



## SAN BENITO COUNTY PLANNING COMMISSION

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Jeff Culler  
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Robert Rodriguez  
District No. 5

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*County Administration Building - Board of Supervisors Chambers, 481 Fourth Street, Hollister, California*

### REGULAR MEETING AGENDA November 16, 2016 6:00 PM

**6:00 PM ~ CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**BOARD ANNOUNCEMENTS**

**DEPARTMENT ANNOUNCEMENTS**

**PUBLIC COMMENT**

**The San Benito County Planning Commission welcomes you to this meeting and encourages your participation.**

- If you wish to speak on a matter which does **NOT** appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Please complete a Speaker Card and provide to the Clerk prior to the meeting. Except as otherwise provided by law; no action shall be taken on any item NOT appearing on the Agenda or items that have been continued to a future public hearing date. When addressing the Commission, **please state your name for the record**. Please address the Commission as a whole through the Chair. This open forum period is provided to allow members of the public an opportunity to address the Planning Commission on general issues of land use planning and community development. It is not intended for comments on items on the current agenda, any pending items.
- If you wish to speak on an item contained in the Agenda, please complete a Speaker Card identifying the Item(s) and provide it to the Clerk prior to consideration of the item.
- **Each individual speaker will be limited to a three (3) minute presentation.**

#### **CONSENT AGENDA**

- These items will be considered as a whole without discussion unless a particular item is requested by a member of the Commission, Staff or the public to be removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified in the Staff Report.

- If any member of the public wishes to comment on a Consent Agenda Item please fill out a speaker card present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

## **ACKNOWLEDGEMENT OF PUBLIC HEARING**

## **ACKNOWLEDGEMENT OF CERTIFICATE OF POSTING**

## **ADOPTION OF ACTION MINUTES**

## **REGULAR AGENDA**

## **PUBLIC HEARING**

### **1. AR Wilson Reclamation Plan Amendment**

### **2. Discussion Special Items:**

- Discussion about the long term growth impacts in the county and adjacent City lands.
- Discussion of current and anticipated regional traffic and infrastructure issues.
- Discussion of annexation policies, corporate boundaries and service areas.
- Discussion of General Plan policies and implementation priorities.

### **3. Lynn Hilden Minor Subdivision MS-1240-16**

### **4. Metzger UP 1151-16**

## **DISCUSSION**

## **ADJOURN**

**NOTE:** A copy of this Agenda is published on the County's Web site by the Friday preceding each Commission meeting and may be viewed at [www.cosb.us](http://www.cosb.us). All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays.) This is the same packet that the Planning Commission reviews and discusses at the Commission meeting. The project planner's name and email address has been added at the end of each project description. As required by Government Code Section 54957.5 any public record distributed to the Planning Commission less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the Planning Department, 2301 Technology Parkway, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the Planning Department.

**APPEAL NOTICE:** Any person aggrieved by the decision of the Planning Commission may appeal the decision within ten (10) calendar days to the Board of Supervisors. The notice of appeal must be in writing and shall set forth specifically wherein the Planning Commission's decision was inappropriate or unjustified. Appeal forms are available from the Clerk of the Board at the San Benito County Administration Office, 481 Fourth Street, Hollister and the San Benito County Planning Department, 2301 Technology Parkway, Hollister.

**NOTE:** In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.



# SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

## BOARD OF SUPERVISORS

MARGIE BARRIOS  
District One  
ANTHONY BOTELHO  
District Two  
ROBERT RIVAS  
District Three  
JERRY MUENZER  
District Four  
JAIME DE LA CRUZ  
District Five

**Item Number: 1.**

**MEETING DATE:** 11/16/2016

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**DEPT HEAD/DIRECTOR:** Brent Barnes

**AGENDA ITEM PREPARER:** Robert Rivera

**SBC DEPT FILE NUMBER:** AR Wilson Reclamation Plan Amendment (California Mine Identification 91-35-0012)

**SUBJECT:**

AR Wilson Reclamation Plan Amendment

**AGENDA SECTION:**

PUBLIC HEARING

**BACKGROUND/SUMMARY:**

**Proposed Reclamation Plan Amendment**

Granite Rock Company (Graniterock) owns and operates the A.R. Wilson Quarry (Wilson Quarry) (California Mine Identification 91-35-0012). As shown in Figure 1, "Site Location," and Figure 2, "Existing Conditions Aerial Photograph," the operation is located in a rural area east of the intersection of State Route 129 and Rogge Lane, approximately 1 mile northeast of the community of Aromas, and approximately 7 miles east of Watsonville, in San Benito County.

This amendment to the approved reclamation plan is limited to updating a boundary map to encompass all reclamation areas. This update was precipitated by a California Department of Conservation, Office of Mine Reclamation (OMR), review of the quarry's slope grading work, which is required for reclamation. OMR noted that the planning limits shown on the drawings in the original

1980 reclamation plan must be adjusted to accommodate this grading, the areas for overburden storage, and the connecting roadways. In addition, Graniterock subsequently reviewed historical aerial photography and developed a more accurate footprint encompassing planned and approved operational areas to be merged onto a consolidated map.

The footprint on the updated boundary map encompasses all areas where mining-related disturbance has occurred or is planned to occur and that will require reclamation, per the California Surface Mining and Reclamation Act (SMARA) and the approved reclamation plan, as amended. SMARA requires that reclamation occur on any areas subject to mining since SMARA's approval in 1976.

No new mining areas are being authorized as a result of this reclamation mapping update. The reclamation footprint is completely within the limits of authorized mining areas, including vested rights mining at the Wilson Quarry and the property under a use permit for overburden placement.

**BUDGETED:**

**SBC BUDGET LINE ITEM NUMBER:**

**CURRENT FY COST:**

**STAFF RECOMMENDATION:**

**STAFF RECOMMENDATION:**

Staff recommends that the County Planning Commission approve the reclamation plan amendment with the following findings and conditions of approval.

**ADDITIONAL PERSONNEL:**

**ATTACHMENTS:**

Description	Upload Date	Type
Staff Report	11/9/2016	Staff Report
AR Wilson Reclamation Plan Amendment	11/9/2016	Exhibit
Figure 1 - Site Location	11/9/2016	Exhibit
Figure 2 - Existing Conditions	11/9/2016	Exhibit
Figure 3 - Selected Maps from Approved Reclamation Plans	11/9/2016	Exhibit
Figure - 4 Consolidated Reclamation Plan Boundary	11/9/2016	Exhibit
Figure 5 - Reclamation Plan Boundary Comparison	11/9/2016	Exhibit
Condition 8 Modification Figures 1-8	11/9/2016	Exhibit
Approved Reclamation Plan	11/9/2016	Exhibit
OMR Notification of Meeting	11/9/2016	Exhibit

OMR Notification of Meeting

11/9/2016

EXHIBIT

OMR Comments

11/9/2016

Exhibit

Response to OMR

11/9/2016

Exhibit

## STAFF REPORT

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### PROJECT INFORMATION:

Application: Reclamation Plan No. 488-88  
Date of Hearing: November 16, 2016  
Owner/Applicant: Granite Rock Company for A.R. Wilson Quarry  
Location: East of State Route 129 and Rogge Lane, approximately 1 mile northeast of the community of Aromas, and approximately 7 miles east of Watsonville, in San Benito County.  
Assessor's Parcel Numbers: 110200080, 111800010, 111800020, 111800030, 111800040, 110100080, 110200050, 111200040, 111200250, 110200060, 110200180, 110200170, 113200160, 113300010, 113300050, 113300020, 113200060, 113200110, and 113200140  
Zoning: Agricultural Rangeland (AR) District , Heavy Industrial (M-2) District and Rural (R) District  
General Plan: Heavy Industrial and Rangeland  
Proposal: Reclamation Plan Amendment  
Project Planner: Robert Rivera

### SITE DESCRIPTION:

Granite Rock Company (Graniterock) owns and operates the A.R. Wilson Quarry (Wilson Quarry) (California Mine Identification 91-35-0012). As shown in Figure 1, "Site Location," and Figure 2, "Existing Conditions Aerial Photograph," the operation is located in a rural area east of the intersection of State Route 129 and Rogge Lane, approximately 1 mile northeast of the community of Aromas, and approximately 7 miles east of Watsonville, in San Benito County. The approximately 1,800-acre property is identified as Assessor's Parcel Numbers 110200080, 111800010, 111800020, 111800030, 111800040, 110100080, 110200050, 111200040, 111200250, 110200060, 110200180, 110200170, 113200160, 113300010, 113300050, 113300020, 113200060, 113200110, and 113200140.

### PROJECT DESCRIPTION:

The proposed reclamation plan amendment to the approved reclamation plan for Wilson Quarry (project) is limited to updating a boundary map to encompass all reclamation areas. The proposed updated map is shown in Figure 4, "Consolidated Reclamation Boundary Map." This update was precipitated by a California Department of Conservation, Office of Mine Reclamation (OMR), review of the quarry's slope-grading work, which is required for reclamation. OMR noted that the planning limits shown on the drawings in the original 1980 reclamation plan must be adjusted to accommodate this grading, the areas for overburden storage, and the connecting roadways. In addition, Granite Rock Company (Graniterock) subsequently reviewed historical aerial photography and developed a more accurate footprint encompassing planned and approved operational areas to be merged onto a consolidated map.

The footprint on the updated boundary map encompasses all areas where mining-related disturbance has occurred or is planned to occur and that will require reclamation, per the California Surface Mining and Reclamation Act (SMARA) and the approved reclamation plan, as amended. SMARA requires that reclamation occur on any areas subject to mining since SMARA's approval in 1976.

No new mining areas are being authorized as a result of this reclamation mapping update. The reclamation footprint is completely within the limits of authorized mining areas, including vested rights mining at the A.R. Wilson Quarry (Wilson Quarry) and the property under a use permit for overburden placement.

### **BACKGROUND:**

Wilson Quarry, formerly known as Logan Quarry, has been operated since 1895. Because the quarry existed before zoning regulation, no San Benito County (County) use permit was required. After SMARA was adopted, the County Board of Supervisors recognized the vested rights for previously mined parcels at a public hearing on October 5, 1981.

The reclamation plan for Logan Quarry was approved on October 21, 1980. The plan encompassed not only the vested areas of the quarry, but also an approximately 850-acre area to the south, where a plan was being developed to place quarry overburden. Reclamation graphics showing these areas are reproduced in Figure 3(a–d), “Selected Maps from Approved Reclamation Plans.”

Postmining land uses identified in the approved plan consist of agricultural, residential, recreational, and industrial uses, which reflect the zoning and prior land uses on the various parcels. The quarry and overburden areas are to be reclaimed for rural residential and agriculture (primarily grazing) uses. The quarry itself will fill with surface water runoff, creating a freshwater reservoir. Meanwhile, the rail yard and its infrastructure will remain and continue to be used for industrial purposes (see Figure 3[b]).

In the early years of operations, overburden was placed adjacent to the mine excavation. Over time, as the quarrying operations moved southeast, additional overburden was encountered, requiring placing it at a location that would not conflict with future mining. A suitable placement area was identified approximately 1 mile south of the quarry. Initially known as the Brigantino Overburden Project, the site and design was determined through a lengthy public review process and an environmental impact report (EIR) completed in 1992. The approved overburden placement and conveyor alignment differed from the original Logan Quarry map. See Figure 3(a) versus 3(c) and (b). The design and configuration of the overburden area was ultimately approved with a smaller footprint than proposed and evaluated in the EIR. The final footprint appeared in the *Brigantino Revegetation Plan*, per the approved reclamation plan (see Figure 3[d]).

The following designations apply to the project site and surrounding area:

<u>Scenic Highway:</u>	<b>No</b>
<u>Seismic:</u>	<b>San Andres Fault</b>
<u>Fire hazard:</u>	<b>Moderate-High (State Resource Area)</b>
<u>Floodplain:</u>	<b>X &amp; A</b>
<u>Archaeological Sensitivity:</u>	<b>Low Sensitivity</b>
<u>Soils:</u>	<b>W, MnG, DaF2, DaE2, SmE2, AtE2</b>

### **PLANNING AND ZONING:**

The site is zoned Agricultural Rangeland (AR) District , Heavy Industrial (M-2) District and Rural (R) District under the San Benito County Zoning Ordinance. The original quarry occurs as a vested right and a reclamation plan approved in 1980. Approval for additional operations areas was under a use permit and reclamation plan approved in 1993. This proposal is for an amendment to the boundaries to consolidate and address historical operations, plan approvals, and current conditions. No new mining areas are being authorized as a result of this reclamation mapping update. The reclamation footprint is completely within the limits of authorized mining areas, including vested rights mining at the Wilson Quarry and the property under a use permit for overburden placement. The County Planning Commission, per Section 19.13.009 of the County Code, addresses amendments to reclamation plans in the following manner:

(H) Amendments. An operator may submit amendments to an approved reclamation plan, detailing proposed changes to the plan to the Planning Department at any time. The county shall approve such amendments in accordance with the procedures for approval of reclamation plans described in this chapter. An approved amendment to a reclamation plan shall not be considered an alteration or expansion per se of an approved use permit or of a legal non-conforming surface mining operation.

### **ENVIRONMENTAL EVALUATION:**

Two California Environmental Quality Act (CEQA) exemptions apply to this project. The first exemption is the general exemption provided in CEQA Guidelines Section 15061(b)(3):

The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The project is an update and consolidation of mapping and reclamation plan data contained in existing approved reclamation planning documents and does not authorize new mining. Current and future mining at the site is already permitted via the vested rights and use permit. Therefore, the project does not authorize or permit physical activities that may cause a significant effect on the environment. Therefore, no possibility exists that the project may have a significant effect on the environment.

In addition, the project is exempt under Class 1 of the categorical exemptions (CEQA Guidelines Section 15301), which provides in pertinent part:

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

As noted above, the project consists of revising a planning document to consolidate and update existing reclamation planning documents. Activities would not be expanded beyond the existing permitted boundaries and the intensity of the existing mining and reclamation activities at the site would not increase. Therefore, the County's approval of the project is exempt from CEQA as a Class 1 project pursuant to CEQA Guidelines Section 15301.

## **REVISED CONDITION 8**

### **Background**

In December 2012, the Department of Conservation, Office of Mine Reclamation (OMR), completed its preliminary review of San Benito County under the Lead Agency Review Team program. Among a handful of inconsistencies noted at mine sites, regarding A.R. Wilson Quarry, OMR stated that:

...the hardrock slopes along the northern wall of the quarry are currently benched with an overall slope of approximately 0.8:1 from review of the topographic map included in the 2010 FACE and field inspection. This slope is consistent with the intermediate slope angle depicted on the reclamation plan but not with the overall slope or benching intervals. The northern highwall is currently at the excavation limit and cannot be laid back.

OMR recommended that either the slopes be regraded to match the reclamation plan angles or new slope angles be approved based on updated geotechnical review.

Graniterock reviewed the conditions and determined that portions of northern highwall slope angles slightly exceed the recommended angle, and although the north rim is stable, restoring the recommended design angles by lowering the elevation of the North Rim Road would restore the original design for long term stability. To lower the north rim, it would be relocated approximately 150 feet northerly, which requires amending the boundary line drawn in the 1980 reclamation plan at this location.

Figure 1, "Required Slope Lay Back," shows the conditions of the slope that must be regraded to reduce its angle and the related reclamation boundary adjustment. A "slope lay back" such as this is a common practice in mining. At AR Wilson Quarry, however, a condition of approval must be modified.

### **Condition of Approval 8**

At the January 19, 1981, hearing, the County Board of Supervisors upheld the County Planning Commission's approval of the reclamation plan for the Logan Quarry, subject to multiple conditions, one of which specified:

8. REDWOODS. Except as necessary for the possible future construction of a new road ("Mauk Parkway") the redwood trees between the river and elevation 200 will be protected against cutting.

This condition related to concerns regarding the visibility of the site.

### **Current Conditions and Effects of Slope Lay Back**

Redwood trees exist today along the northern boundary, as depicted in Figure 2, "Redwood Tree Photographs." As depicted in Figure 1, lowering of the slope angle would result in removal of trees along North Rim Road. Figure 3, "Redwood Removal for Slope Lay Back," shows the relocation of the reclamation boundary and the trees within the lay back zone. Figure 4, "Mauk Parkway Trees Remaining," shows the extent of redwoods within the site boundary and the "Mauk Parkway" referenced by the County Board of Supervisors. Graniterock has indicated it has no plans to construct that roadway or remove those trees.

A visual analysis was completed by staff to assess the effects of the slope lay back and related tree removal on the visibility of the quarry, which is largely from the north along a segment of State Route 129, shown in Figure 5, "SR 129 Observation Points." From those two observation points, the trees that would be removed (by transposing Figure 3 delineations) are identified in Figure 6, "Views of Trees to be Removed." Finally, in Figure 7, "Observation Point 1: Existing Conditions and Tree Removal Simulation," and Figure 8, "Observation Point 1: Existing Conditions and Tree Removal Simulation," the change in quarry visibility is depicted.

### **Conclusion and Recommendation**

The slope lay back is necessary to comply with OMR review and recommendations for consistency with approved slope angles for long-term stability. The design is entirely within property vested for mining. Amendments to reclamation boundaries are expected and consistent with SMARA requirements to accept reclamation responsibility for all lands affected by mining and periodically occur as mineral development continues. Condition 8 was not intended to restrict allowed mining, but to minimize its visibility. Based on the visual analysis, the changes resulting from tree removal would not be perceptible to the average observer.

It is recommended that Condition 8 be modified as follows:

8. REDWOODS. Except as necessary for the slope lay back required for long-term stability, the redwood trees between the river and the amended reclamation boundary will be protected against cutting.

**STAFF RECOMMENDATION:**

Staff recommends that the County Planning Commission approve the reclamation plan amendment with the following findings and conditions of approval.

**CEQA Findings:**

**Finding 1:** Pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (CEQA) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), the San Benito County (County) Planning Commission hereby finds that it can be seen with certainty that no possibility exists that the review and approval of the reclamation plan amendment (RPA) would have a significant effect on the environment. Therefore, the approval of the RPA is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b) (3).

**Finding 2:** Further, the project is exempt under Class 1 of the categorical exemptions (CEQA Guidelines Section 15301) because the RPA provides negligible or no expansion of the existing use beyond that existing at the time of the lead agency's determination.

**Finding 3:** Therefore, the County Planning Commission hereby finds that the review and approval of this RPA is not subject to further environmental review.

***Evidence for Findings 1, 2, and 3:***

*No possibility exists that approval of the RPA would have a significant impact on the environment because the RPA would alter or expand the approved use permit or vested right of the current mining operation. An environmental impact report (EIR) was prepared for the overburden use permit and was certified before approval of the use permit.*

*All significant impacts of the mining operation have been addressed by the EIR and implementation of the reclamation plan.*

**Reclamation Plan Amendment Findings:**

**Finding 1:** The reclamation plan describes the surface mining operation in adequate detail and complies with SMARA, particularly California Public Resources Code §§ 2772 and 2773.

*Evidence: The applicant has submitted a detailed project description and RPA for review by the County planning staff, California Office of Mining and Reclamation, and the County Planning Commission. The approved reclamation plan adequately describes the surface mining operation and complies with all necessary code requirements. The compliance to the reclamation plan and the conditions of approval of the RPA shall ensure compliance of the surface mining operation.*

**Finding 2:** The reclamation plan complies with the requirements of applicable state regulations.

*Evidence: The RPA has been reviewed and approved by the California Department of Conservation (DOC), Office of Mine and Reclamation.*

**Finding 3:** The reclamation plan and potential use of reclaimed land pursuant to the plan are consistent with this chapter, the County's general plan, and any applicable resource plan or element.

*Evidence: The RPA has been reviewed by all applicable agencies and has been found consistent with the Surface Mining Operations and Reclamation Ordinance (Section 19.13) and the County's general plan.*

**Finding 4:** The County Planning Commission reviewed the potential environmental impacts of the proposed RPA, pursuant to CEQA and the County's environmental review guidelines, and all significant adverse impacts from reclamation of the land following completion of surface mining operations are mitigation to the maximum extent feasible.

*Evidence: The original reclamation plan was approved on October 21, 1980, with an approved use permit (UP 460-88) in 1992 for an overburden placement site. An environmental impact report (EIR) was prepared for the use permit and was certified before approval of the use permit. Pursuant to County Code Section 19.13.007(H), an approved amendment to a reclamation plan shall not be considered an alteration or expansion per se of an approved use permit or of a legal nonconforming surface mining operation. All significant impacts of the operation have been addressed by the EIR, and the RPA does not trigger the need for further environmental review.*

**Finding 5:** The land and/or resources, such as water bodies to be reclaimed, are restored to a condition compatible with and blends with the surrounding natural environment, topography, and other resources, or suitable off-site improvements will compensate for related disturbance to resource values.

*Evidence: The RPA has been reviewed and project materials indicate that when fully mined and reclaimed, the affected property will be returned to one that is consistent with the surrounding area.*

**Finding 6:** The reclamation plan incorporates adequate measures to restore the mined lands to a naturally appearing or useable condition that is consistent with the County's general plan and applicable resource plan or element and that is compatible with adjacent land uses.

