A

Percolation Test Location Map



Explanation

TP-4	▮	Approximate location of test pit
P-4d	○	Approximate location of percolation test

Base Map: Site Plan, Sheet 1, prepared by Kelley Engineering & Surveying, dated December, 2007

Earth Systems Pacific	**Russell Residential Development** **1175 Comstock Road** **Hollister, California**	**Test Pit and Percolation Test Location Map**	
		August, 2008	**Not to scale**	**SH-10966-SA**

APPENDIX B

Soil Profile Test Pit Logs

Earth Systems Pacific

Test Pit No. 1
PAGE 1 OF 1
JOB NO.: SH-10966-SA
DATE: 07/15/08

LOGGED BY: B. Faust
DRILL RIG: FERMEC TLK 760 Backhoe
AUGER TYPE: 24" Bucket

RUSSELL RESIDENTIAL DEVELOPMENT
1175 Comstock Road
Hollister, California

DEPTH (feet)	USCS CLASS	SYMBOL	SOIL DESCRIPTION	SAMPLE DATA: INTERVAL (feet)	SAMPLE TYPE	DRY DENSITY (pcf)	MOISTURE (%)	BLOWS PER 12 IN.
0 - 2	SC		Yellow brown CLAYEY SAND, moist, medium dense, fine to medium sand					
2 - 6	CL		Dark yellow brown SANDY LEAN CLAY, moist, medium stiff, fine to medium sand					
6 - 13	SC		Yellow brown CLAYEY SAND, moist, medium dense, fine to medium sand, some clay films –locally a silty sand, some fine gravel					
13 - 15	CL		Yellow brown SANDY LEAN CLAY, moist, medium stiff, fine sand					
15 - 26			End of Test Pit @ 15.0' No subsurface water encountered					

LEGEND: ■ Ring Sample ○ Grab Sample ▭ Shelby Tube Sample ● SPT

NOTE: This log of subsurface conditions is a simplification of actual conditions encountered. It applies at the location and time of drilling. Subsurface conditions may differ at other locations and times.

Earth Systems Pacific

Test Pit No. 2
PAGE 1 OF 1

LOGGED BY: B. Faust
DRILL RIG: FERMEC TLK 760 Backhoe
AUGER TYPE: 24" Bucket

JOB NO.: SH-10966-SA
DATE: 07/15/08

RUSSELL RESIDENTIAL DEVELOPMENT
1175 Comstock Road
Hollister, California

DEPTH (feet)	USCS CLASS	SYMBOL	SOIL DESCRIPTION	SAMPLE DATA: INTERVAL (feet)	SAMPLE TYPE	DRY DENSITY (pcf)	MOISTURE (%)	BLOWS PER 12 IN.
0 - 4	CL		Gray brown SANDY LEAN CLAY, slightly moist, stiff, dessicated —becomes yellow brown					
4 - 12	SM		Yellow brown SILTY SAND, moist, dense, fine to medium sand, well developed clay films —moderately developed clay films, some coarse sand —local zones of sandy lean clay, fewer clay films —porous					
12 - 13	GM		Dark red brown SILTY GRAVEL with sand, moist, medium dense, fine gravel					
13 - 15	SM		Yellow brown SILTY SAND, moist, medium dense, fine to medium sand					
15 - 26			End of Test Pit @ 15.0' No subsurface water encountered					

LEGEND: ■ Ring Sample ◯ Grab Sample ▭ Shelby Tube Sample ● SPT

NOTE: This log of subsurface conditions is a simplification of actual conditions encountered. It applies at the location and time of drilling. Subsurface conditions may differ at other locations and times.

Earth Systems Pacific

Test Pit No. 3

LOGGED BY: B. Faust
DRILL RIG: FERMEC TLK 760 Backhoe
AUGER TYPE: 24" Bucket

JOB NO.: SH-10966-SA
DATE: 07/15/08

RUSSELL RESIDENTIAL DEVELOPMENT
1175 Comstock Road
Hollister, California

DEPTH (feet)	USCS CLASS	SYMBOL	SOIL DESCRIPTION	SAMPLE DATA: INTERVAL (feet)	SAMPLE TYPE	DRY DENSITY (pcf)	MOISTURE (%)	BLOWS PER 12 IN.
0 - 4	CH		Gray brown sandy FAT CLAY, slightly moist, stiff, severely dessicated –becomes lean clay					
4 - 6	SC		Yellow brown CLAYEY SAND, moist, medium dense, fine to medium sand, clay films					
6 - 15	SM		Yellow brown SILTY SAND, moist, dense, mostly fine sand, some well developed clay films, semi–consolidated –some coarse gravel, fewer clay films					
15			End of Test Pit @ 15.0' No subsurface water encountered					

LEGEND: ■ Ring Sample ◯ Grab Sample ▭ Shelby Tube Sample ● SPT

NOTE: This log of subsurface conditions is a simplification of actual conditions encountered. It applies at the location and time of drilling. Subsurface conditions may differ at other locations and times.

Earth Systems Pacific

LOGGED BY: B. Faust
DRILL RIG: FERMEC TLK 760 Backhoe
AUGER TYPE: 24" Bucket

Test Pit No. 4
PAGE 1 OF 1
JOB NO.: SH-10966-SA
DATE: 07/15/08

RUSSELL RESIDENTIAL DEVELOPMENT
1175 Comstock Road
Hollister, California

DEPTH (feet)	USCS CLASS	SYMBOL	SOIL DESCRIPTION	SAMPLE DATA: INTERVAL (feet)	SAMPLE TYPE	DRY DENSITY (pcf)	MOISTURE (%)	BLOWS PER 12 IN.
0 - 5	CL		Gray brown SANDY LEAN CLAY, slightly moist, medium stiff, dessicated					
0 - 5	GC		Yellow brown CLAYEY GRAVEL with sand, moist, dense, some cobbles					
5 - 15	SC		Yellow brown CLAYEY SAND, moist, medium dense, fine to medium sand, moderatley to well developed clay films, some fine gravel –fewer clay films, locally a sandy lean clay –zone of silty fine gravel					
15			End of Test Pit @ 15.0' No subsurface water encountered					

LEGEND: ■ Ring Sample ○ Grab Sample ▭ Shelby Tube Sample ● SPT

NOTE: This log of subsurface conditions is a simplification of actual conditions encountered. It applies at the location and time of drilling. Subsurface conditions may differ at other locations and times.

APPENDIX C

Percolation Test Readings

SH-10966-SA August, 2008

Russell Residential Development

Percolation Test No.:	**P-1A**
Date Drilled:	7/16/2008
Date Presaturated:	8/6/2008
Date Tested:	8/7/2008
Technician:	JB
Percolation Test Hole Depth:	115"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
7:40 AM	*****	103.8	*****	*****
7:50 AM	10	104.3	0.5	20
8:00 AM	10	104.9	0.6	17
8:07 AM	Refill	104.4	*****	*****
8:17 AM	10	104.8	0.4	25
8:27 AM	10	105.1	0.3	33
8:57 AM	30	105.7	0.6	50
9:27 AM	30	106.2	0.5	60
9:57 AM	30	106.8	0.6	50
10:27 AM	30	107.3	0.5	60
10:57 AM	30	107.8	0.5	60

SH-10966-SA

August, 2008

Russell Residential Development

Percolation Test No.:	**P-1B**
Date Drilled:	7/16/2008
Date Presaturated:	8/6/2008
Date Tested:	8/7/2008
Technician:	JB
Percolation Test Hole Depth:	119"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
7:43 AM	*****	106.0	*****	*****
7:53 AM	10	106.6	0.6	17
8:03 AM	10	107.1	0.5	20
8:13 AM	10	107.4	0.3	33
8:23 AM	10	107.7	0.3	33
8:53 AM	30	108.5	0.8	38
9:23 AM	30	109.0	0.5	60
9:53 AM	30	109.6	0.6	50
10:23 AM	30	110.2	0.6	50
10:53 AM	30	110.8	0.6	50