*Evidence: The project site, when fully reclaimed, will be consistent with the County's general plan designation of Heavy Industrial and Rangeland and the land uses on the project site will be consistent with the surrounding Rangeland land uses.*

**Finding 7:** The planning director provided a written response to DOC describing the disposition of major issues raised by DOC. Where the county disagrees with the recommendations and objections raised by DOC, such response shall address, in detail, why specific comments and suggestions were not accepted.

*Evidence: A written response to the Office of Mine and Reclamation was delivered with a 30-day notification of hearing. The RPA has been reviewed and approved by the California Office of Mine and Reclamation.*

## **CONDITIONS OF APPROVAL**

- 1. Indemnification:** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter “COUNTY”) free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as “Legal Action”), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys’ fees, expert witness fees, and court costs) incurred by COUNTY from Legal Action to attack, set aside, void or annul the Project or any of the proceedings, acts, or determinations taken, done or made as a result of the COUNTY’s processing and/or approval of the Applicant’s Project, including Legal Actions based on the errors, mistakes, acts, or omissions of COUNTY. County shall promptly notify Applicant of any such claim and shall cooperate in good faith in the defense thereof. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the COUNTY, whether the result of Applicant’s decision not to defend Legal Action or otherwise. COUNTY retains its discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action.
  - 2. Conformity with Plan:** Approved plans and specifications shall not be changed, modified, or altered without written authorization from the County Planning Department. All work shall be in accordance with the approved reclamation plan amendment. [Planning]
  - 3. Financial Assurance:** The APPLICANT shall maintain financial assurance and security pursuant to and consistent with Section 19.13 of the San Benito County Code, for reclamation. [Planning]
- Existing Conditions:** All conditions of approval for Use Permit and Reclamation Plan 488-88 shall remain in effect. [Planning]. It is recommended that Condition 8 be modified as follows:

- 8. REDWOODS.** Except as necessary for the slope lay back required for long-term stability, the redwood trees between the river and the amended reclamation boundary will be protected against cutting.

## **Attachments**

- A. Reclamation Plan Amendment
- B. Vicinity Map
- C. Revised Condition 8 Graphics
- D. Letter to the California Office of Mine Reclamation
- E. Response letter from the California Office of Mine Reclamation

# AR WILSON QUARRY

## RECLAMATION PLAN AMENDMENT

### *Consolidation and Update of Mine Reclamation Footprint*

CA MINE ID #91-35-0012



**OCTOBER** | 2016

**Lead Agency**

San Benito County  
2301 Technology Parkway, Hollister, CA 95023

**Operator**

Graniterock  
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**Preparer**

Benchmark Resources  
2515 East Bidwell Street, Folsom, CA 95630

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## **FIGURES**

Figure 1	Existing Conditions Aerial Photograph
Figure 2	Topography, Permitted Mining, and Zoning
Figure 3(a–d)	Selected Maps from Approved Reclamation Plans
Figure 4	Consolidated Reclamation Footprint

## **SHEETS**

Sheet 1	Consolidated Reclamation Footprint
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## 1. INTRODUCTION

Granite Rock Company (Graniterock) owns and operates the A.R. Wilson Quarry (Wilson Quarry) (California Mine Identification 91-35-0012). As shown in Figure 1, “Existing Conditions Aerial Photograph,” the operation is located in a rural area east of the intersection of State Route 129 and Rogge Lane, approximately 1 mile northeast of the community of Aromas, and approximately 7 miles east of Watsonville, in San Benito County.

This amendment to the approved reclamation plan is limited to updating a boundary map to encompass all reclamation areas. This update was precipitated by a California Department of Conservation, Office of Mine Reclamation (OMR), review of the quarry’s slope grading work, which is required for reclamation. OMR noted that the planning limits shown on the drawings in the original 1980 reclamation plan must be adjusted to accommodate this grading, the areas for overburden storage, and the connecting roadways. In addition, Graniterock subsequently reviewed historical aerial photography and developed a more accurate footprint encompassing planned and approved operational areas to be merged onto a consolidated map.

The footprint on the updated boundary map encompasses all areas where mining-related disturbance has occurred or is planned to occur and that will require reclamation, per the California Surface Mining and Reclamation Act (SMARA) and the approved reclamation plan, as amended. SMARA requires that reclamation occur on any areas subject to mining since SMARA’s approval in 1976.

No new mining areas are being authorized as a result of this reclamation mapping update. The reclamation footprint is completely within the limits of authorized mining areas, including vested rights mining at the Wilson Quarry and the property under a use permit for overburden placement.

## 2. BACKGROUND

Wilson Quarry, formerly known as Logan Quarry, has been operated since 1895. Because the quarry existed before zoning regulation, no San Benito County (County) use permit was required. After SMARA was adopted, the County Board of Supervisors recognized the vested rights for previously mined parcels at a public hearing on October 5, 1981. Those vested properties are shown in Figure 2, “Topography, Mining, and Zoning.”

The reclamation plan for Logan Quarry was approved on October 21, 1980. The plan encompassed not only the vested areas of the quarry, but also an approximately 850-

acre area to the south, where a plan was being developed to place quarry overburden. Reclamation graphics showing these areas are reproduced in Figure 3(a–d), “Selected Maps from Approved Reclamation Plans.”

Postmining land uses identified in the approved plan consist of agricultural, residential, recreational, and industrial uses, which reflect the zoning and prior land uses on the various parcels. The quarry and overburden areas are to be reclaimed for rural residential and agriculture (primarily grazing) uses. The quarry itself will fill with surface water runoff, creating a freshwater reservoir. Meanwhile, the railyard and its infrastructure will remain and continue to be used for industrial purposes (see Figure 3[b]).

In the early years of operations, overburden was placed adjacent to the mine excavation. Over time, as the quarrying operations moved southeast, additional overburden was encountered, requiring placing it at a location that would not conflict with future mining. A suitable placement area was identified approximately 1 mile south of the quarry. Initially known as the Brigantino Overburden Project, the site and design was determined through a lengthy public review process and an environmental impact report completed in 1992. The approved overburden placement and conveyor alignment differed from the original Logan Quarry map. See Figure 3(a) versus 3(c)(b). The design and configuration of the overburden area was ultimately approved with a smaller footprint than proposed and evaluated in the EIR. The final footprint appeared in the *Brigantino Revegetation Plan*, per the approved reclamation plan (see Figure 3[d]).

### 3. CONSOLIDATED RECLAMATION FOOTPRINT

This amendment provides a comprehensive set of reclamation boundary updates to address historical operations, plan approvals, and current conditions, including:

- *Revise north slope and south slope layback areas:* OMR noted quarry slopes on the north and south faces potentially requiring flattening and additional reclamation requirements. The reclamation boundaries are therefore moved to accommodate these slope angles.
- *Capture roads and other connecting areas between overburden polygons:* The area limits for overburden and fines processing were drawn as disconnected from the quarry in the approved plan. This area is now merged with other preexisting mine surfaces and ongoing operations.
- *Consolidate the footprints of Wilson Quarry and the approved overburden site on a single map:* The final footprint for the overburden area and conveyor alignment approved on the use permit had not been updated on the map in the

approved reclamation plan. The approved overburden facility is therefore integrated with other quarry reclamation drawings for a combined footprint.

- ***Include other existing and planned surface disturbances (e.g., maintenance roads, equipment areas):*** Updated aerial imagery was used to capture existing surface disturbances. Considerations for ongoing operations within approved mining areas were integrated into the comprehensive reclamation footprint.

The updated reclamation planning footprint is shown in Figure 4 and Sheet 1, “Consolidated Reclamation Footprint.”

As discussed above, this planning update does not provide for new mining operations; mining is already permitted via the vested rights and use permit. This update does not substantially affect the reclamation or end uses approved. Therefore, per Section 3502(d) of SMARA regulations, the updated footprint does not constitute a substantial deviation to the approved reclamation plan.

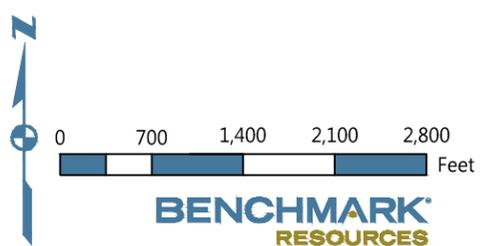
## FIGURES



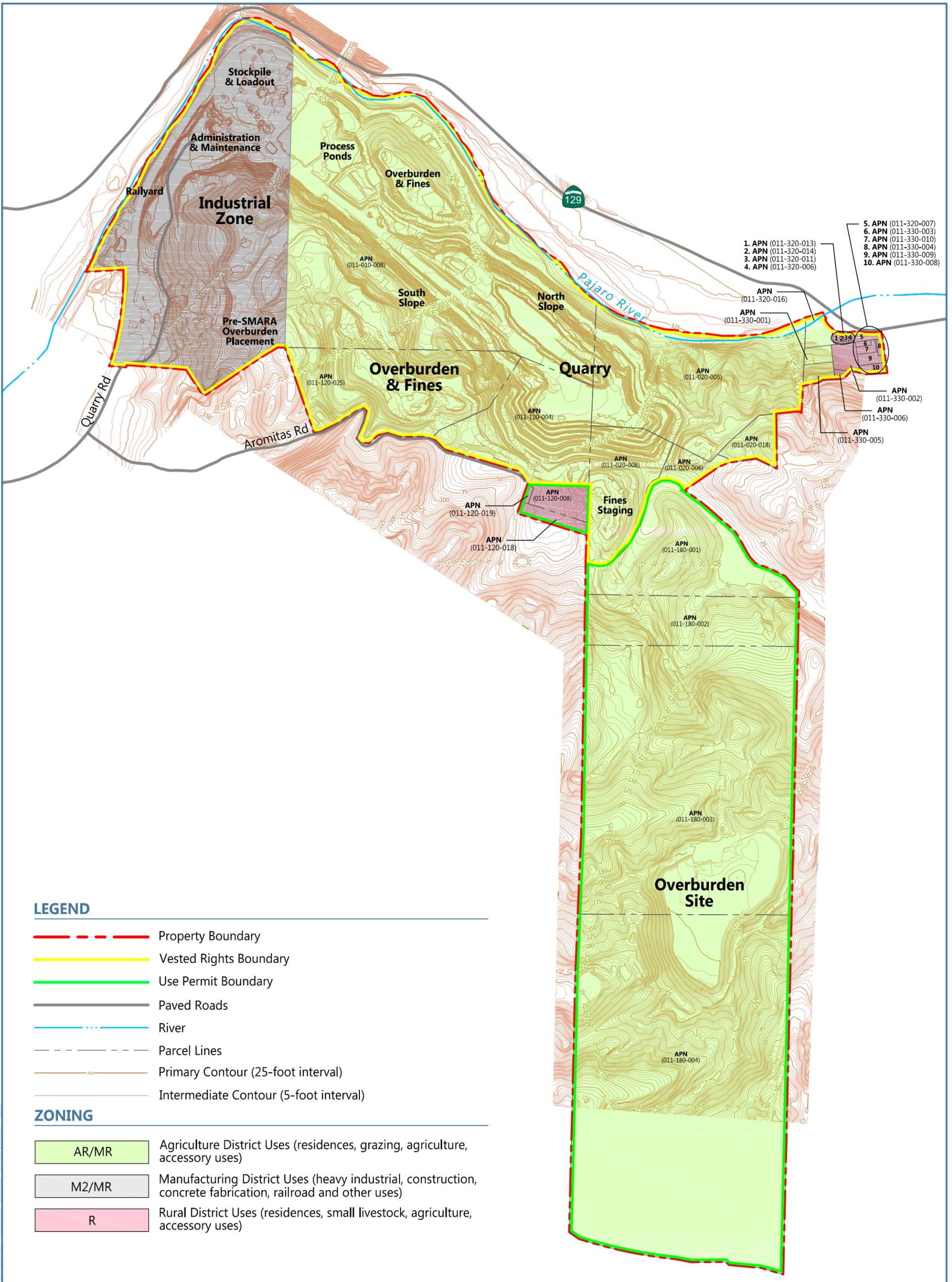
SOURCE: San Benito County 2016; ESRI Streetmap 2009; Google Earth Pro (2015-03-28)

**LEGEND**

- - - Property Boundary
- - - Paved Roads
- - - River

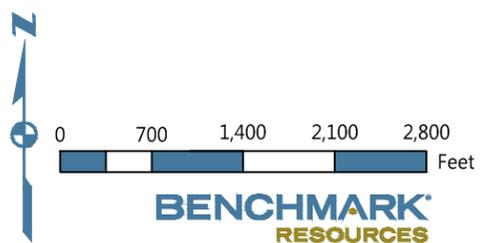


**Existing Conditions Aerial Photograph**  
AR WILSON QUARRY RECLAMATION PLAN AMENDMENT  
**Figure 1**



SOURCE: Compiled by Benchmark Resources in 2016; ESRI Streetmap 2009; Graniterock 2016; San Benito County 2016; Towill Surveying, Mapping and GIS Services (2015-12-01)

NOTES: Assessor's Parcel numbers have last three digits omitted ("000" removed from all numbers).



**Topography, Mine Permits, and Zoning**  
AR WILSON QUARRY RECLAMATION PLAN AMENDMENT  
Figure 2

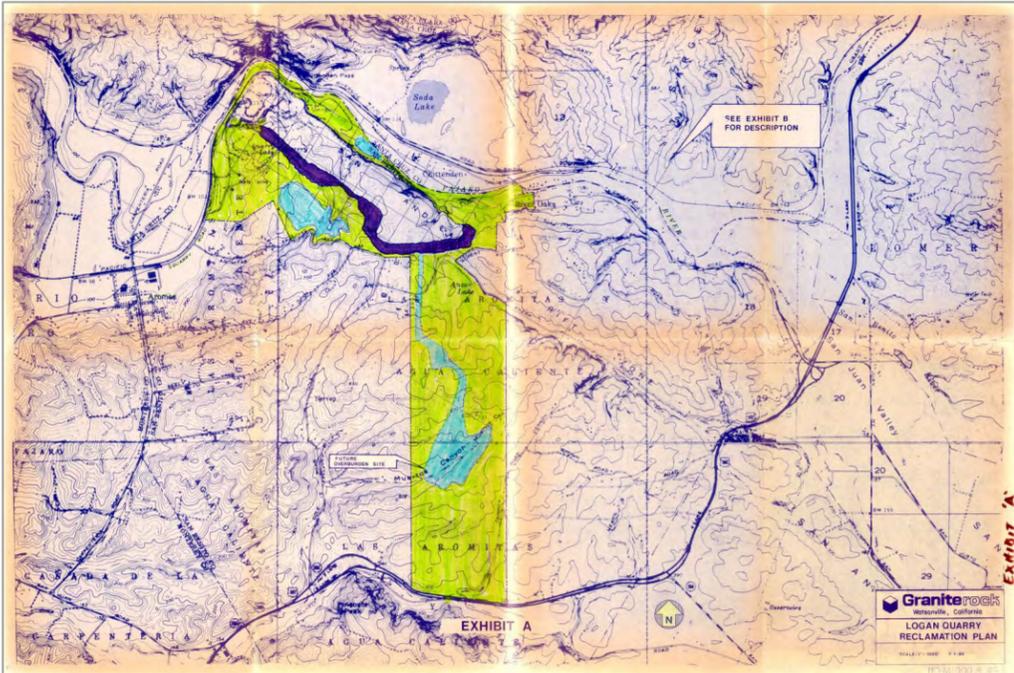


Figure 3(a): EXHIBIT A - 1980 APPROVED REC PLAN

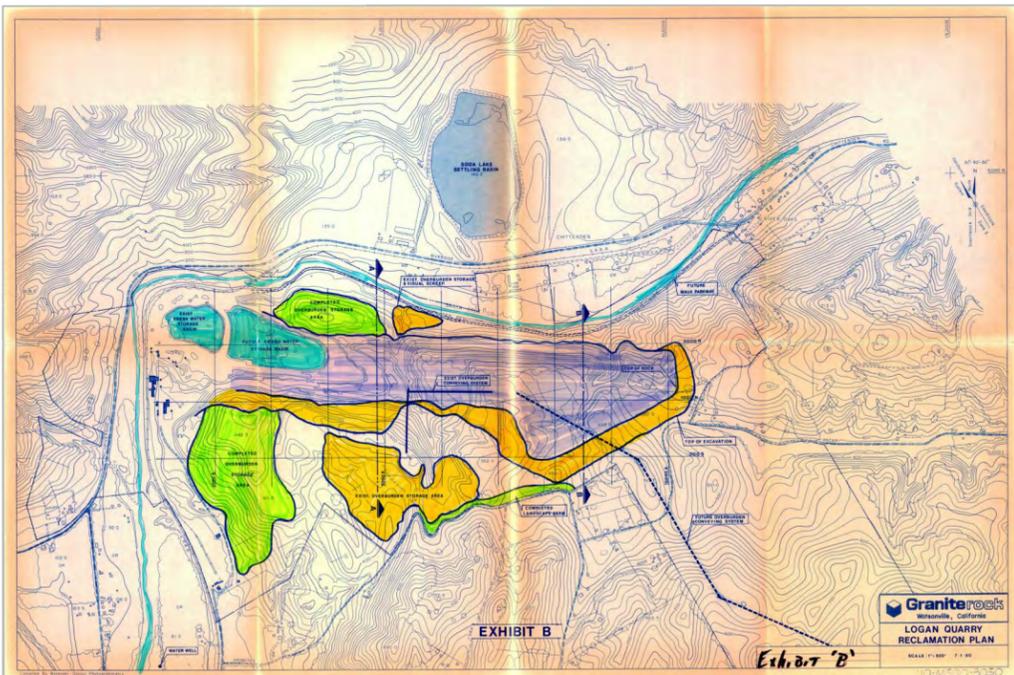


Figure 3(b): EXHIBIT B - 1980 APPROVED REC PLAN

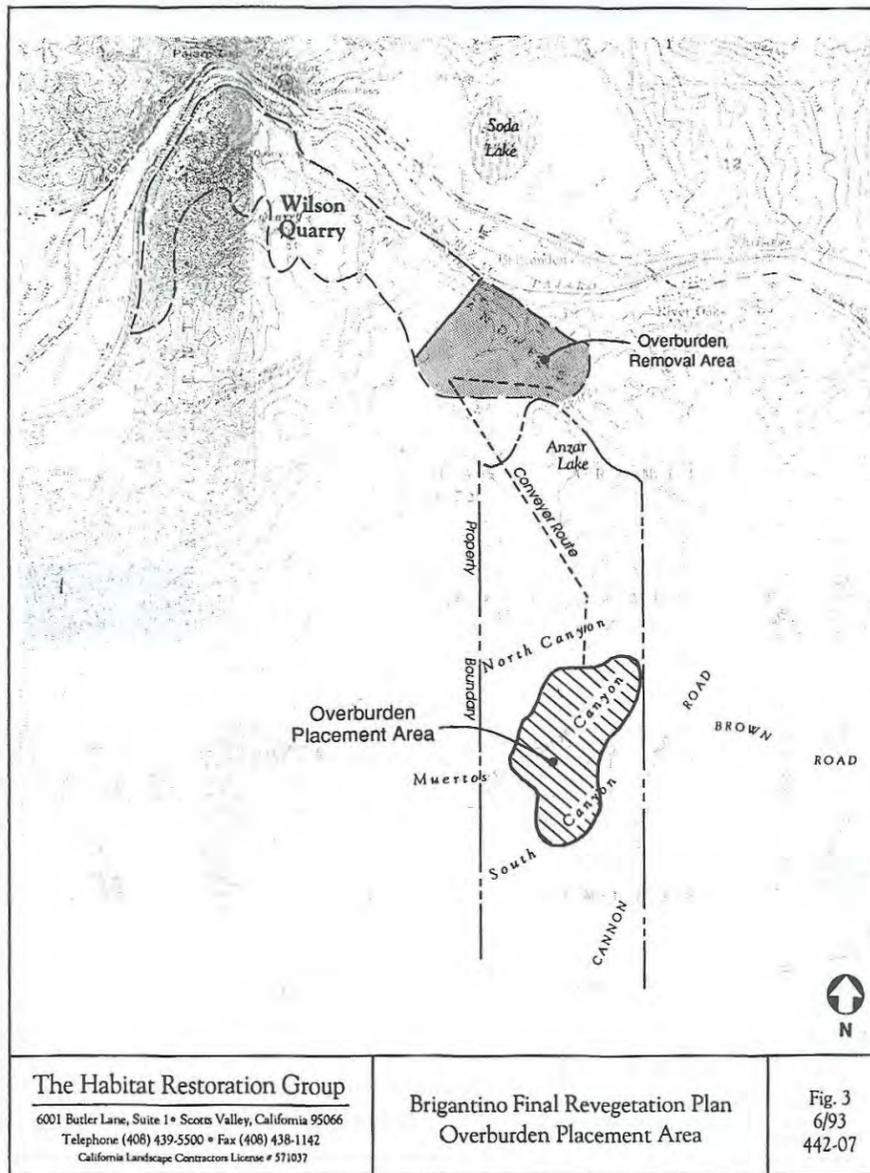


Figure 3(c): OVERBURDEN PLACEMENT AREA from EIR (1992)

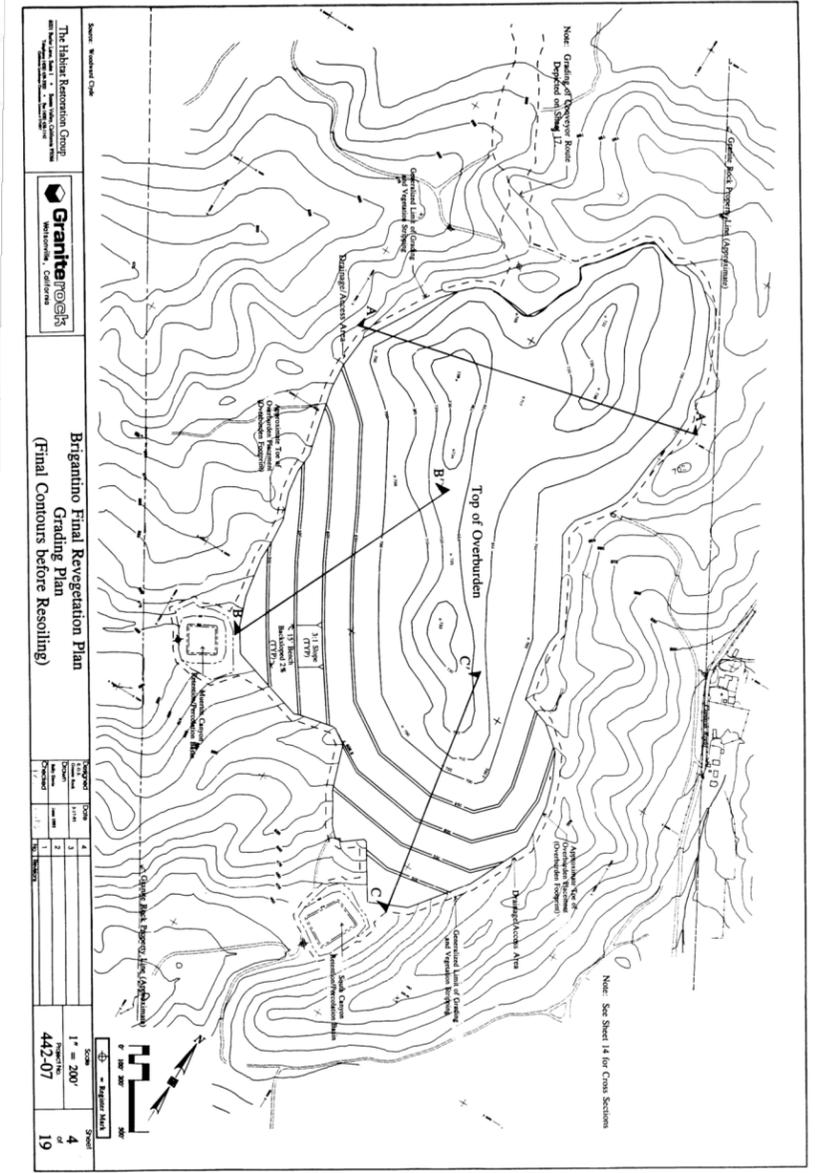
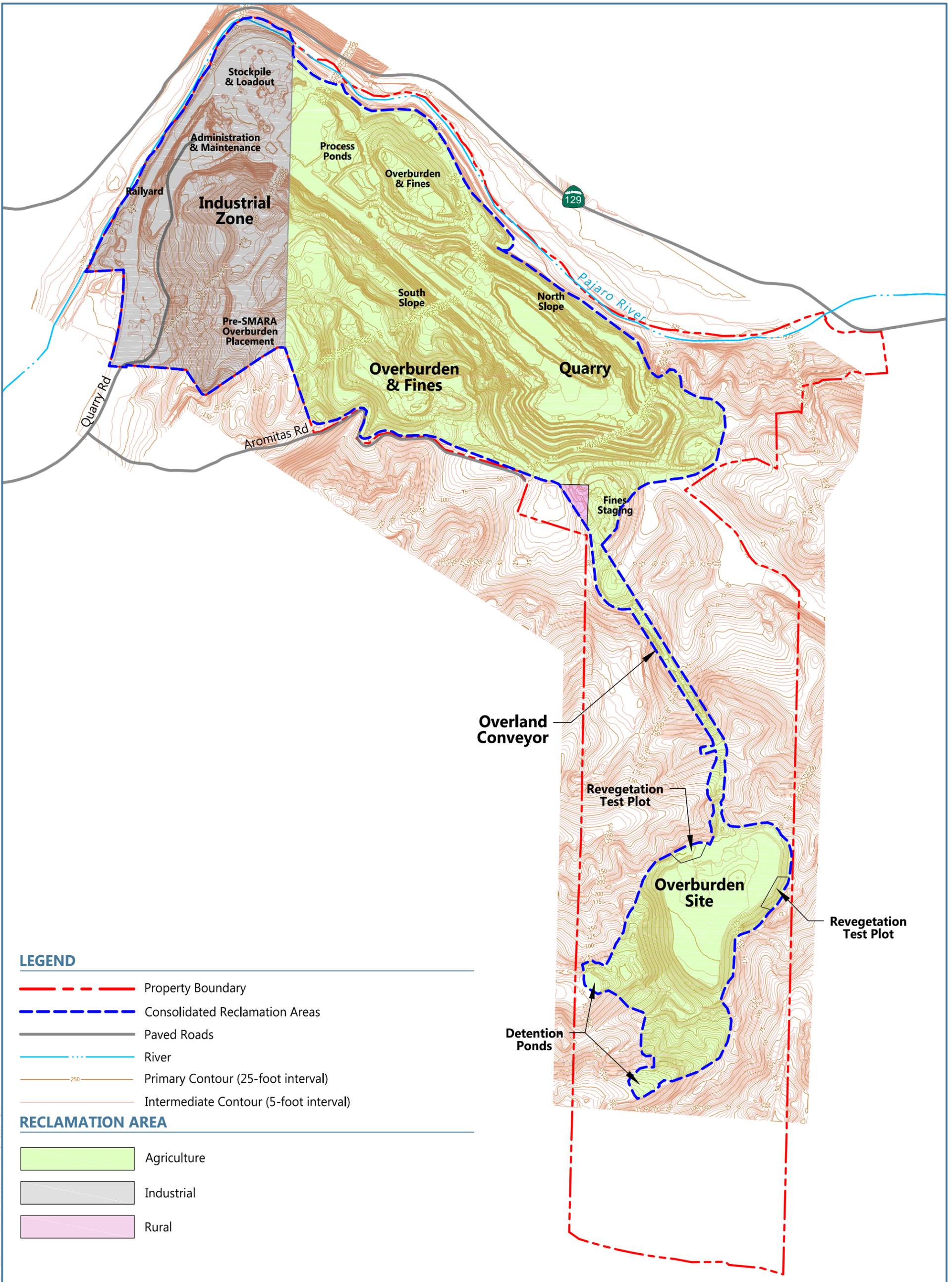


Figure 3(d): GRADING PLAN - BRIGANTINO FINAL REVEGETATION PLAN (6/16/93)

SOURCE: Compiled by Benchmark Resources in 2016; San Benito County 2016; Graniterock 2016



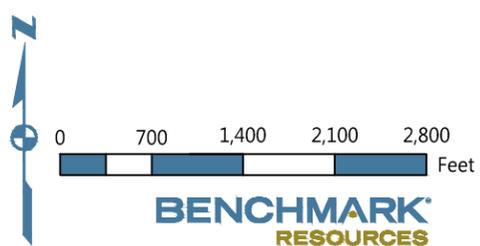
**LEGEND**

- - - Property Boundary
- - - Consolidated Reclamation Areas
- Paved Roads
- · — · River
- Primary Contour (25-foot interval)
- Intermediate Contour (5-foot interval)

**RECLAMATION AREA**

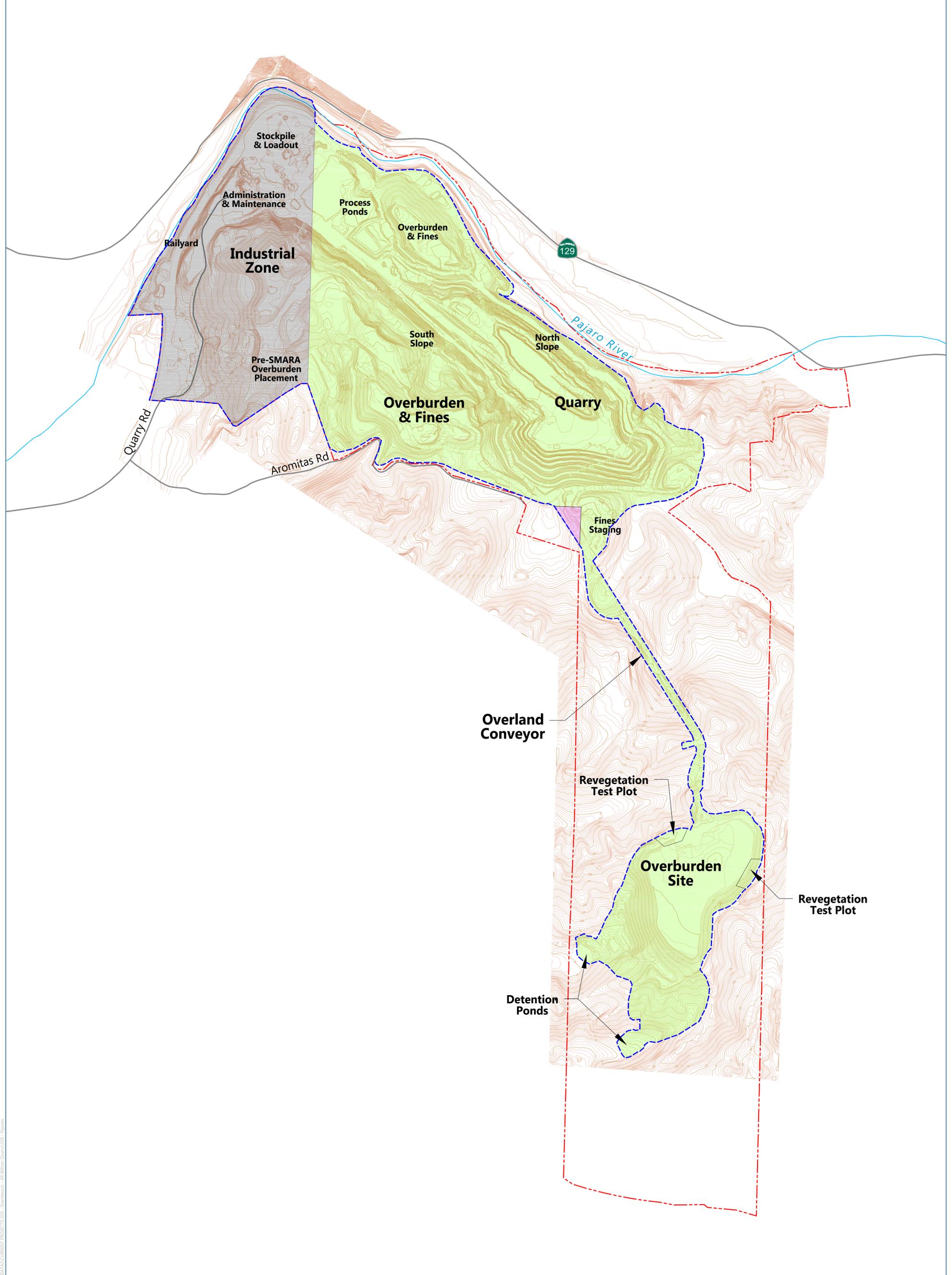
- Agriculture
- Industrial
- Rural

SOURCE: Compiled by Benchmark Resources in 2016; ESRI Streetmap 2009; Graniterock 2016; San Benito County 2016; Towill Surveying, Mapping and GIS Services (2015-12-01)



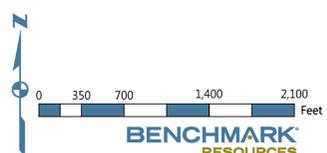
**Consolidated Reclamation Footprint**  
AR WILSON QUARRY RECLAMATION PLAN AMENDMENT  
**Figure 4**

SHEETS



SOURCE: SOURCE: Compiled by Benchmark Resources in 2016; ESRI Streetmap 2009; Graniterock 2016; San Benito County 2016; Towill Surveying, Mapping and GIS Services (2015-12-01)

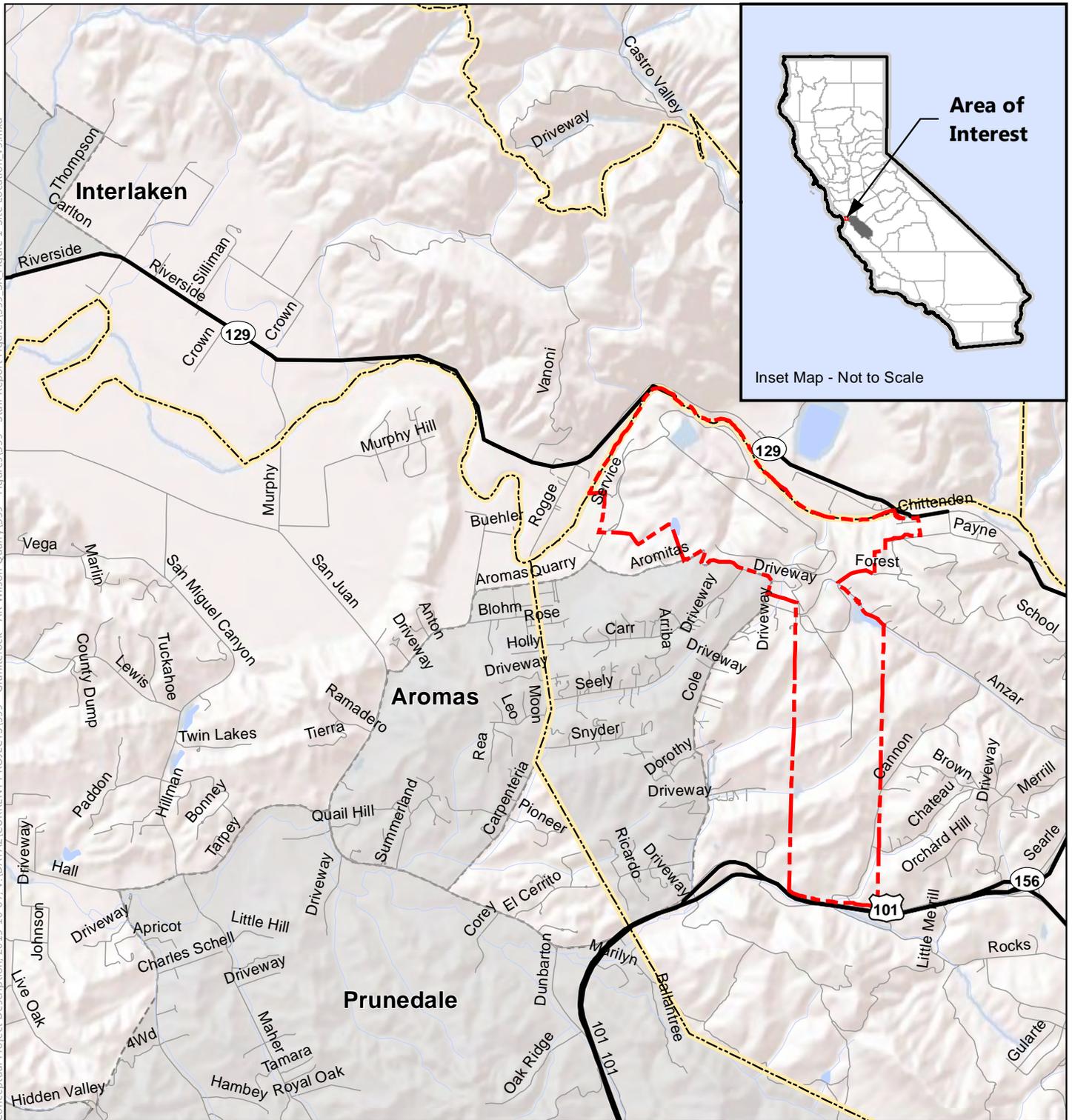
LEGEND		RECLAMATION AREA	
	Property Boundary		Agriculture
	Consolidated Reclamation Areas		Industrial
	Paved Roads		Rural
	River		
	Primary Contour (25-foot interval)		
	Intermediate Contour (5-foot interval)		



**BENCHMARK**  
**RESOURCES**

2515 East Bidwell Street  
Folsom, California 95630  
P: 916.983.9193 | F: 916.983.9194  
[www.benchmarkresources.net](http://www.benchmarkresources.net)

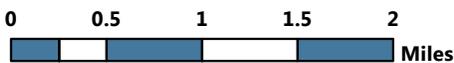
Conceptual Project Description, 2015-10-07, V:\DATA\2\CURRENT PROJECTS\359 - Graniterock - AR Wilson Quarry\359 - Figures\359 - Staff Report Figures\359 SR Figure 1 - Site Location v5.mxd



SOURCE: ESRI World Shaded Relief 2014; ESRI World Streetmap 2009  
 NOTES: This figure was prepared for land use planning and informational purposes only. The info shown and its accuracy are reflective of the date the data was accessed or produced.

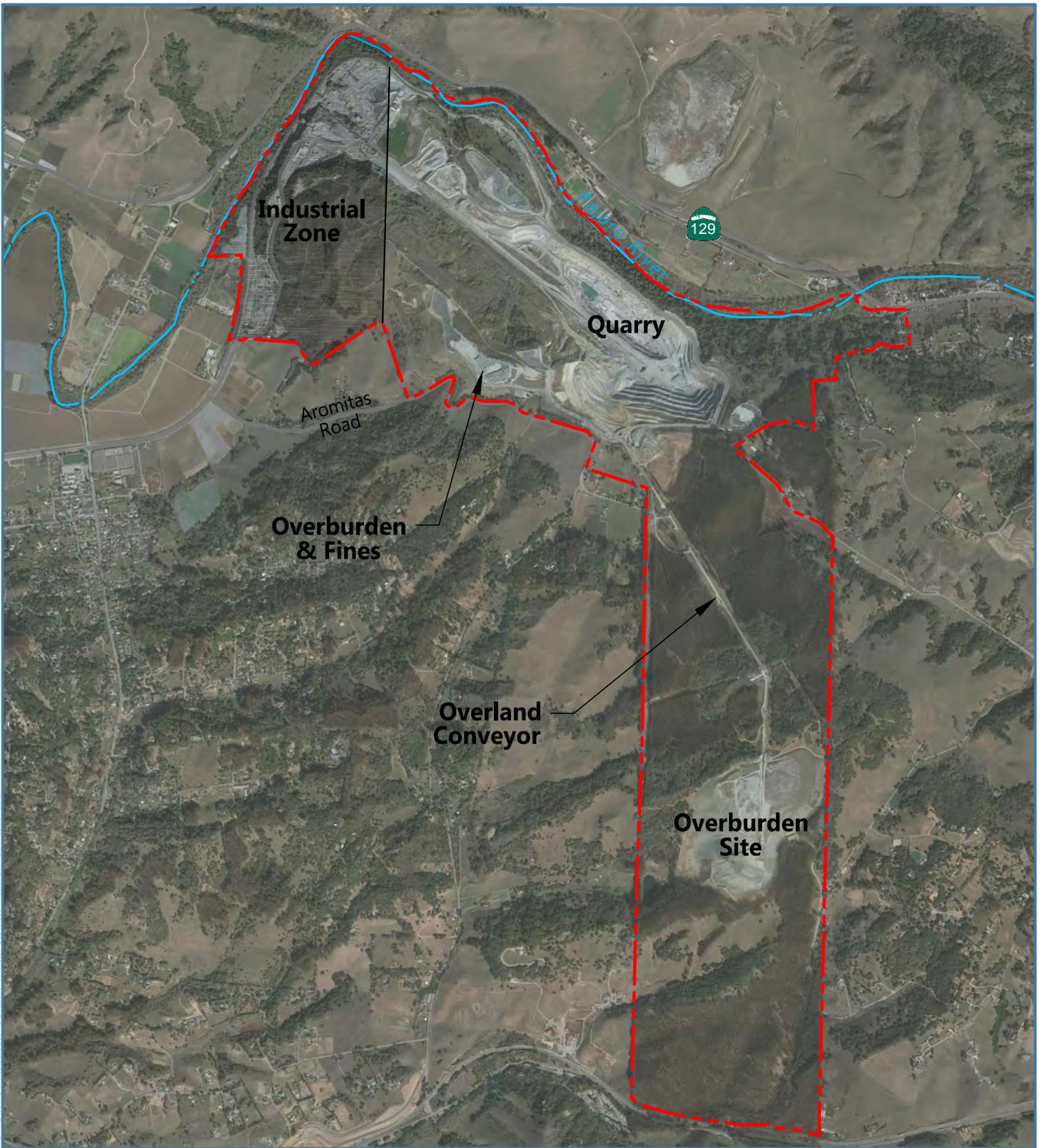
**LEGEND**

- Site Boundary
- County Boundary
- Urban Area
- Highway
- streets
- River



**BENCHMARK**  
RESOURCES

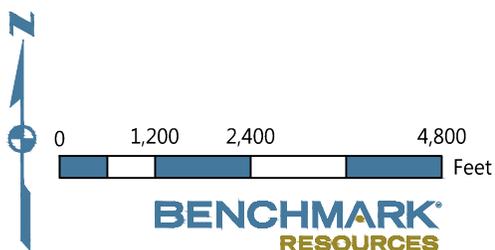
**Site Location**  
AR Wilson Quarry Staff Report  
**Figure 1**