SH-10966-SA

August, 2008

Russell Residential Development

Percolation Test No.:	**P-1C**
Date Drilled:	7/16/2008
Date Presaturated:	8/6/2008
Date Tested:	8/7/2008
Technician:	JB
Percolation Test Hole Depth:	112"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
8:46 AM	*****	100.0	*****	*****
8:56 AM	10	102.1	2.1	4.8
9:06 AM	10	103.3	1.2	8.3
9:16 AM	10	104.3	1.0	10
9:26 AM	10	105.0	0.7	14
9:36 AM	10	105.6	0.6	17
9:46 AM	10	106.3	0.7	14
9:48 AM	Refill	99.7	*****	*****
9:58 AM	10	100.7	1.0	10
10:08 AM	10	101.6	0.9	11
10:18 AM	10	102.3	0.7	14
10:28 AM	10	102.9	0.6	17
10:38 AM	10	103.3	0.4	25
10:48 AM	10	103.8	0.5	20
10:58 AM	10	104.2	0.4	25
11:08 AM	10	104.6	0.4	25

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August, 2008

Russell Residential Development

Percolation Test No.:	**P-1D**
Date Drilled:	7/16/2008
Date Presaturated:	8/6/2008
Date Tested:	8/7/2008
Technician:	JB
Percolation Test Hole Depth:	120"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
9:02 AM	*****	107.6	*****	*****
9:12 AM	10	107.9	0.3	33
9:22 AM	10	108.1	0.2	50
9:52 AM	30	108.8	0.7	43
10:22 AM	30	109.3	0.5	60
10:52 AM	30	110.0	0.7	43
11:22 AM	30	110.5	0.5	60
11:52 AM	30	111.1	0.6	50

SH-10966-SA

August, 2008

Russell Residential Development

Percolation Test No.:	**P-2A**
Date Drilled:	7/16/2008
Date Presaturated:	8/5/2008
Date Tested:	8/6/2008
Technician:	JB
Percolation Test Hole Depth:	116"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
7:48 AM	*****	105.0	*****	*****
7:58 AM	10	107.4	2.4	4.2
8:08 AM	10	109.4	2.0	5.0
8:10 AM	Refill	104.0	*****	*****
8:20 AM	10	105.5	1.5	6.7
8:30 AM	10	107.0	1.5	6.7
8:40 AM	10	108.6	1.6	6.3
8:50 AM	10	109.9	1.3	7.7
9:00 AM	10	111.0	1.1	9.1
9:02 AM	Refill	105.6	*****	*****
9:12 AM	10	106.6	1.0	10
9:22 AM	10	107.7	1.1	9.1

SH-10966-SA August, 2008

Russell Residential Development

Percolation Test No.:	**P-2B**
Date Drilled:	7/16/2008
Date Presaturated:	8/5/2008
Date Tested:	8/6/2008
Technician:	JB
Percolation Test Hole Depth:	115"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
8:06 AM	*****	103.2	*****	*****
8:16 AM	10	111.2	8.0	1.3
8:19 AM	Refill	102.7	*****	*****
8:29 AM	10	110.0	7.3	1.4
8:33 AM	Refill	102.1	*****	*****
8:43 AM	10	109.6	7.5	1.3
8:45 AM	Refill	101.6	*****	*****
8:55 AM	10	108.8	7.2	1.4
8:59 AM	Refill	102.2	*****	*****
9:09 AM	10	109.6	7.4	1.4
9:15 AM	Refill	101.5	*****	*****
9:25 AM	10	108.6	7.1	1.4

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August, 2008

Russell Residential Development

Percolation Test No.:	**P-2C**
Date Drilled:	7/16/2008
Date Presaturated:	8/5/2008
Date Tested:	8/6/2008
Technician:	JB
Percolation Test Hole Depth:	116"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
9:30 AM	*****	103.6	*****	*****
9:40 AM	10	109.9	6.3	1.6
9:46 AM	Refill	102.5	*****	*****
9:56 AM	10	106.8	4.3	2.3
10:06 AM	10	109.9	3.1	3.2
10:08 AM	Refill	102.6	*****	*****
10:18 AM	10	106.1	3.5	2.9
10:28 AM	10	109.0	2.9	3.4
10:31 AM	Refill	103.2	*****	*****
10:41 AM	10	106.2	3.0	3.3
10:51 AM	10	109.1	2.9	3.4