SOURCE: San Benito County 2016; ESRI Streetmap 2009; Google Earth Pro (2015-03-28)

**LEGEND**

- - - Property Boundary
- Paved Roads
- · - · - River



**Existing Conditions Aerial Photograph**  
AR WILSON QUARRY STAFF REPORT  
**Figure 2**

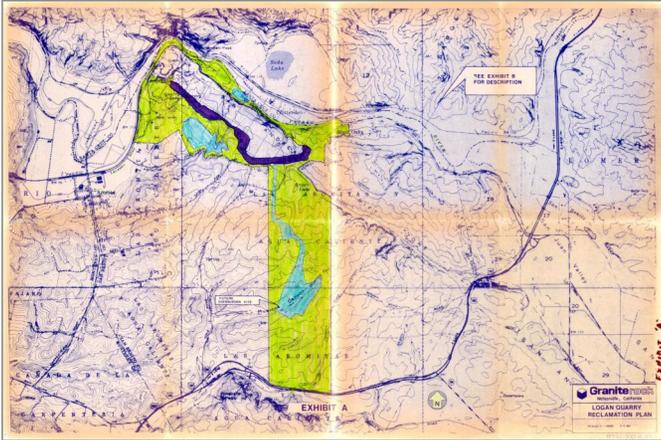


Figure 3(a): EXHIBIT A - 1980 APPROVED REC PLAN

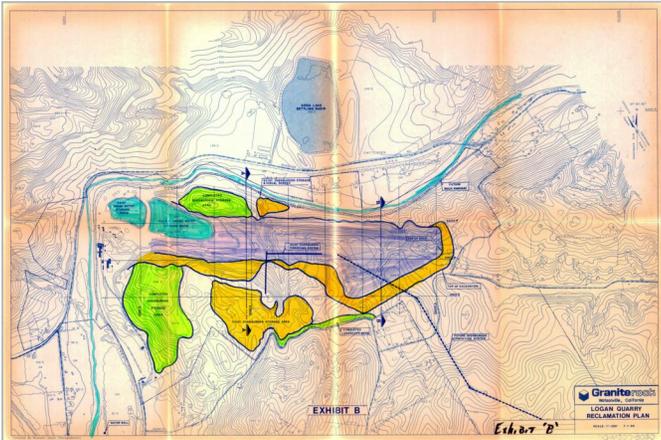


Figure 3(b): EXHIBIT B - 1980 APPROVED REC PLAN

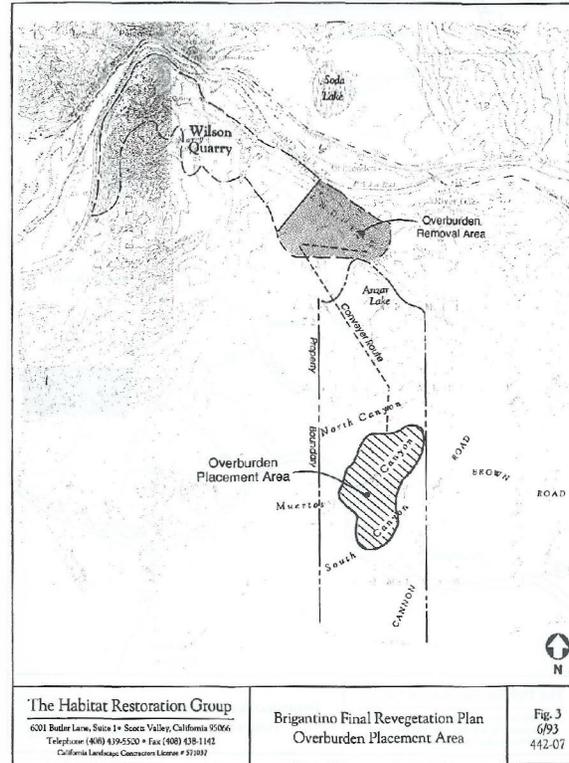


Figure 3(c): OVERBURDEN PLACEMENT AREA from EIR (1992)

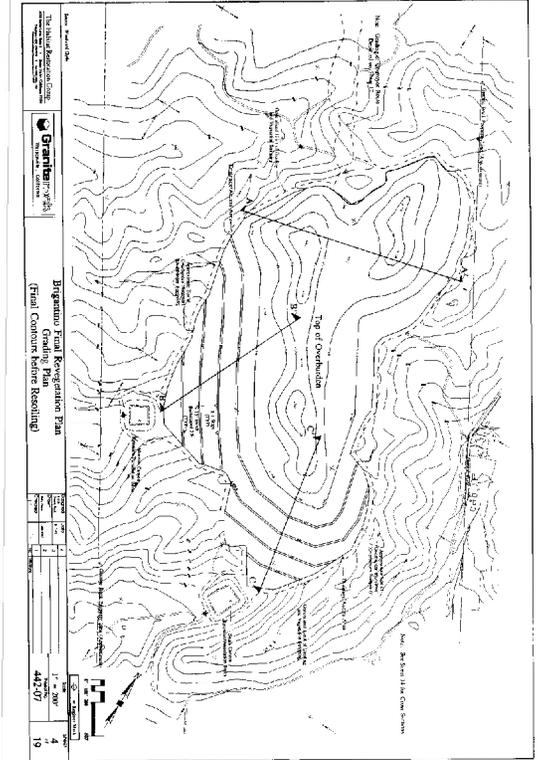
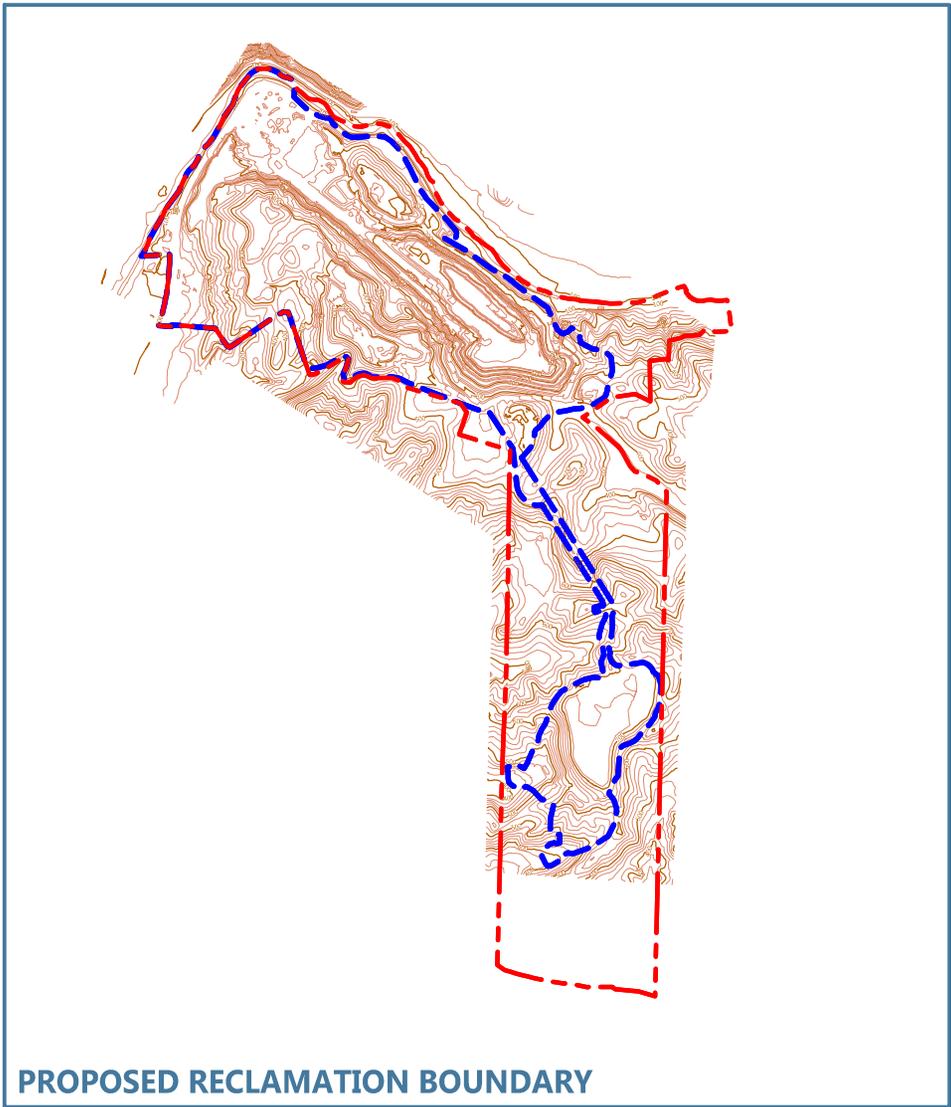
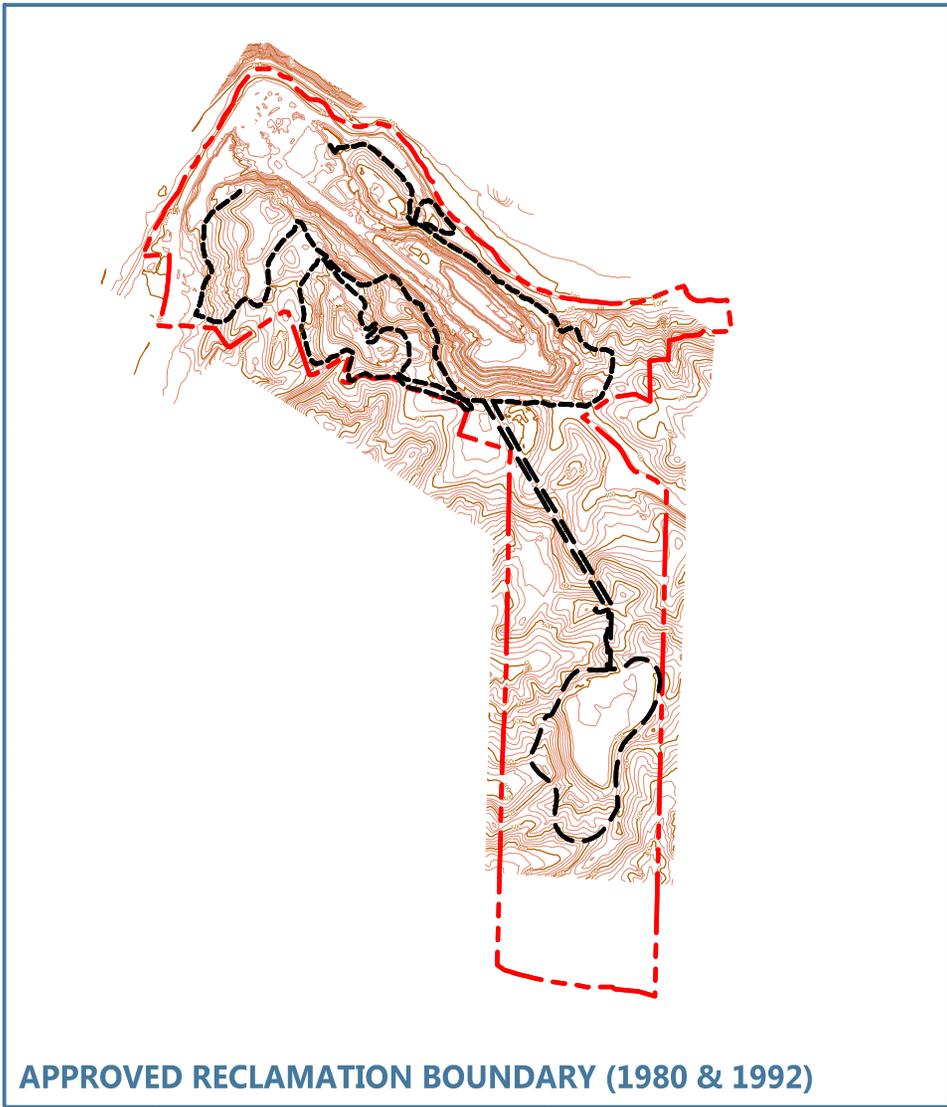


Figure 3(d): GRADING PLAN from BRIGANTINO FINAL REVEGETATION PLAN (6/16/93)

SOURCE: Compiled by Benchmark Resources in 2016; San Benito County 2016; Graniterock 2016



SOURCE: Compiled by Benchmark Resources in 2016; Towill Surveying, Mapping and GIS Services (2015-12-01); Graniterock 2016

### LEGEND

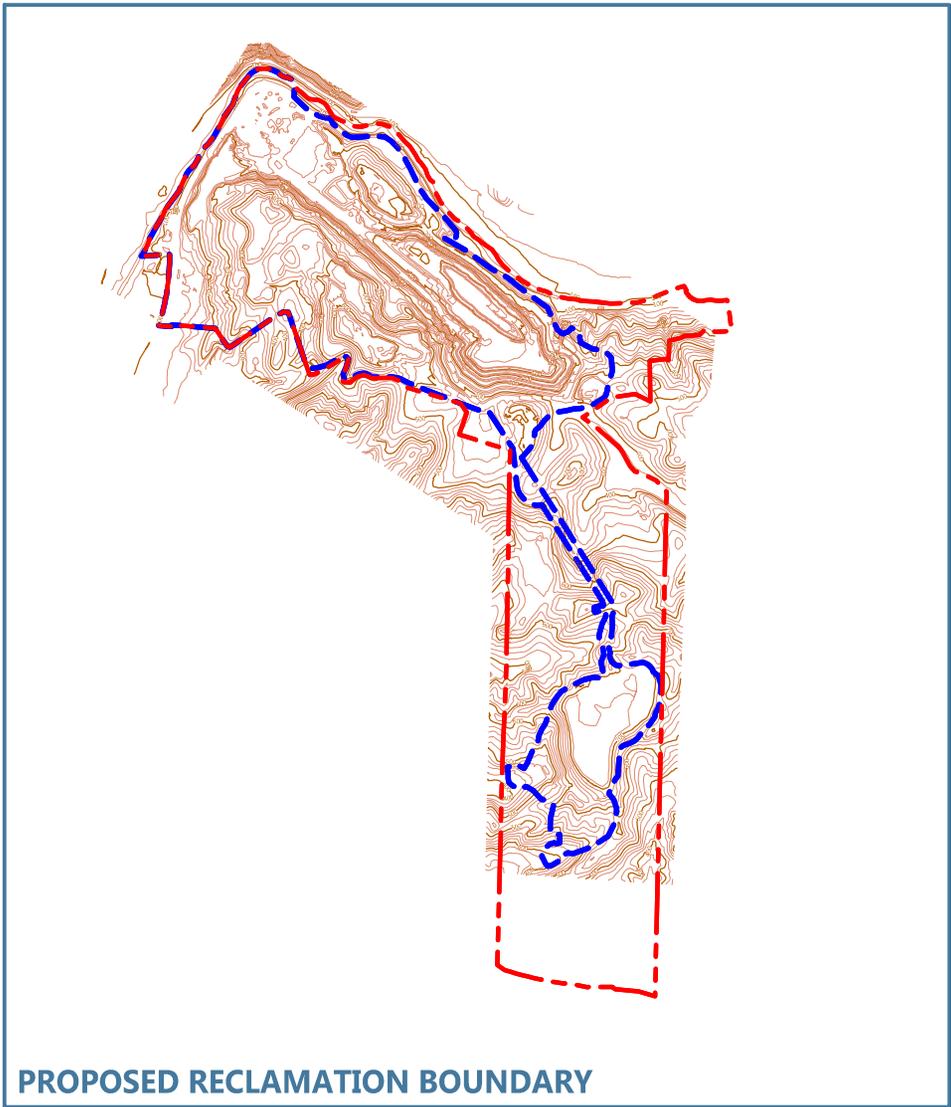
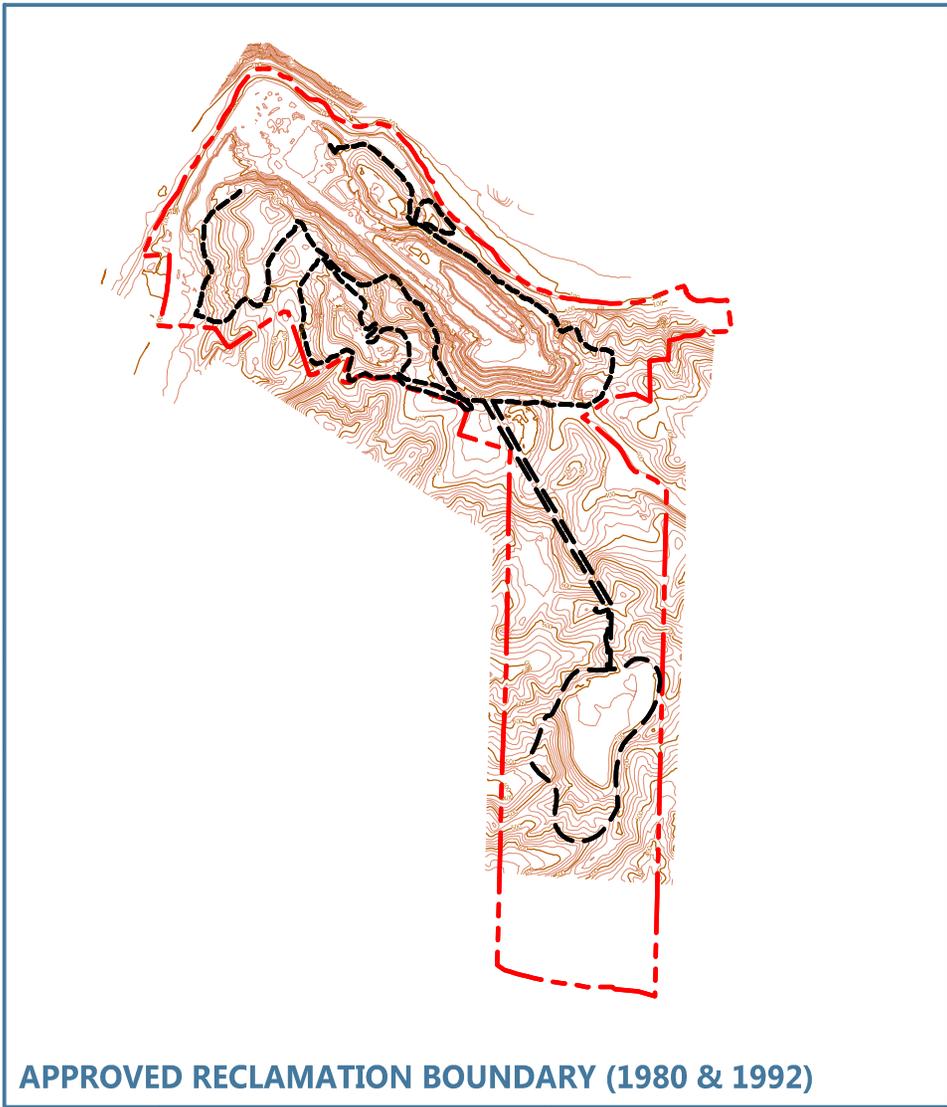
- - - Site Boundary
- - - Approved Reclamation Boundary (1980 & 1992)
- - - Proposed Reclamation Boundary
- Primary Contour (100-foot interval)
- Intermediate Contour (20-foot interval)



### Reclamation Plan Boundary Comparison

AR WILSON QUARRY STAFF REPORT

Figure 5



SOURCE: Compiled by Benchmark Resources in 2016; Towill Surveying, Mapping and GIS Services (2015-12-01); Graniterock 2016

### LEGEND

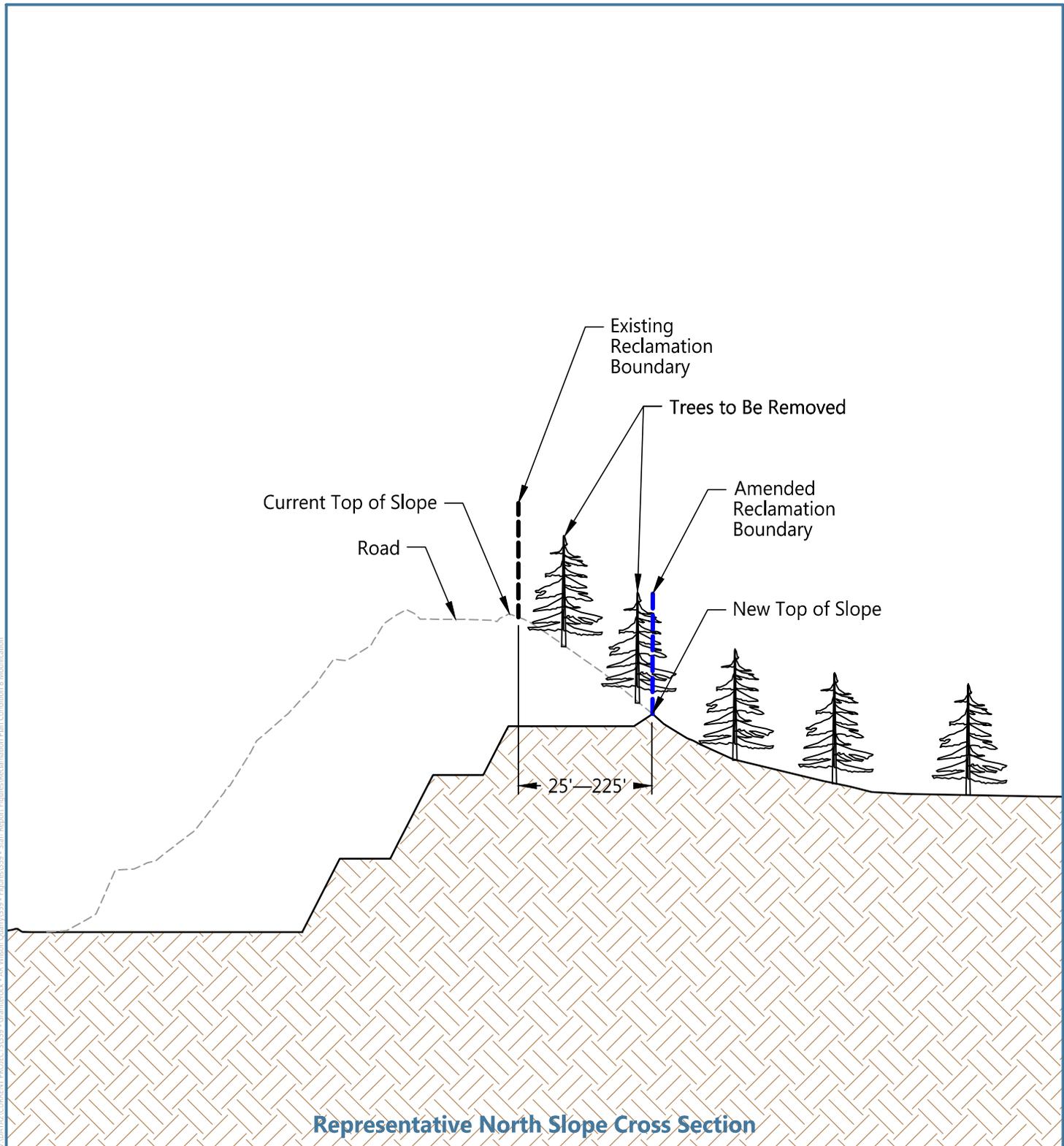
- - - - - Site Boundary
- - - - - Approved Reclamation Boundary (1980 & 1992)
- - - - - Proposed Reclamation Boundary
- Primary Contour (25-foot interval)
- Intermediate Contour (5-foot interval)



### Reclamation Plan Boundary Comparison

AR WILSON QUARRY STAFF REPORT

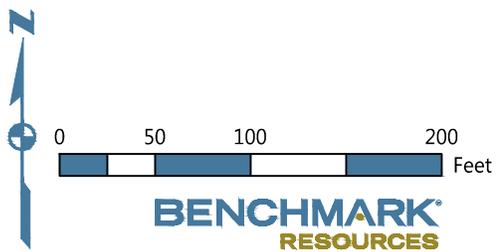
Figure 5



**Representative North Slope Cross Section**

SOURCES: Graniterock 2016; compiled by Benchmark Resources in 2016

LEGEND	
	Existing Reclamation Boundary
	Amended Reclamation Boundary
	Existing Slope
	Planned Slope



**BENCHMARK**  
RESOURCES

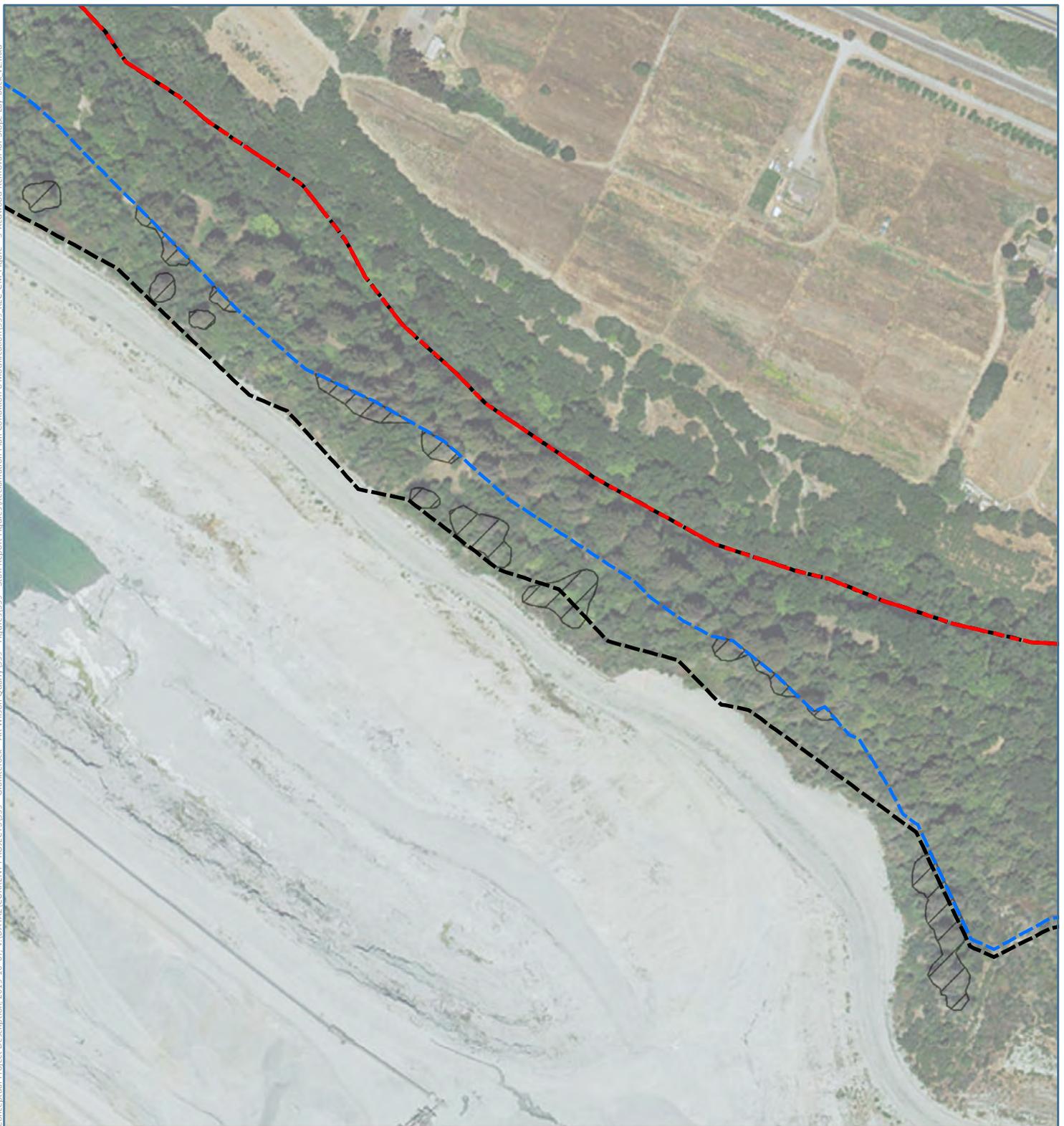


North rim road and redwoods within layback area. View to the east.



Close-up of redwoods and quarry. View south from State Route 129.

Conceptual Project Description: 2015-10-07, V:\DATA\CURRENT PROJECTS\359 - Graniterock - AR Wilson Quarry\359 - Figures\359 - Staff Report Figures\Reclamation Plan Condition 8 Modification\359\_REC\_CM\_Figure - 3-Redwood Removal for Slope Layback.v2.mxd



SOURCE: NAIP Aerial Imagery 2014-06-13; Trees Mapped by Graniterock 2016; compiled by Benchmark Resources in 2016

**LEGEND**

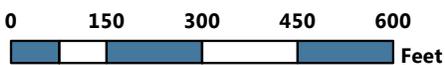
--- Site Boundary

--- Existing Reclamation Plan Boundary

--- Amended Reclamation Plan Boundary

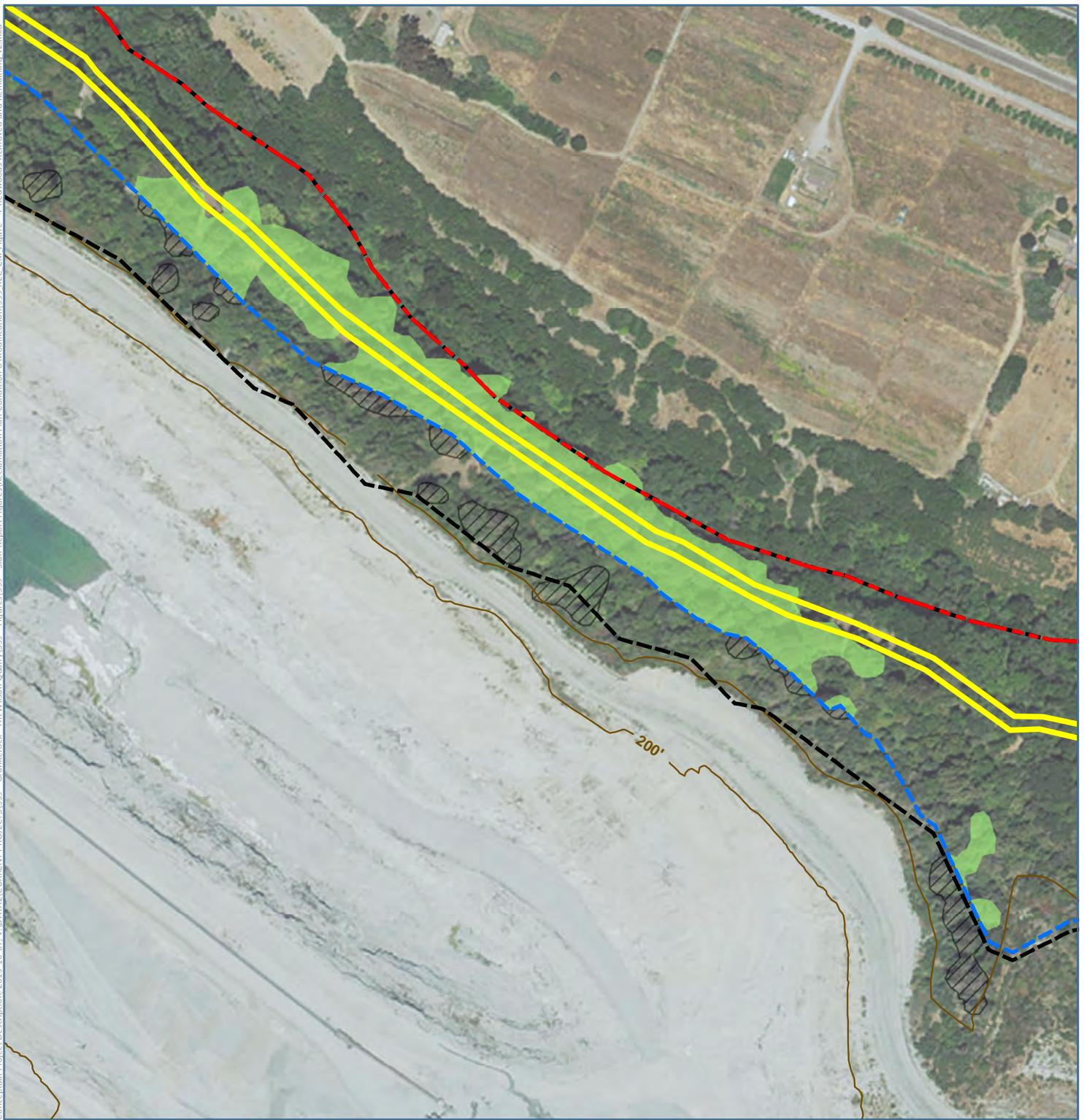


Slope Layback Removal (<3 acres)



**Redwood Removal for Slope Layback**  
A.R. WILSON QUARRY RECLAMATION PLAN AMENDMENT  
CONDITION 8 MODIFICATION  
**Figure 3**

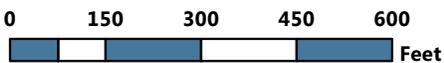
Conceptual Project Description, 2015-10-07, V:\DATA\CURRENT PROJECTS\359 - Graniterock - AR Wilson Quarry\359 - Figures\359 - Staff Report Figures\Reclamation Plan Condition 8 Modification\359 REC CM Figure - 4-Redwoods Removed and Remaining.v2.mxd



SOURCE: NAIP Aerial Imagery 2014-06-13; affected trees mapped by Graniterock in 2016; compiled by Benchmark Resources 2016

### LEGEND

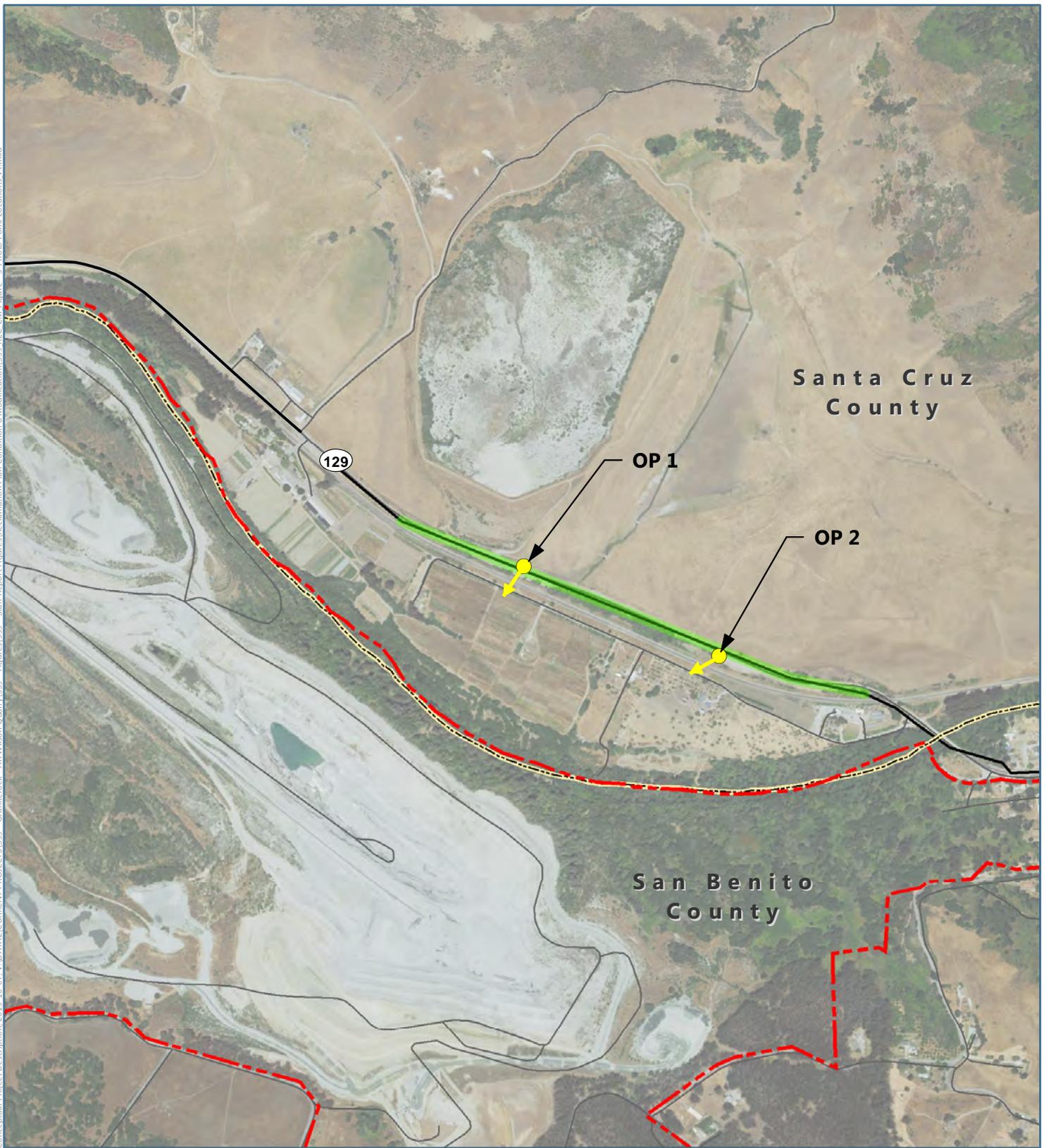
- - - Site Boundary
- - - Existing Reclamation Plan Boundary
- - - Amended Reclamation Plan Boundary
- — — Mauk Parkway (not proposed)
- — — Elevation 200'
- Slope Layback Redwood Removed (<3 acres)
- Mauk Parkway Redwood Removal (not proposed) (8.6 acres)



**BENCHMARK**  
RESOURCES

**Mauk Parkway Trees Remaining**  
A.R. WILSON QUARRY RECLAMATION PLAN AMENDMENT  
CONDITION 8 MODIFICATION  
**Figure 4**

Conceptual Project Description, 2015-10-07, V:\DATA\CURRENT PROJECTS\359 - Granite Rock - AR Wilson Quarry\359 - Figures\359 - Staff Report\Figures\Reclamation Plan Condition 8 Modification\359 REC CM Figure - 5-Photo Point Locations.v4.mxd

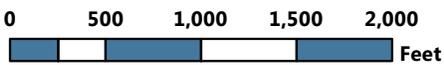


SOURCE: NAIP Aerial Imagery 2014-06-13; compiled by Benchmark Resources in 2016

**LEGEND**

-  Site Boundary
-  Highway
-  Street
-  County Boundary

-  View Corridor
-  Observation Point (OP) and Direction



**BENCHMARK**  
RESOURCES

**SR 129 Observation Points**

A.R. WILSON QUARRY RECLAMATION PLAN AMENDMENT  
CONDITION 8 MODIFICATION

**Figure 5**

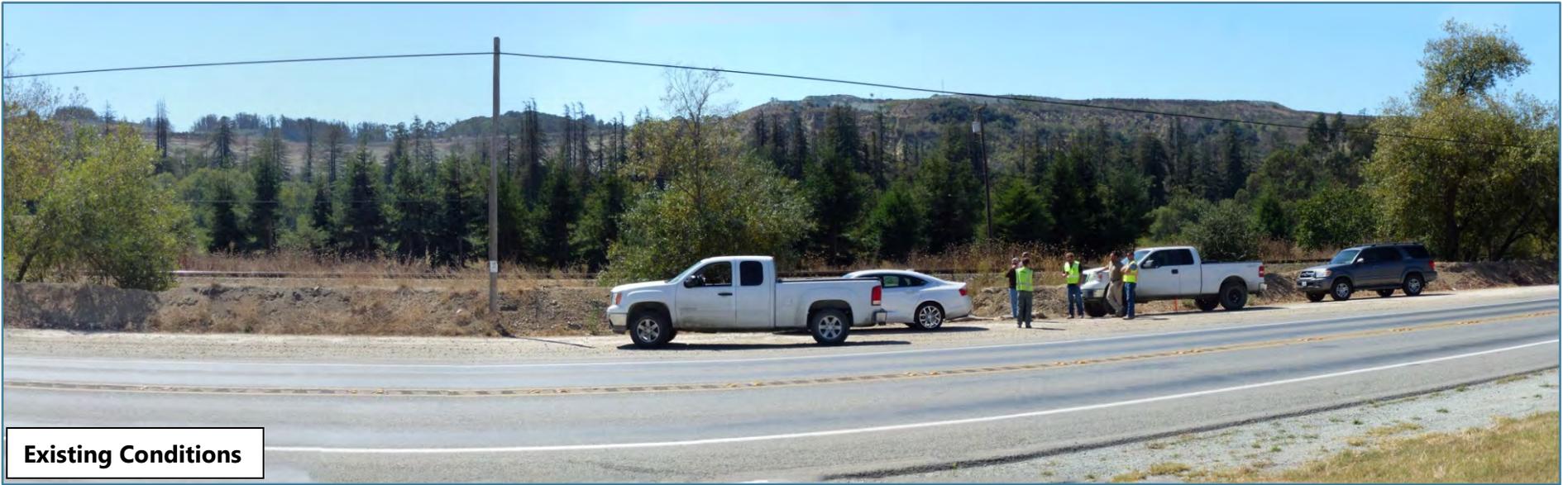


**View from Observation Point 1**



**View from Observation Point 2**

NOTES: See Figure 5 for viewpoint locations.