SH-10966-SA

August, 2008

Russell Residential Development

Percolation Test No.:	**P-2D**
Date Drilled:	7/16/2008
Date Presaturated:	8/5/2008
Date Tested:	8/6/2008
Technician:	JB
Percolation Test Hole Depth:	118"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
9:33 AM	*****	106.6	*****	*****
9:43 AM	10	109.8	3.2	3.1
9:53 AM	10	111.8	2.0	5.0
9:55 AM	Refill	105.5	*****	*****
10:05 AM	10	108.6	3.1	3.2
10:15 AM	10	110.6	2.0	5.0
10:25 AM	10	112.3	1.7	5.9
10:27 AM	Refill	105.6	*****	*****
10:37 AM	10	108.1	2.5	4.0
10:47 AM	10	110.0	1.9	5.3
10:57 AM	10	112.2	2.2	4.5
10:59 AM	Refill	105.1	*****	*****
11:09 AM	10	107.4	2.3	4.3
11:19 AM	10	109.6	2.2	4.5

SH-10966-SA August, 2008

Russell Residential Development

Percolation Test No.:	**P-3A**
Date Drilled:	7/16/2008
Date Presaturated:	7/29/2008
Date Tested:	7/30/2008
Technician:	JB
Percolation Test Hole Depth:	122"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
8:05 AM	*****	112.2	*****	*****
8:15 AM	10	112.7	0.5	20
8:25 AM	10	113.2	0.5	20
8:35 AM	10	113.6	0.4	25
8:45 AM	10	113.9	0.3	33
8:55 AM	10	114.4	0.5	20
9:05 AM	10	114.7	0.3	33
9:15 AM	10	115.1	0.4	25
9:25 AM	10	115.4	0.3	33

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August, 2008

Russell Residential Development

Percolation Test No.:	**P-3B**
Date Drilled:	7/16/2008
Date Presaturated:	7/29/2008
Date Tested:	7/30/2008
Technician:	JB
Percolation Test Hole Depth:	127"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
9:32 AM	*****	116.5	*****	*****
9:42 AM	10	117.8	1.3	7.7
9:52 AM	10	118.9	1.1	9.1
10:02 AM	10	119.9	1.0	10
10:12 AM	10	120.7	0.8	13
10:22 AM	10	121.6	0.9	11
10:32 AM	10	122.3	0.7	14
10:42 AM	10	123.0	0.7	14
10:52 AM	10	123.6	0.6	17
11:02 AM	10	124.2	0.6	17

SH-10966-SA August, 2008

Russell Residential Development

Percolation Test No.:	**P-3C**
Date Drilled:	7/16/2008
Date Presaturated:	7/29/2008
Date Tested:	7/30/2008
Technician:	JB
Percolation Test Hole Depth:	128"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
9:36 AM	*****	116.6	*****	*****
9:46 AM	10	117.1	0.5	20
9:56 AM	10	117.5	0.4	25
10:06 AM	10	117.7	0.2	50
10:16 AM	10	118.0	0.3	33
10:26 AM	10	118.2	0.2	50
10:36 AM	10	118.4	0.2	50
10:46 AM	10	118.7	0.3	33
10:56 AM	10	118.9	0.2	50

SH-10966-SA

August, 2008

Russell Residential Development

Percolation Test No.:	**P-3D**
Date Drilled:	7/16/2008
Date Presaturated:	7/29/2008
Date Tested:	7/30/2008
Technician:	JB
Percolation Test Hole Depth:	130"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
8:12 AM	*****	116.5	*****	*****
8:22 AM	10	118.4	1.9	5.3
8:29 AM	Refill	116.6	*****	*****
8:39 AM	10	118.8	2.2	4.5
8:49 AM	10	120.5	1.7	5.9
8:59 AM	10	122.2	1.7	5.9
9:09 AM	10	123.5	1.3	7.7
9:19 AM	10	124.7	1.2	8.3
9:29 AM	10	125.9	1.2	8.3
9:39 AM	10	127.1	1.2	8.3

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August, 2008

Russell Residential Development

Percolation Test No.:	**P-4A**
Date Drilled:	7/16/2008
Date Presaturated:	7/23/2008
Date Tested:	7/24/2008
Technician:	JB
Percolation Test Hole Depth:	127"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
8:22 AM	*****	115.9	*****	*****
8:32 AM	10	117.4	1.5	6.7
8:42 AM	10	118.8	1.4	7.1
8:45 AM	Refill	116.3	*****	*****
8:55 AM	10	117.4	1.1	9.1
9:05 AM	10	118.5	1.1	9.1
9:15 AM	10	119.5	1.0	10
9:25 AM	10	120.4	0.9	11
9:35 AM	10	121.3	0.9	11
9:45 AM	10	122.3	1.0	10
9:55 AM	10	123.2	0.9	11

SH-10966-SA August, 2008

Russell Residential Development

Percolation Test No.:	**P-4B**
Date Drilled:	7/16/2008
Date Presaturated:	7/23/2008
Date Tested:	7/24/2008
Technician:	JB
Percolation Test Hole Depth:	126"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
8:25 AM	*****	113.5	*****	*****
8:35 AM	10	114.5	1.0	10
8:45 AM	10	115.3	0.8	13
8:48 AM	Refill	114.6	*****	*****
8:58 AM	10	115.3	0.7	14
9:08 AM	10	116.0	0.7	14
9:18 AM	10	116.6	0.6	17
9:28 AM	10	117.2	0.6	17
9:38 AM	10	117.9	0.7	14
9:48 AM	10	118.5	0.6	17

SH-10966-SA

August, 2008

Russell Residential Development

Percolation Test No.:	**P-4C**
Date Drilled:	7/16/2008
Date Presaturated:	7/23/2008
Date Tested:	7/24/2008
Technician:	JB
Percolation Test Hole Depth:	126"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
9:53 AM	*****	111.1	*****	*****
10:23 AM	30	111.5	0.4	75
10:53 AM	30	111.9	0.4	75
11:23 AM	30	112.2	0.3	100
11:53 AM	30	112.5	0.3	100
12:23 PM	30	112.9	0.4	75
12:53 PM	30	113.3	0.4	75
1:23 PM	30	113.6	0.3	100

SH-10966-SA August, 2008

Russell Residential Development

Percolation Test No.:	**P-4D**
Date Drilled:	7/16/2008
Date Presaturated:	7/23/2008
Date Tested:	7/24/2008
Technician:	JB
Percolation Test Hole Depth:	131"
Boring Diameter:	12"

Time	**Interval**	**Reading**	**Fall**	**Percolation Rate**
	minutes	inches	inches	minutes/inch
10:37 AM	*****	121.6	*****	*****
10:47 AM	10	122.3	0.7	14
10:57 AM	10	122.9	0.6	17
11:07 AM	10	123.6	0.7	14
11:09 AM	Refill	120.0	*****	*****
11:19 AM	10	120.9	0.9	11
11:29 AM	10	121.7	0.8	13
11:39 AM	10	122.6	0.9	11
11:49 AM	10	123.4	0.8	13
11:59 AM	10	124.2	0.8	13

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Appendix D

Assembly Bill 52 Consultation

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San Benito County Resource Management Agency

Public Works / Planning & Building / Parks / Integrated Waste

August 12, 2022

[redacted]

RE: Assembly Bill 52 Consultation for County Planning File PLN220004
1175 Comstock Road for a Minor Subdivision
Unincorporated San Benito County, California

The San Benito County Resource Management Agency (SBC RMA) is preparing an Initial Study (IS) that would likely result in a Mitigated Negative Declaration (MND) for a minor subdivision. This project will consist of a total of four lots being created, with three of the lots containing 5 acres, and the fourth lot will be 23.54 acres. The property is located on a 23.93-acre parcel located along Comstock Road and Bluff Drive near Little River Drive, one mile east of the Comstock Road–Fairview Road intersection.