**Existing Conditions**



**Simulation with Trees Removed**

NOTES: See Figure 5 for viewpoint locations.



NOTES: See Figure 5 for viewpoint locations.

RECLAMATION PLAN

LOGAN QUARRY

AROMAS, CALIFORNIA



# Graniterock

TO: Planning Commission  
 County of San Benito  
 Attn: Phil Fitzbuck, Planning Director  
 3220 Southside Road  
 Hollister, California 95023

SUBJECT: MINE RECLAMATION PLAN - LOGAN QUARRY  
 Proposal in compliance with Section 2772 of the Surface  
 Mining and Reclamation Act of 1975. Reclamation Plan  
 Form furnished by the County of San Benito Planning  
 Department

1. Applicant

Granite Rock Company  
 P. O. Box 151  
 Watsonville, CA 95076  
 408/724-5611

2. Name of Mineral Property

Logan Quarry

3. Property Owner

Same as applicant

4. Owner of Mineral Rights

Same as applicant

5. Lessee

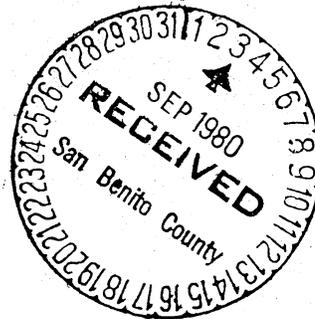
Not applicable

6. Operator

Same as applicant

7. Agent of Process

Stephen G. Woolpert  
 Land Manager  
 Granite Rock Company  
 P. O. Box 151  
 Watsonville, CA 95076  
 408/724-5611



# APPROVED

OCT 21 1980

DATE  
SAN BENITO COUNTY PLANNING COMMISSION

Philip A. Fitzbuck  
 County Planner  
 San Benito County



8. Extent of Lands Involved in This Operation

The Logan Quarry complex is a large assemblage of parcels with their purpose falling into many categories: 1) raw material harvesting; 2) raw material processing; 3) finished product stockpiling; 4) overburden placement; and 5) open space buffer. The Logan Quarry operation is comprised of approximately 2,000 acres, located in T12S, R3E, MDB and M, as projected into Ranchos Las Aromitas Y Agua Caliente and Salsipuedes.

9. Access Route

The main access route to the Logan Quarry operation is Quarry Road, which is reached by using either Rogge Lane from California State Highway 129 or Aromas Road from San Juan Road. Future access is planned to include the use of Mauk Parkway, a private road. (Refer to Exhibit B for location.)

10. Location

Refer to Exhibit A.

11. Mineral Commodity

Commercial crushed rock aggregates.

12. Geologic Description

Granite Rock Company's Logan Quarry is one-half mile northeast of the town of Aromas in San Benito County. The rock deposit, which is composed of high quality and some less desirable, deeply weathered rock, runs along the San Andreas Fault for a distance of over five miles, roughly beginning at California State Highway 129 and extending southeast as far as the Anzar Road and Cannon Road junction.

Northeast of the San Andreas Fault no granitic rock is exposed, and it is buried beneath many hundreds of feet of sedimentary rocks of the Pliocene Purisma Formation. Thus, the two regimes on opposite sides of the fault are utterly different, as would be expected by the theory of plate tectonics.

The rock deposit at Logan, in the commercial sense, is a granite. It is a hard, tenacious, heavy rock composed mainly of tightly-interlocking crystals of plagioclase feldspar, hornblende, and quartz. The plagioclase feldspar is high in calcium, and the hornblende content makes it high also in iron and magnesium. The petrologic term quartz-gabbrodiorite, applied to this unusual stone, is based upon the highly calcic feldspar, the quartz content, and the large proportion of hornblende.



12. Geologic Description (continued)

The quartz-gabbro, forming the main ore body, is in part covered by a thickness of a few feet to several hundred feet of claystone, sandstone, and cobble conglomerate of the Purisima Formation. An orange sand, the Pleistocene Aromas Formation, is also present as overburden above the quartz-gabbro.

13. Environment

The environmental setting of the site is predominantly that of an existing open pit quarry which has been in operation since 1895. It is nestled between the Pajaro River and rolling hills.

The resident flora is composed of pasture grasses, scattered oak trees, and agriculturally-grown eucalyptus trees.

The resident fauna consists of ground squirrels, common birds, rabbits, and coastal deer. The size of the deer habitat within the mined lands will not be reduced because of the forestation program. Also, all practical attempts have been, and will continue to be, made to protect all wildlife from unnecessary degradation.

The exploitable ground water at the site is non-existent, due to the somewhat impervious soil condition. The majority of the estimated annual rainfall of 18 inches runs off the surface, and it is channelled carefully (without undue erosion) to a fresh water basin (see Exhibit B) for later use in the production process.

Since the surface has been historically unstable, considerable caution has been, and will be, taken to prevent landsliding induced by mining activity. The precautionary steps used for stabilization include: 1) responsible engineering; 2) proper mining procedures; and 3) annual revegetation of the exposed areas with resident flora.

14. Surface Mining Operation

Starting date: 1895

Estimated total life of operation: 150 years

15. Operations

Operations at the Logan Quarry are continuous with one exception--during the winter rains production is often slowed to a minimum due to wet conditions and normally decreased demands for the finished product.





20. Reclamation Concurrent with Operation (continued)

fill sites. Normally, sufficient overburden is stripped in advance to allow approximately 5 years' rock to be accessible for mining.

The second phase, now that the merchantable rock becomes accessible, is enacted by demand for the product. The rock excavation operation is such that it will not allow concurrent reclamation of the mined lands, or a return to a more natural state, until the mining activities in any given area have been completed. One such completed area is the existing fresh water basin. This basin is currently being filled with overburden to the level of the adjoining area, making an addition to the operations area. Care is taken not to place stripped overburden upon certain areas containing quality rock that might possibly become practical to mine in the future.

21. Mined Lands

See Exhibits A, B, and D.

22. Mined Lands Description

See Exhibit A.

23. End State - Mined Lands

The plan for the ultimate physical condition of the mined lands is for ground suitable for one or more of the following uses: 1) agricultural; 2) residential; 3) recreational; 4) industrial.

24. Interim and Ultimate Use

The interim use of the land which has been mined, and which may be in the future, in addition to current operational purposes, consists of cattle grazing and agriculture. Historically and currently, the grassland has been made available to local ranchers for pasturage of their cattle. Grazing serves two purposes: 1) the land remains productive; and 2) grass and brush fire danger is significantly reduced. Agricultural production consists of growing merchantable eucalyptus, used chiefly for the manufacture of fiberboard and paper.

During the mining operation, the active pit will be kept free of standing water by pumping the water to the fresh water basin. Experience has shown that water in the pit can be attributed to the channelling of the winter rains' run-off and not to the nearby Pajaro River. When the mining operation is complete,



24. Interim and Ultimate Use (continued)

water may be allowed to fill the pit establishing a fresh water reservoir to the 100' elevation.

The current zoning regulations in and around the area permit heavy manufacturing, agricultural, and residential uses. It appears that the ultimate physical condition of the Logan Quarry site will be in harmony with the desires of its immediate neighbors and with the county and state within which it operates.

25. Owners of Lands

The Logan Quarry operations are accomplished wholly within the lands of Granite Rock Company, excepting the wash water settling basin (Soda Lake) which is located within the lands of John and Violet Rocha in Santa Cruz County. A memorandum of a lease between the two parties was recorded on September 25, 1979, Book 3111, Page 60, in Santa Cruz County Records.

26. Soil Conditions

The soil which is involved in the mined lands is essentially composed of claystone, sandstone, and cobble conglomerate of the Purisima Formation. An orange sand, the Pleistocene Aromas Formation, is also present. The soils are classified as Diablo clay, Arnold loamy sand, and Soper sandy loam. Historically, the topsoil has proven to be unsuitable for agricultural uses other than cattle grazing and forestation. Although the subsoil is relatively non-productive when first exposed to the environment by the operation, it does accommodate the growth of resident flora within a few years, producing a satisfactory ground cover.

27. Toward the Lands' End State

The end state and use of this quarry site cannot be ultimately designed at this time due to the longevity involved and the uncertainty of the mine and land use with regard to future economic feasibility and future safe and acceptable mining practices. However, in order to minimize the possible adverse effects (water degradation, air pollution, damage to aquatic and/or wildlife habitat and erosion) of the open pit mining operation when completed, certain steps have been, and will be, taken in conjunction with the ongoing operation.

In the main pit some slope stabilization practices (i.e., grading not exceeding the natural angle of repose, compaction and revegetation) have been, and will continue to be, implemented. This practice is in accordance with the importance of soil erosion control, water quality control, and the protection of humans,



MINE RECLAMATION PLAN - LOGAN QUARRY

Page 7

27. Toward the Lands' End State (continued)

fish, and wildlife. Backfilling of the open pit is, and will be, kept to a minimum in order to: 1) not cover up the site's significant remaining unmined resources which are currently impractical to mine; and 2) allow the pit, should it be desired, to serve as an inert solid waste disposal site or a fresh water reservoir for Central and Northern California.

A barrier of impenetrable brush will be established along the top of the overburden removal cut to assure that no vehicle or pedestrian can venture into a potentially hazardous area.

When an area of the mined lands is either temporarily deactivated or abandoned, steps are taken immediately to prevent or minimize water and air erosion. These steps include grading and compaction in order to direct the winter rains' run-off to the fresh water basin and immediate revegetation with resident grasses.

The Logan Quarry is presently embarking on an extensive forestation program. Those species which have historically thrived in this region are being planted. They are: 1) eucalyptus camaldulensis (red gum); 2) eucalyptus viminalis (manna gum); and 3) eucalyptus globulus (blue gum). These species are planted around the active quarry site on the buffer zone land. Not only do they serve as a deterrent to wind erosion and provide a wildlife habitat, but they will enhance the aesthetic quality of the mined lands and contribute to future wood products.

28. Refer to Item 27.

29. Reclamation - Future Mining

The Logan Quarry mineral deposit to the south of the active pit is currently covered by extremely deep overburden, making its removal presently uneconomical. (See typical cross sections, Exhibit C.) However, knowing that conditions can change in time, care is taken to leave the entire remaining deposit exposed by not backfilling where practical. As the mined lands are prepared to accommodate alternative uses, and then if conditions mandate further mineral extraction, the deposit will not be encumbered by the past operation.

COUNTY OF SAN BENITO CONDITIONS OF APPROVAL  
WILSON QUARRY RECLAMATION PLAN  
JANUARY 19, 1981

- 1) The presently planted areas shall be reworked where eroded to eliminate the erosion.
- 2) Trees which have died shall be replaced after the first rain each year.
- 3) Newly placed soils shall be planted with ground cover, and trees shall all be planted in accordance with professional recommendations.
- 4) Review after one (1) year.
- 5) Groundwater Study. Granite Rock Company will agree to and pay for a hydrogeologic study by a qualified independent hydrologist to commence no later than March 1, 1981 to determine:
  - a) The possible effect, if any, of the quarry operation on surrounding domestic wells and springs.
  - b) The nature and extent of a periodic monitoring program to maintain the existing balance.
  - c) All well and spring failures are to be reported to the hydrologist for the determination of the cause of such failures.
- 6) Groundwater Monitoring. Granite Rock Company will agree to and pay for the periodic monitoring program as recommended by the hydrogeologic study. The monitoring reports are to be deposited with the county clerk upon the completion of each such periodic study. Such periodic monitoring program assumes the continuing cooperation of the surrounding property owners and the County of San Benito, and shall not constitute any admission of, or assumption by, Granite Rock Company of any liability for any damage to any individual well or spring.

7) Surface Water. Granite Rock Company will intercept and control surface waters flowing in an intermittent stream through the Marion property in the direction of the future quarry area so as to prevent the cutting back or erosion of the Marion property.

8) Redwoods. Except as necessary for the possible future construction of a new road (Mauk Parkway), the redwood trees between the river and elevation 200' will be protected against cutting.

9) Planting. Section 27 of the Reclamation Plan is amended by revising the penultimate paragraph of the section of page 7 to read as follows:

"When an area of the mined lands is either temporarily deactivated or abandoned, steps are taken immediately to prevent or minimize water and air erosion. These steps include grading and compaction in order to direct the winter rains' runoff to the fresh water basin or to existing water courses and immediate re-vegetation (including seeding, mulching, fertilizing, and planting of trees) in accordance with professional recommendation."

10) Setbacks. The setbacks will be in accordance with Exhibit B of the mine reclamation plan line.

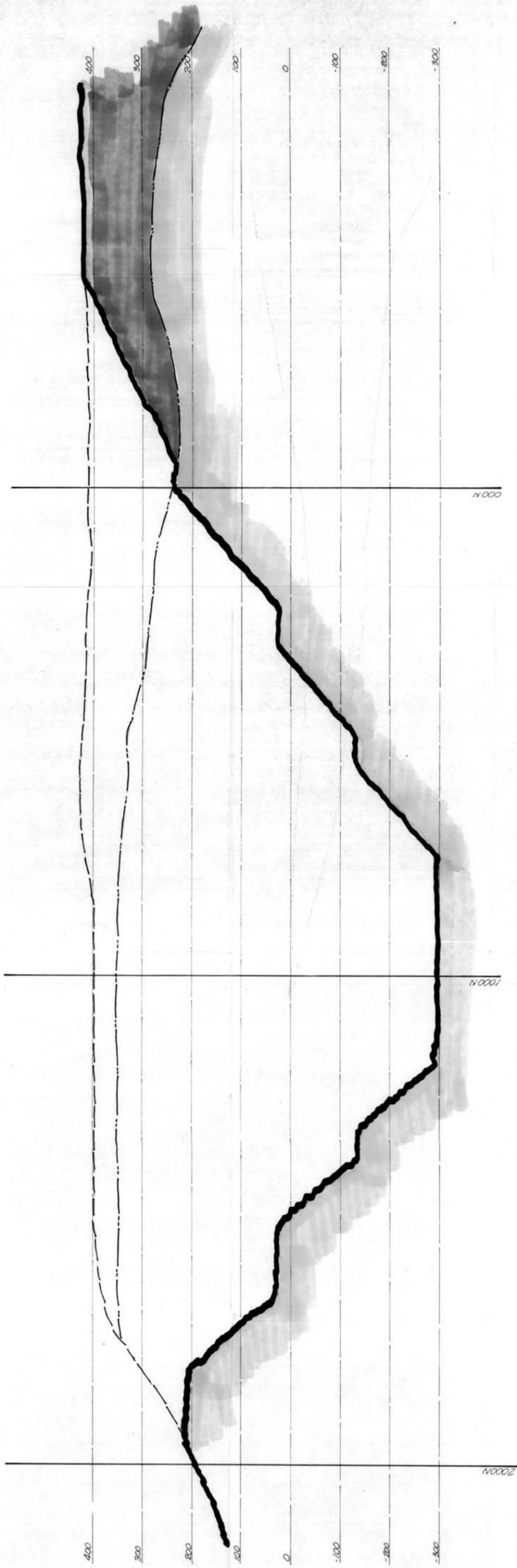




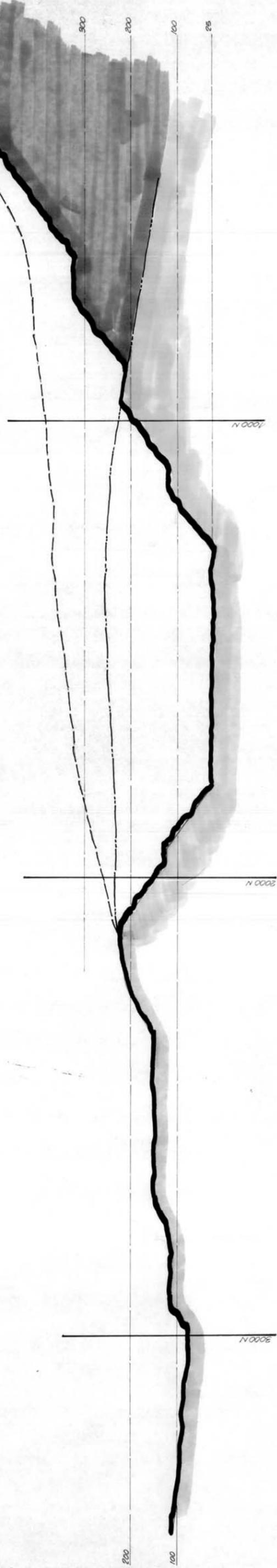
**Granitertek**  
 Watsonville, California  
**LOGAN QUARRY  
 RECLAMATION PLAN**

SCALE: 1" = 500' 7-1-80

**EXHIBIT B**



**SECTION B - B 8500 E**  
 [SEE EXHIBIT B FOR LOCATION]



**SECTION A - A 5000 E**  
 [SEE EXHIBIT B FOR LOCATION]

NO.	DATE	REVISION



DRAWN: [ ]  
 CHECKED: [ ]  
 APPROVED: [ ]

DATE: NOV 17 19  
 SCALE: 1" = 100'

LOCATION: LOGAN QUARRY  
 RECLAMATION PLAN

SUBJECT: EXHIBIT C  
 CROSS SECTIONS

DRAWING NO. 110-M100-7924



**Graniterock**  
Watsonville, California

**LOGAN QUARRY  
UTILITIES PLAN**

SCALE: 1" = 1000' 7-1-80

**EXHIBIT D**

110-M1000-8049B  
DWT 8/88

October 11, 2016

Pat Perez, Division Director  
Office of Mine Reclamation  
State of California Department of Conservation  
801 K Street, MS 09-06  
Sacramento, CA 95814

SUBJECT: A.R. Wilson Quarry Reclamation Plan Amendment (CA Mine ID# 91-35-0012)  
30-Day Notice of Hearing

Dear Mr. Perez:

Public Resources Code Section 2774(d)(2) requires the lead agency to give the Director of the Department of Conservation (Director) at least a 30-day notice of the time, place, and date of the hearing that the lead agency has the intent to approve the Reclamation Plan or Financial Assurance Estimate. It is anticipated that the San Benito County Planning Commission will hold a public hearing to consider approval of the A.R. Wilson Quarry Reclamation Plan Amendment for Consolidation and Update of Mine Reclamation Footprint on November 16, 2012 at 6:00Pm, in the Board of Supervisors Chambers in the County Administration Building, 481 4th Street, Hollister, California. If the date or venue of the hearing changes, the County will provide an updated notice to the Director as soon as the information is available.

If you have any questions or need further information, please feel free to contact me by telephone at (831) 637-5313 or by e-mail at [rrivera@csob.us](mailto:rrivera@csob.us).

Sincerely,



Robert Rivera  
Associate Planner  
Planning and Building Department



State of California • Natural Resources Agency  
Department of Conservation  
**Office of Mine Reclamation**  
801 K Street • MS 09-06  
Sacramento, CA 95814  
(916) 323-9198 • FAX (916) 445-6066

Edmund G. Brown Jr., Governor  
Pat Perez, Assistant Director

August 4, 2016

**VIA EMAIL: bturner@cosb.us**  
**ORIGINAL SENT BY MAIL**

Mr. Byron Turner  
County of San Benito  
Planning & Building Inspection Services  
2301 Technology Parkway  
Hollister, CA 95023-2513

Dear Mr. Turner:

A.R. WILSON QUARRY  
RECLAMATION PLAN AMENDMENT;  
CONSOLIDATION AND UPDATE OF MINE RECLAMATION FOOTPRINT  
CA MINE ID # 91-35-0012

The Department of Conservation's Office of Mine Reclamation (OMR) has reviewed the submittal titled "Consolidation and Update of Mine Reclamation Footprint" for the A.R. Wilson Quarry" dated June 28, 2016. The purpose of this letter is to provide San Benito County Planning and Building Inspection Services (the County) with OMR's comments regarding the reclamation plan amendment pursuant to the Surface Mining and Reclamation Act (SMARA), Public Resources Code (PRC) Section 2710 et seq. The project site is located in northwestern San Benito County approximately seven miles east of Watsonville, south and east of the Pajaro River.

The mine is the subject of two separate reclamation plans. The rock quarry is vested and subject to Reclamation Plan #488-88 approved on October 21, 1980. The Brigantino Overburden Site is subject to a Use Permit and Reclamation Plan #460-88, approved on February 3, 1993.

The Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code Section 2710 et seq.) and the State Mining and Geology Board Regulations (California Code of Regulations (CCR) Title 14, Division 2, Chapter 8, Subchapter 1) require that specific items be addressed or included in reclamation plans. The following comments, prepared by a geologist and a restoration ecologist, are offered to assist in your review of this project. The Amended Reclamation Plan (ARP) should be revised and/or supplemented to fully address these items.

**Geotechnical Requirements**  
(Refer to CCR Sections 3502 and 3704)

The proposed amendment describes changes to the reclamation boundary of the A.R. Wilson Quarry to incorporate current and historical operations and accommodate stabilization of the reclaimed cut slopes surrounding the quarry. As described in the submittal, no new areas of mining disturbance are proposed. In the approved reclamation plan, the performance standard for final slopes requires that they be left in a stable condition. The County should ensure that final slope configurations are evaluated by an appropriately licensed professional at the time of mine closure to verify that the reclaimed slopes are left in a stable condition. However, to aid the County

in annually determining the adequacy of financial assurances related to grading costs required for reclamation, the County should consider requiring a quantifiable performance standard for final slopes, as determined by a qualified professional.

On proposed Map Figures 2 and 4, the shaded area labeled as "Industrial Reclaimed Area" generally coincides with the existing zoning boundary, as previously approved by the County. The industrially zoned area currently includes the railyard, administrative and maintenance areas, stockpile and loadout areas, a portion of a process pond, and pre-SMARA overburden placement. The plan should clearly show which specific areas will be reclaimed to an industrial end use, not merely provide the zoning boundary.

Figure 4 depicts portions of the mine as "Rural Reclaimed Area," "Agricultural Reclaimed Area," and "Industrial Reclaimed Area". Use of the past tense implies that these areas are already reclaimed. Instead, OMR recommends the use of "Industrial Reclamation Area" or "Agricultural End Use Area", etc.

The 1980 approved reclamation plan map was color coded to identify the ore body, granitic rock, being mined and distinguishing it from the overlying, less consolidated Purisma and Aromas formations. The overlying Purisma and Aromas formations generally constitute the bulk of the overburden material and require shallower slopes to accommodate a stable condition at closure. OMR recommends that the aerial extent of the granitic quarry, as shown on the 1980 map, be overlain on the new figures to ensure that quarry does not expand beyond permitted or vested mining areas.

#### **Environmental Setting and Protection of Fish and Wildlife Habitat**

(Refer to CCR Sections 3502, 3503, 3703, 3704, 3705, 3706, 3710, and 3713)

According to the submittal, no new mining areas are proposed. However, the proposed reclamation plan boundary, drawn along the mines property boundary, incorporates an area of seasonal ponds and wetlands along the southwestern boundary of the overburden and fines area of the vested quarry site. Based on review of historic and current aerial photographs, this area appears to be undisturbed by surface mining operations. Since no new mining is proposed, the revised reclamation boundary should be drawn to accurately reflect the current extent of the overburden and fines piles, excluding potential wetland areas that were never disturbed. Should the operator wish to conduct surface mining operations within wetland areas, the County should ensure consultation with the Department of Fish and Wildlife pursuant to CCR Section 3703(c) and CCR Section 3704(g). These regulations require that wetlands are avoided or mitigated at 1:1 minimum and require that piles or dumps are not placed in wetlands without mitigation.

#### **Administrative Requirements**

(Refer to SMARA Sections 2772, 2773, 2774, 2776, and 2777)

SMARA Section 2774 addresses the requirements with respect to lead agency approvals of reclamation plans, plan amendments, and financial assurances. Once OMR has provided comments, a proposed response to the comments must be submitted to the Department at least 30 days prior to lead agency approval. The proposed response must describe whether you propose to adopt the comments. If you do not propose to adopt the comments, the reason(s) for not doing so must be specified in detail. At least 30 days prior notice must be provided to the Department of the time, place, and date of the hearing at which the reclamation plan is scheduled to be heard. If no hearing is required, then at least 30 days' notice must be given to the Department prior to its approval. Finally, within 30 days following approval of the reclamation plan,

Mr. Byron Turner  
August 4, 2016  
Page 3

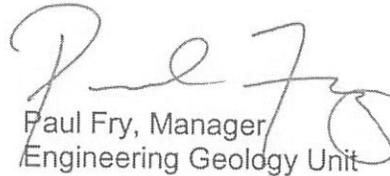
a final response to these comments must be sent to the Department. The final response may consist of the approved reclamation plan and any conditions of approval for the permit that pertain to reclamation. Please ensure that your agency allows adequate time in the approval process to meet these SMARA requirements.

If you have any questions on these comments or require any assistance with other mine reclamation issues, please contact Beth Hendrickson at (916) 445-6175.

Sincerely,



Beth Hendrickson, Manager  
Environmental Services Unit



Paul Fry, Manager  
Engineering Geology Unit

cc: Robert Rivera, County of San Benito, Planning and Building Services, [rrivera@cosb.us](mailto:rrivera@cosb.us)  
Julie Vance, Regional Manager, Department of Fish and Wildlife, [reg4sec@wildlife.ca.gov](mailto:reg4sec@wildlife.ca.gov)

October 12, 2016

Ms. Beth Hendrickson  
Reclamation Unit  
Office of Mine Reclamation  
801 K Street MS 09-06  
Sacramento, California 95814

**RE: RESPONSE TO COMMENTS ON THE AR WILSON QUARRY RECLAMATION  
PLAN AMENDMENT**

Dear Ms. Hendrickson:

Thank you for your review of the *Consolidation and Update of Mine Reclamation Footprint for the A R. Wilson Quarry* (reclamation plan amendment), which proposes to merge the approved drawings for mining and reclamation and to update reclamation boundaries to reflect existing and planned activities. Comments from the Office of Mine Reclamation's (OMR's) letter dated August 4, 2016, regarding the reclamation plan are responded to in detail pursuant to Public Resources Code § 2774. Based on your comments, the County intends to request the Applicant to supplement the reclamation plan with additional information as described below, and to develop a condition of approval for geotechnical monitoring.

**Comment 1**

The proposed amendment describes changes to the reclamation boundary of the A.R. Wilson Quarry to incorporate current and historical operations and accommodate stabilization of the reclaimed cut slopes surrounding the quarry. As described in the submittal, no new areas of mining disturbance are proposed. In the approved reclamation plan, the performance standard for final slopes requires that they be left in a stable condition. The County should ensure that final slope configurations are evaluated by an appropriately licensed professional at the time of mine closure to verify that the reclaimed slopes are left in a stable condition. However, to aid the County in annually determining the adequacy of financial assurances related to grading costs required for reclamation, the County should consider requiring a

quantifiable performance standard for final slopes, as determined by a qualified professional.

**Response 1**

A condition of approval will be developed to assure that final slopes meet the required factor of safety. The condition will require geotechnical analysis for final slopes prior to reclamation concurrence. An annual update will be required for financial assurance purposes.

**Comment 2**

On proposed Map Figures 2 and 4, the shaded area labeled as "Industrial Reclaimed Area" generally coincides with the existing zoning boundary, as previously approved by the County. The industrially zoned area currently includes the railyard, administrative and maintenance areas, stockpile and loadout areas, a portion of a process pond, and pre-SMARA overburden placement. The plan should clearly show which specific areas will be reclaimed to an industrial end use, not merely provide the zoning boundary.

**Response 2**

All existing surfaces and structures fall within county zoning for industrial uses and will be adaptable to those uses. The subject overburden placement area currently requires no surface treatment, however future re-disturbance of this area and reclamation adaptable to industrial uses is not precluded.

**Comment 3**

Figure 4 depicts portions of the mine as "Rural Reclaimed Area," "Agricultural Reclaimed Area," and "Industrial Reclaimed Area". Use of the past tense implies that these areas are already reclaimed. Instead, OMR recommends the use of "Industrial Reclamation Area" or "Agricultural End Use Area", etc.

**Response 3**

Map legend terms are revised to: rural, agricultural and industrial.

**Comment 4**

The 1980 approved reclamation plan map was color coded to identify the ore body, granitic rock, being mined and distinguishing it from the overlying, less consolidated Purisma and Aromas formations. The overlying Purisma and Aromas formations generally constitute the bulk of the overburden material and require shallower slopes to accommodate a stable condition at closure. OMR recommends that the aerial extent of the granitic quarry, as shown on the 1980 map, be overlain on the

new figures to ensure that quarry does not expand beyond permitted or vested mining areas.

#### **Response 4**

Vesting is a legal issue that applies to the subject parcels, not prior or currently planned surface disturbances. Permitted and vested areas coincide with property boundaries as determined and map by the Board of Supervisors in October, 1981.

#### **Comment 5**

According to the submittal, no new mining areas are proposed. However, the proposed reclamation plan boundary, drawn along the mines property boundary, incorporates an area of seasonal ponds and wetlands along the southwestern boundary of the overburden and fines area of the vested quarry site. Based on review of historic and current aerial photographs, this area appears to be undisturbed by surface mining operations. Since no new mining is proposed, the revised reclamation boundary should be drawn to accurately reflect the current extent of the overburden and fines piles, excluding potential wetland areas that were never disturbed. Should the operator wish to conduct surface mining operations within wetland areas, the County should ensure consultation with the Department of Fish and Wildlife pursuant to CCR Section 3703(c) and CCR Section 3704(g). These regulations require that wetlands are avoided or mitigated at 1:1 minimum and require that piles or dumps are not placed in wetlands without mitigation.

#### **Response 5**

The reclamation plan amendment makes clear that the reclamation boundary adjustments do not authorize new mining; that is not that same as saying no changes to future surface disturbances will occur. Mining and ancillary activities would continue to occur within the plan reclamation boundaries. While no map was provided by OMR, it is assumed the area referred to is that known as Horseshoe Lake. That area was upland vegetation prior to its use for mining in the 1970's when it received fill; the ponds and wetlands were subsequently created (see attached Figure 1). Nevertheless it is understood that if the areas were disturbed in the future and the features determined to be jurisdictional, appropriate state and federal permits could be required from responsible agencies. Any required mitigation would be determined at that time.

#### **Comment 6**

SMARA Section 2774 addresses the requirements with respect to lead agency approvals of reclamation plans, plan amendments, and financial assurances. Once OMR has provided comments, a proposed response to the comments must be submitted to the Department at least 30 days prior to lead agency approval. The proposed response must describe whether you propose to adopt the comments. If you do not propose to adopt the comments, the reason(s) for not doing so must be specified

in detail. At least 30 days prior notice must be provided to the Department of the time, place, and date of the hearing at which the reclamation plan is scheduled to be heard. If no hearing is required, then at least 30 days' notice must be given to the Department prior to its approval. Finally, within 30 days following approval of the reclamation plan, a final response to these comments must be sent to the Department. The final response may consist of the approved reclamation plan and any conditions of approval for the permit that pertain to reclamation. Please ensure that your agency allows adequate time in the approval process to meet these SMARA requirements.

**Response 6**

The County will comply will all required notifications.

Thank you for your comments on the AR Wilson Reclamation Plan Amendment. If you have any questions or concerns please contact me at (831) 637-5313.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Rivera", with a long horizontal flourish extending to the right.

**Robert Rivera**

Associate Planner

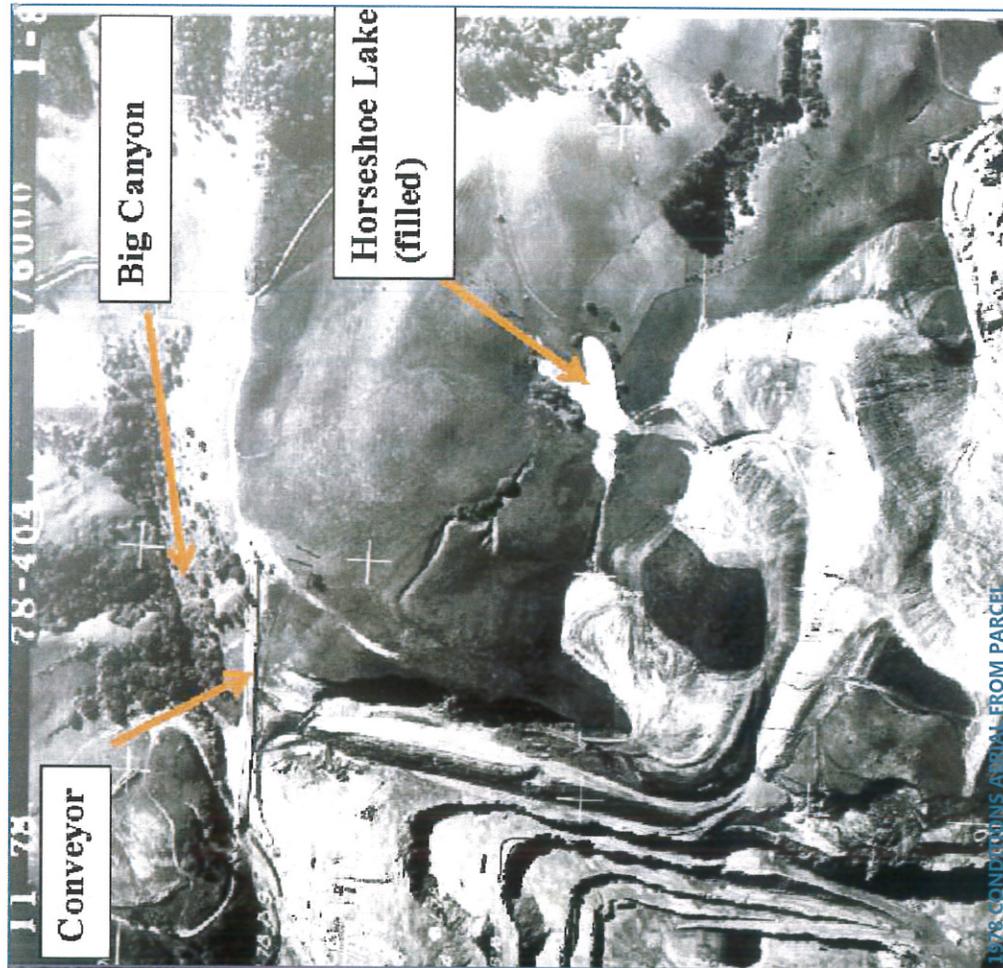
County of San Benito

2301 Technology Parkway

Hollister, CA 95023

Phone:(831) 637-5313

Email: rrivera@cosb.us



1978 CONDITIONS AERIAL FROM PARCEL

EXISTING CONDITIONS AERIAL  
 SOURCE: Compiled by Benchmark Resources in 2016; San Benito County 2016; GraniteRock 2016  
 NOTES: Images not to scale.

Selected Maps from Approved Reclamation Plans  
 AR WILSON QUARRY  
 Figure 1



# SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

## BOARD OF SUPERVISORS

MARGIE BARRIOS  
District One  
ANTHONY BOTELHO  
District Two  
ROBERT RIVAS  
District Three  
JERRY MUENZER  
District Four  
JAIME DE LA CRUZ  
District Five

**Item Number: 2.**

**MEETING DATE:** 11/16/2016

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**DEPT HEAD/DIRECTOR:** Brent Barnes

**AGENDA ITEM PREPARER:** Brent Barnes

**SBC DEPT FILE NUMBER:**

**SUBJECT:**

**Discussion Special Items:**

- Discussion about the long term growth impacts in the county and adjacent City lands.
- Discussion of current and anticipated regional traffic and infrastructure issues.
- Discussion of annexation policies, corporate boundaries and service areas.
- Discussion of General Plan policies and implementation priorities.

**AGENDA SECTION:**

PUBLIC HEARING

**BACKGROUND/SUMMARY:**

**BUDGETED:**

**SBC BUDGET LINE ITEM NUMBER:**

\_\_\_\_\_

**CURRENT FY COST:**

**STAFF RECOMMENDATION:**

Discussion only.

**ADDITIONAL PERSONNEL:**



# SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

## BOARD OF SUPERVISORS

MARGIE BARRIOS  
District One  
ANTHONY BOTELHO  
District Two  
ROBERT RIVAS  
District Three  
JERRY MUENZER  
District Four  
JAIME DE LA CRUZ  
District Five

**Item Number: 3.**

**MEETING DATE:** 11/16/2016

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**DEPT HEAD/DIRECTOR:** Brent Barnes

**AGENDA ITEM PREPARER:** Robert Rivera

**SBC DEPT FILE NUMBER:** MS1240-16 Hilden

**SUBJECT:**

Lynn Hilden Minor Subdivision MS-1240-16

**AGENDA SECTION:**

PUBLIC HEARING

**BACKGROUND/SUMMARY:**

The applicant is proposing to subdivide property located along Mark's Drive and David Drive, within the Ridgemark community. This proposed minor subdivision is limited for four lots.

Parcel 1 after the subdivision would be 60.182 acres with an existing single family residence and barn. Water for parcel 1 would be provided by a private well while sewer would be served by Sunnyslope County Water District.

Parcel 2 is proposed off of Mark's Drive and would be 1.467 acres in size. Parcel 2 would be a buildable lot where presumably a single family home could be built. Water would be provided by a private well on Parcel 1 and sewer would be provided by Sunnyslope County Water District.

Parcel 3 is proposed off of David Drive and is 1.028 acres in size and would be a buildable lot where presumably a single family home could be built. Water and sewer would be provided by Sunnyslope County Water District. The applicant is proposing to plant large trees to minimize visual impact and for shielding.

Parcel 4 is located adjacent to Sunnyslope's Water tank site north of Frank's Drive and would be a non-buildable lot. The parcel currently has existing cellular towers and related equipment.

**BUDGETED:**

**SBC BUDGET LINE ITEM NUMBER:**

**CURRENT FY COST:**

**STAFF RECOMMENDATION:**

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve MS 1236-16 along with the CEQA Findings, Subdivision Findings and Conditions of Approval.

**ADDITIONAL PERSONNEL:**

**ATTACHMENTS:**

Description	Upload Date	Type
Staff Report	10/13/2016	Staff Report
Initial Study Negative Declaration	10/13/2016	Exhibit
Tentative Map MS 1240-16	9/26/2016	Site Plan
Sufficient Water Supply	10/13/2016	Exhibit

## **STAFF REPORT**

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### **PROJECT INFORMATION:**

Application: Minor Subdivision 1240-16  
Date of Hearing: October 19, 2016  
Applicant/Owner: Lynn Hilden  
Location: F Street, Hollister CA  
APN: 020-530-023, 020-510-052, 020-510-051, 020-510-057, 020-320-034, 020-320-022  
Zoning: Residential Mixed (RM)  
Project Planner: Robert Rivera

**PROJECT DESCRIPTION:** The applicant is proposing to subdivide property located along Mark's Drive and David Drive, within the Ridgemark community. This proposed minor subdivision is limited for four lots.

Parcel 1 after the subdivision would be 60.182 acres with an existing single family residence and barn. Water for parcel 1 would be provided by a private well while sewer would be served by Sunnyslope County Water District.

Parcel 2 is proposed off of Mark's Drive and would be 1.467 acres in size. Parcel 2 would be a buildable lot where presumably a single family home could be built. Water would be provided by a private well on Parcel 1 and sewer would be provided by Sunnyslope County Water District.

Parcel 3 is proposed off of David Drive and is 1.028 acres in size and would be a buildable lot where presumably a single family home could be built. Water and sewer would be provided by Sunnyslope County Water District. The applicant is proposing to plant large trees to minimize visual impact and for shielding.

Parcel 4 is located adjacent to Sunnyslope's Water tank site north of Frank's Drive and would be a non-buildable lot. The parcel currently has existing cellular towers and related equipment.

**SITE DESCRIPTION:** The subject parcel in total is approximately 63.174 acres in size and the topography of the parcel is a mixture of flat and steep slopes. The subject property has an existing single family dwelling and proposes to keep the existing home. The properties located North, East, West, and South of the subject parcel are also single family residential.

Scenic Highway: No

Seismic: Yes

Fire Hazard: Non-wildland / urban unzoned

Floodplain: Zone X (outside the 500 year flood)

Archaeological Sensitivity: Low Sensitivity

Kit Fox Habitat: Within Impact Fee Area

Other Endangered or Sensitive Species: None known

Soils: SIF2



**PLANNING AND ZONING:** The General Plan designates the property as Residential Mixed (RM) by the County Zoning designates the property as Single Family Residential (R1). The R1 zone is intended to provide areas of suitable housing with limitations to densities and uses. The single-family dwelling is the primary use while agricultural uses are intended to be of secondary importance. No new buildings are being proposed at this time; however the creation of a buildable lot would presume a future single family dwelling and improvements.

**STAFF ANALYSIS:** The project proposes to subdivide an existing 1. acres parcel with an existing single family residence and barn, into four parcels. Two of the four parcels would be buildable lots. All of the parcels would be conforming as to size and minimum building site area.

Two buildable lots would be created by this project. The proposed project will be served by Sunnyslope Water District for water only. A lack sewer services with water services would reduce the minimum building size from two and one-half acre to a minimum of one acre. The proposed project is consistent with both the County Zoning Ordinance and General Plan in that it promotes and provides a mixture of housing with the single-family dwelling being the primary use.

**ENVIRONMENTAL EVALUATION:** An Initial Study and Negative Declaration were prepared for the project. The public review period on the environmental document began

on September 6, 2016 and ended on September 26, 2016. No comments were received as a result of circulation of the initial study.