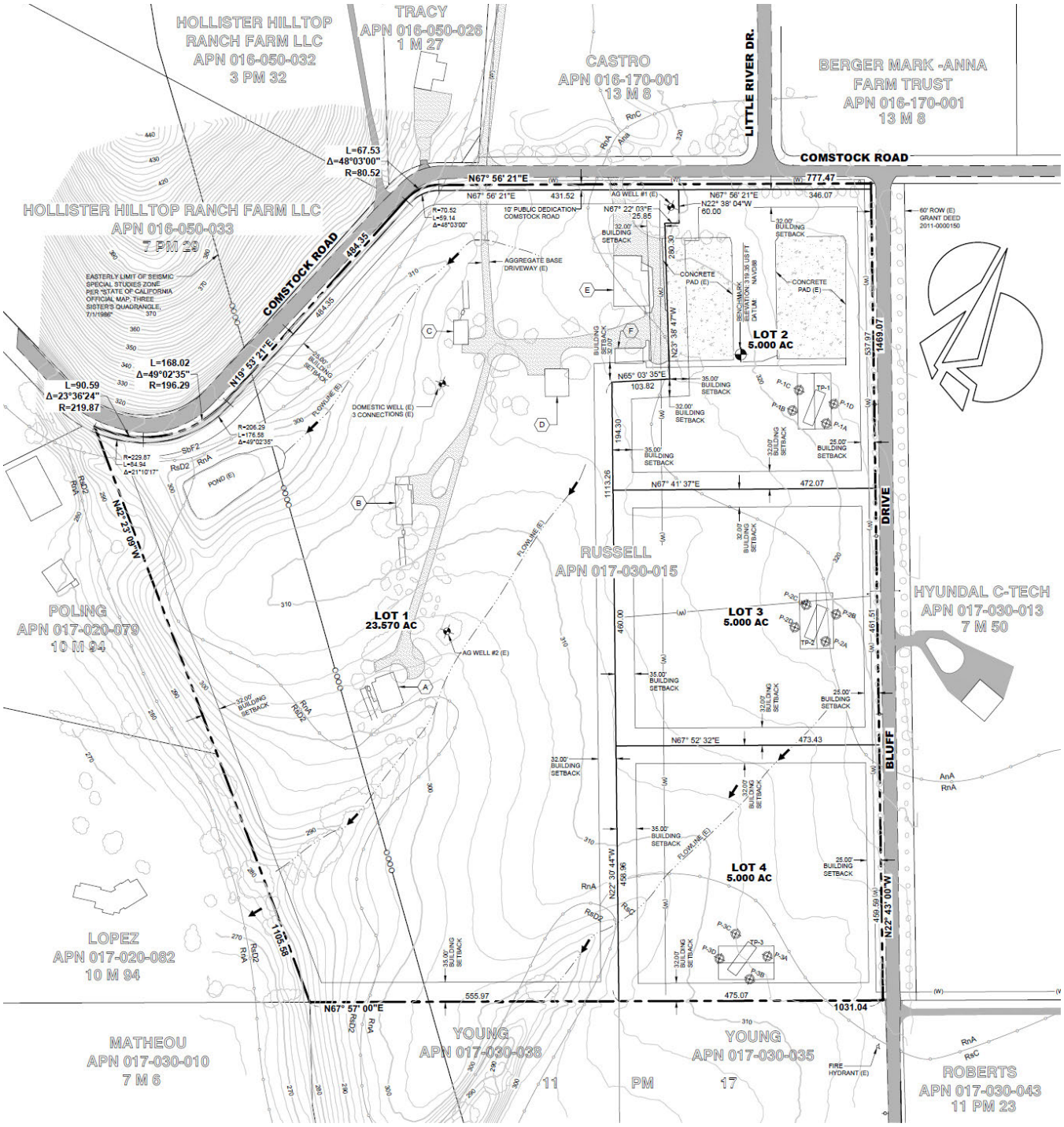
The project as submitted proposes no construction of any new buildings. The project scope is to subdivide the 38.93-Acre parcel into four parcels (23.54, 5-acres, 5-acres, and 5-acres) and continue with the existing main dwelling unit, two accessory dwelling units, two garages, and existing shop. The project location has as areas of concerns archaeological sensitivity, mapped wetland features, Grade-1 soil overlapping with Prime Farmland, a known occurrence of the San Joaquin kit fox, and a portion of Alquist–Priolo earthquake fault zone.

The proposed project must comply with California Public Resources Code §21080.3.1 (Assembly Bill [AB] 52 of 2014), which requires local governments to conduct meaningful consultation with California Native American tribes that have requested to be notified by lead agencies of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated.

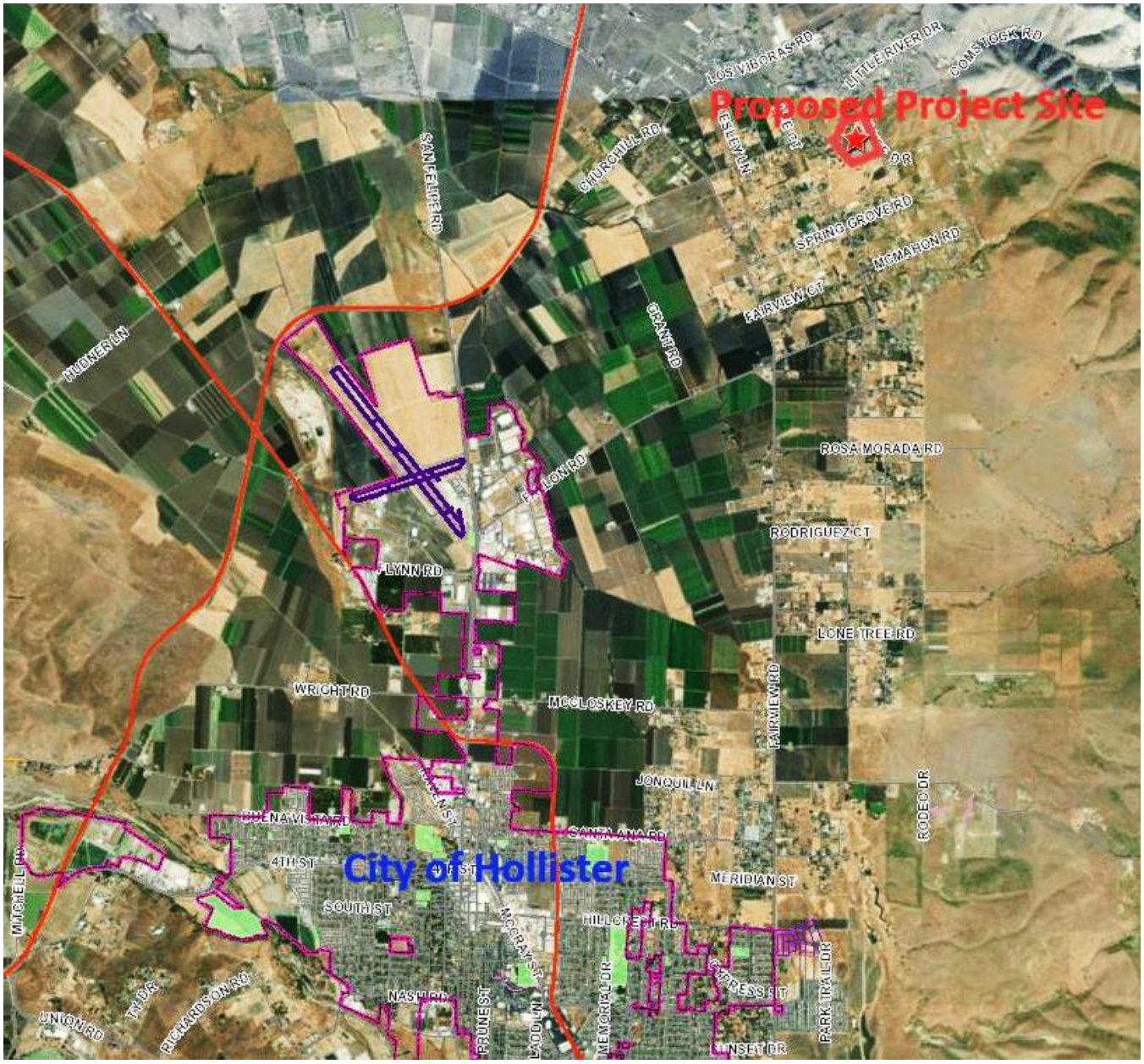
Your input is important to the SBC RMA planning process. We request that you advise us as early as possible if you wish to consult on the proposed project. Under AB 52, you have 30 days from the date of receipt of this notice to advise the SBC RMA if you are interested in further consultation. If you require any additional information or have any questions, please contact me at 831 902-9857 or at *jolivas@cosb.us*. Thank you for your assistance.

Jonathan Olivas

Jonathan Olivas
Assistant Planner
County of San Benito Resource Management Agency



The image above is of the proposed project showing scope of the project with wells and existing structures.



This image shows the proposed project in proximity to the city of Hollister.

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