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve MS 1240-16 along with the CEQA Findings, Subdivision Findings and Conditions of Approval.

**CEQA Findings:**

**Finding 1:** That the Initial Study for MS 1240-16 has been prepared in compliance with the provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the San Benito County Implementing Procedures for the California Environmental Quality Act.

*Evidence: All provisions including both State and County environmental guidelines and policies for the preparation of an Initial Study have been followed. The environmental documents in the preparation of the Initial Study are filed in the project record located at the San Benito County Planning Department in file number MS 1240-16.*

**Finding 2:** That the Planning Commission has considered the proposed Negative Declaration together with all comments received from the public review process.

*Evidence: The Initial Study has been presented to the Planning Commission for the October 19<sup>th</sup> meeting and comments were made at the meeting. No comments were sent to the Planning Department as a result of the initial study circulation.*

**Finding 3:** The Negative Declaration reflects the independent judgment of the Planning Staff.

*Evidence: The Planning Department prepared the Initial Study. This report and the staff recommendation reflect the Planning Department's independent evaluation of the project.*

**Finding 4:** That the Planning Commission has found that there is no substantial evidence that the proposed project will have a significant effect on the environment.

*Evidence: The Planning Commission has found that the project has proposed and conditioned, will not result in a significant impact on the environment.*

**Subdivision Findings:**

**Finding 1:** That the proposed map is consistent with the General Plan or any applicable specific plan.

*Evidence: The site is designated as Residential Mixed in the General Plan's Land Use Element, and allows various types of housing as well as single family dwellings. The minimum parcel size allowed with access to sewer and water is one half acre, which would be consistent with the applicant's proposal. The proposal is consistent with adjoining development within the Single-Family Residential Zoning District. There is no grade one soil on this property or on surrounding properties.*

**Finding 2:** That the design or improvements of the proposed subdivision is consistent with the General Plan or any applicable specific plan.

*Evidence: The proposed project would reduce the size of a current lot and create two buildable lots that would be in compliance with the General Plan policies. The proposal is consistent with the surrounding area.*

**Finding 3:** That the site is physically suitable for the type of development.

*Evidence: The property is located within an area with no environmental constraints. Grade one soils do not exist on this property. The project site has also been identified as “Urban and Built-up Land” and “Other land” by the Farmland Mapping and Monitoring Program, 2012. Therefore, there shall be no conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. The site is physically suitable for development.*

**Finding 4:** That the site is physically suitable for the density of development.

*Evidence: The property is located within an area with no environmental constraints. Grade one soils do not exist on this property. The project site has also been identified as “Urban and Built-up Land” by the Farmland Mapping and Monitoring Program, 2012. Therefore, there shall be no conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. The site is physically suitable for development.*

*The San Benito County Zoning Ordinance requires Single Family Residential to provide a minimum of one acre per building site, where public water is available and septic tanks may be used for sewage disposal. The proposed subdivision follows the requirements set forth in the County Zoning Ordinance. The site is physically suitable for development.*

**Finding 5:** That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*Evidence: The projects initial study does not identify nor is the site documented as a being a fish or wildlife habitat area. Therefore, the proposed improvements will not have a significant impact on either fish or wildlife or their habitats.*

**Finding 6:** That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

*Evidence: The project improvements have been reviewed by Responsible Agencies to ensure that the proposed subdivision would not have an impact on public health. Any future developments will be subject to review during the issuance of a building permit.*

**Finding 7:** That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

*Evidence: This project will not conflict with any existing easements but will require an irrevocable offer of dedication to San Benito County and the public for public use.*

**Finding 8:** Subject to Section 66474.4 of the Government Code, that the land is not subject to a contract entered into pursuant to the California Land Conservation Act of

1965 and that the resulting parcels following a subdivision of that land are not too small to sustain their agricultural use.

*Evidence: This property is not under a Williamson Act Contract.*

**Finding 9:** Subject to Section 66474.6 of the Government Code, that the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by the Central Coast Regional Water Quality Control Board pursuant to Division 7 of the Water Code.

*Evidence: The proposed subdivision has been reviewed by the Department of Environmental Health and the San Benito County Water District and has been found not to violate any existing requirements prescribed by the Central Coast Regional Water Quality Control Board.*

### **CONDITIONS OF APPROVAL:**

- 1. Indemnification:** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter “COUNTY”) free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as “Legal Action”), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys’ fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or approval of APPLICANT’S Project or action taken by COUNTY thereon, including Legal Actions based on the negligence of COUNTY. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the County, whether the result of Applicant’s decision not to defend legal action or otherwise. COUNTY retains its discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action. [Planning]
- 2. Conformity to Plan:** The development and use of the site shall conform substantially to the proposed site plan and Conditions of Approval as approved by the Planning Commission. Any increase, change, or modification in the nature or intensity of the land use on the site shall be subject to further Planning Commission review and approval. [Planning]
- 3. Compliance Documentation:** The permittee shall submit a summary response in writing to these conditions of approval documenting compliance with each condition, including dates of compliance and referencing documents or other evidence of compliance. [Planning]
- 4. Fire:** Any and all development on this property shall be required to meet the standards set forth in the latest editions of the 2013 California Fire Code, Public Resources Codes 4290 and 4291, Ordinances 822 and 823 of the San Benito County Code and other related codes as they apply to a project of this type and size. [Fire]

5. **Dedication of ROW:** Prior to recordation of the Parcel Map, the applicant shall make the following irrevocable offers of dedication to San Benito County and the public for public use:
  - Half of the 56 foot AC on 66 foot roadbed (AB), which may also include engineered retaining wall and/or slope protection
  
6. **Improvements:** Prior to recordation of the Parcel Map the applicant shall enter into deferred improvement agreement for the following roadway improvements:
  - Half of the 56 foot AC on 66 foot roadbed (AB), which may also include engineered retaining wall and/or slope protection  
*\*pavement width requirement may change upon the classification of Southside rd. in the circulation element.*
    - Since the property is within a seismic special study zone, the above required improvement shall be based on the recommendations by the Soils Engineer, hence, a comprehensive design level geotechnical engineering investigations report shall be submitted for review by the County Engineer as part of submission of engineered improvement plan for the above required improvement. [Public Works]
  
7. **Geotechnical Report:** As part of the submission of Improvement Plan for this project, the recommendations per Geotechnical Investigation Report (No. 1-214-1088) dated January 20, 2015 prepared by Salem Engineering Group, Inc. shall be the basis of the design of any proposed or required improvements for the project. Prior to recordation of the Final Map, a complete compilation of test reports along with a letter from Soils/Geotechnical Engineer attesting compliance with requirements and recommendations shall be submitted to Public Works Department upon completion of site improvements. A note shall be placed on the parcel map to this effect. [*§ 23.31.023*] [Public Works]
  
8. **Drainage:** As part of the submission of engineered improvement plans for this project, the applicant shall comply with the County Drainage Standards and therefore shall show detail of proposed or existing detention pond and storm drainage system capable of collecting and conveying runoff generated by the proposed project for a 100-year flood. The storm drain system shall provide for the protection of abutting and off-site properties that could be adversely affected by any increase in runoff attributed to the proposed subdivision. All drainage improvements must be installed or bonded for prior to recordation of the Final Map. [Public Works]
  
9. **Utilities:** All proposed utilities within the subdivision and along peripheral streets shall be placed underground except those facilities exempted by Public Utilities Commission regulations [*§23.17.003(F)*]. All necessary utilities must be installed or bonded for prior to recordation of the Parcel Map. [Public Works]
  
10. **Utility Plans:** As part of submission of Improvement Plan for this project, applicant shall include utility plans and have them approved by each corresponding utility companies when applicable, which includes but not necessarily limited to sanitary sewer, water, gas, electric, telephone, and cablevision, and shall furnish copies said

approved plans to Public Works Department for concurrence. Said plans shall be part of the final or approved Improvement Plan. [Public Works]

11. **Encroachment:** Pursuant to § 19.27.004 of the County Code, the applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project. [Public Works]
12. **Parkland:** Pursuant to San Benito County Code of Ordinances Section 23.15.008 Dedication of Parkland, the subdivider shall dedicate land; pay a fee in lieu thereof or a combination of both, at the option of the County, for park and recreational purposes. [Public Works]
13. **Storm Water Prevention Plan:** Prior to start of grading and/or construction activities, a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP (Qualified SWPPP Developer/Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. A QSD/QSP should be retained for the duration of the construction and should be responsible to coordinate and comply with requirements by the Regional Water Quality Control Board, to file Notice of Intent (per Construction General Permit Order No. 2009-0009-DWQ as amended by 2010-0014 DWQ), and to monitor the project as to compliance with requirements until its completion. [Public Works]
14. **Home Owners Association:** Since the project subdivision will be using Ridgemark roads as ingress/egress, applicant shall be required to annex into Ridgemark Homeowners Association (HOA) or County Service Area (CSA) for the purpose of maintain ingress/egress roads. Furthermore, applicant shall be required to form a homeowners association per county code §23.25.007 or annex to Ridgemark HOA or CSA for purposes of maintenance of common facilities within the subdivision. [§23.25.007 (SBC Code)] [Public Works]
15. **Warranty:** Applicant shall provide warranty security in an amount not less than 10% of the estimated cost of construction of the improvements to guarantee the improvements against any defective work or labor done or defective materials used in the construction or installation of the improvements throughout the warranty period which shall be the period of one year following completion and acceptance of the improvements. [§ 23.17.009(C)(4)] [Public Works]
16. **Improvement Plans:** Prior to the recordation of the Parcel Map or before release of alternate Bond, one set of “As Built” Improvement Plans on a suitable reproducible media shall be prepared by the applicant’s engineer and delivered to the Public Works Department. [§ 23.31.002.(K)(1)] [Public Works]

**SAN BENITO COUNTY**  
**NOTICE OF PROPOSED NEGATIVE DECLARATION**

**TO:** Responsible agencies, Trustee agencies, other County Departments, and interested parties.  
**FROM:** San Benito County Planning Department

This notice is to inform you that the San Benito County Planning Department has prepared an Initial Study and intends to recommend filing a Negative Declaration for the project identified below. The public review period for the Initial Study is from **September 6, 2016 to Sept 26, 2016**. The document is available for review at the address listed below. Comments may be addressed to the contact person: Robert Rivera, written comments are preferred. Please use the project file number in all communication.

1. **Project title and/or file number:** Minor Subdivision – 1240-16
2. **Lead agency name and address:** San Benito County Planning Dept., 2301 Technology Parkway, Hollister, CA 95023
3. **Contact Person and phone number:** Robert Rivera, Associate Planner (831) 637-5313
4. **Project Location:** F Street, Hollister, CA , Assessor’s Parcel 020-530-023, 020-510-052, 020-510-051, 020-510-057, 020-320-034, 020-320-022
5. **Project Sponsor's Name and Address:** Lynn Hilden, 603 Tyler Trail, Hollister, CA 95023
6. **General Plan Designation:** Residential Mixed (RM)
7. **Zoning:** Single Family Residential District (R1), Residential Multiple
8. **Description of Project:** The applicant is proposing to subdivide property located along Mark’s Drive and David Drive, within the Ridgemark community. This proposed minor subdivision is limited for four lots.

Parcel 1 after the subdivision would be 60.182 acres with an existing single family residence and barn. Water for parcel 1 would be provided by a private well while sewer would be served by Sunnyslope County Water District.

Parcel 2 is proposed off of Mark’s Drive and would be 1.467 acres in size. Parcel 2 would be a buildable lot where presumably a single family home could be built. Water would be provided by a private well on Parcel 1 and sewer would be provided by Sunnyslope County Water District.

Parcel 3 is proposed off of David Drive and is 1.028 acres in size and would be a buildable lot where presumably a single family home could be built. Water and sewer would be provided by Sunnyslope County Water District. The applicant is proposing to plant large trees to minimize visual impact and for shielding.

Parcel 4 is located adjacent to Sunnyslope’s Water tank site north of Frank’s Drive and would be a non-buildable lot. The parcel currently has existing cellular towers and related equipment.

**9. Surrounding Land Uses and Setting:** The subject parcel in total is approximately 63.174 acres in size and the topography of the parcel is a mixture of flat and steep slopes. The subject property has an existing single family dwelling and proposes to keep the existing home. The properties located North, East, West, and South of the subject parcel are also single family residential.

Scenic Highway: No

Seismic: Yes

Fire Hazard: Non-wildland / urban unzoned

Floodplain: Zone X (outside the 500 year flood)

Archaeological Sensitivity: Low Sensitivity

Kit Fox Habitat: Within Impact Fee Area

Other Endangered or Sensitive Species: None known

Soils: S1f2

**10. Planning and Zoning:** The General Plan designates the property as Residential Mixed (RM) by the County Zoning designates the property as Single Family Residential (R1). The R1 zone is intended to provide areas of suitable housing with limitations to densities and uses. The single-family dwelling is the primary use while agricultural uses are intended to be of secondary importance. No new buildings are being proposed at this time; however the creation of a buildable lot would presume a future single family dwelling and improvements.

**11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** Public Works Department, Hollister Fire Department, and Division of Environmental Health, Tax Assessor's Office

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

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils        |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning    |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing   |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**Determination.**

On the basis of this initial evaluation:

- I find that the proposed project qualifies for an exemption to CEQA pursuant to Section 15061(b)(3).
- 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*

Robert Rivera, Associate Planner  
*Printed Name*

\_\_\_\_\_  
*Date*

San Benito County Planning Department  
*Agency*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**I. AESTHETICS** -- Would the project:

a) Have a substantial adverse effect on a scenic vista?	0	0	0	X
b) Substantially damage scenic resources, including, but Not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	0	0	0	X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	0	0	0	X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	0	0	X	0

*a-b) The proposed project is not in the area of any scenic highway or resource. **No impact is expected***

*c) The proposed subdivision would not degrade the existing visual character or quality of the site. Two buildable lots would be created by the subdivision where presumably a single-family dwelling would be built on each lot. Two single-family dwellings would be consistent with the zoning and visual character of the surrounding parcels. **No impact is expected***

*d) This project would create new buildable lots that would presumably become single family dwellings in the future resulting in new light sources. However, the new light sources would not be substantial and would be subject to San Benito County Ordinance Title 19; Chapter 19.31 Development Lighting. **No impact is expected***

**II. AGRICULTURE 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 Dept. Of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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?	0	0	0	X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	0	0	0	X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)),	0	0	0	X

timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?	0	0	0	X
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?	0	0	0	X

*a) The site is designated as "Grazing Land" according to the San Benito County Important Farmland Map 2012; therefore the project is not expected to convert any unique or prime farmland. **No impact is expected***

*b) The property is not currently under a Williamson Act Contract. The property is zoned for residential use, so it is not expected to conflict with agricultural zoning. **No impact is expected***

*c) The proposed project is consistent with the existing zoning, single-family residential, and is not expected to impact or conflict with rezoning of forest land. **No impact is expected***

*d) The subject parcels do not contain any forest land and are not expected to result in the loss of forest land or convert any forest land to non-forest use. **No impact is expected***

*e) The subject parcel is not farmland and is not expected to significantly interfere with the existing environment to indirectly convert farmland to non-agricultural use. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**III. 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?	0	0	0	X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	0	0	0	X
c) 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 ( including releasing emissions which exceed quantitative thresholds for ozone precursors)?	0	0	0	X
d) Expose sensitive receptors to substantial pollutant concentrations?	0	0	0	X

e) Create objectionable odors affecting a substantial number of people?	θ	θ	θ	X
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*a-e) No construction or grading is proposed in combination with this project. The use is not expected to violate any air quality standards nor expose sensitive receptors to substantial pollutants. However, the creation of buildable lots will indirectly induce construction in an undetermined future date. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**IV. 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, by the California Department of Fish and Game or US Fish and Wildlife Service?	θ	θ	θ	X
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	θ	θ	θ	X
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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?	θ	θ	θ	X
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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?	θ	θ	θ	X
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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	θ	θ	θ	X
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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?	θ	θ	θ	X
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*a-f)[No Impact] Based upon all documents available for staff review, the site is not known to contain any federal or state listed endangered or special status species. The project does not appear to cause an effect that will adversely impact federally protected wetlands or interfere with the movement of any known or*

*establishes migratory wildlife. The project does not appear to conflict with any local policies or ordinance or applicable conservation plans, including the Tree Protection ordinance. The project does fall within the impact fee area for habitat conservation and a fee would be required.*

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	0	0	0	X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	0	0	0	X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	0	0	0	X
d) Disturb any human remains, including those interred outside of formal cemeteries?	0	0	0	X

*a-d) The project location is not located within 500 feet of a recorded archaeological site and is within an area having very low potential for archeological sensitivity. There is no grading proposed with project. Therefore, due to the location and lack of activity, no changes to historical resources or archaeological resources are expected. However, as with all new developments, the project will be required to comply with the County Ordinance 610 if, at any time during the preparation for or process of excavation or otherwise disturbing the ground, any human remains of any age, or any significant artifact or other evidence of an archaeological site is discovered, all further excavations and disturbances within 200 feet of the discovery shall cease and desist. If human and/or questionable remains have been discovered, the sheriff-coroner shall be notified immediately. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOIL -- Would the project:

a) Expose people or structures to 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 the Division of Mines and Geology Special Publication 42.	0	0	0	X
ii) Strong seismic ground shaking?	0	0	X	0
iii) Seismic-related ground failure, including liquefaction?	0	0	0	X

iv) Landslides?	0	0	0	X
b) Result in substantial soil erosion of the loss of topsoil?	0	0	0	X
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?	0	0	0	X
d) Be located on expansive soil, as defined in Table 18-1-B of the uniform building Code (1994), creating substantial risks to life or property?	0	0	0	X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	0	0	0	X

*a) The project proposes to subdivide an existing parcel to create 4 parcels. As with almost all projects in San Benito County, this project is located in a seismically active area, however the existing use of the parcel is residential. The parcel is not located near an Earthquake Fault Zone and would not expose people or structures to substantial adverse effects. **Less than significant impact is expected***

*b) No building or grading is proposed on this project; however the project will create two buildable lots that presumably would be built at an undetermined future date. This project will not directly result in the loss of topsoil, but may contribute to the loss of top soil during the construction process. The amount would not be significant and would be controlled through the building process. **Less than significant impact is expected***

*c) The parcel is designated as very low landslide susceptibility and due to the flat topography of the parcel, a landslide or liquefaction, lateral spreading or collapse is not expected. **No impact is expected***

*d) The majority of the parcel is located on AnB soil and does not create substantial risks to life or property. No building or grading is proposed in conjunction with the project. **No impact is expected***

*e) No construction or grading is proposed for this project. However, in an undetermined future date, before construction, a soil sample would be required to determine if a septic tank or alternative waste water disposal system is feasible. An application with The Division of Environmental Health would be necessary for future development or would need services from the City. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**VII. GREENHOUSE GAS EMISSIONS –** Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Response:**

a,b) *Emissions of certain gases into the atmosphere are believed to have resulted in a warming trend across the globe, and human activity is believed to be an influence on this trend. Releases of greenhouse gases (GHG)—carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), and water vapor, which occur naturally and prevent the escape of heat energy from the Earth’s atmosphere—are thought to have been unnaturally increased by activities such as fossil-fuel consumption. The warming trend became especially pronounced in the 1990s, thought to be the warmest years in human history. Believed future impacts of climate change may include significant weather-pattern changes, decreased water availability, increased occurrence of wildfires, and resulting health effects.*

*In 2006, State Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, set a goal of reducing GHG emissions to 1990 levels by 2020. Subsequently, 2007’s State Senate Bill (SB) 97 added greenhouse-gas emissions to the set of environmental issues requiring analysis under CEQA.*

*The proposed project has potential to generate indirect and direct greenhouse gases above that which would occur without the project. However, no standard established for San Benito County and its air basin, managed by the Monterey Bay Unified Air Pollution Control District (MBUAPCD), is available to indicate whether emissions could be considered significant. **Less Than Significant Impact***

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**VIII. 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?   | 0 | 0 | 0 | X |
| 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? | 0 | 0 | 0 | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school                                  | 0 | 0 | 0 | X |

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?	0	0	0	X
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 for people residing or working in the project area?	0	0	0	X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	0	0	0	X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	0	0	0	X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	0	0	0	X

*a-d) The project does not involve the routine transport, use, storage or disposal of hazardous material therefore no significant hazard is expected. **No impact expected***

*e-f) The proposed project is not located near or within an airport land use plan or located near a private airstrip. **No impact is expected***

*g-h)The project is not expected to impair implementation of any emergency response plan or expose people or structures to risk involving wildfires. A fire access easement is shown on the tentative map and fire suppression would be required during building. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**IX. HYDROLOGY AND WATER QUALITY** -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	0	0	0	X
b) substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level	0	0	0	X

which would not support existing land uses or planned uses for which permits have been granted?

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 substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site?	0	0	0	X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	0	0	0	X
e) 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?	0	0	X	0
f) Otherwise substantially degrade water quality?	0	0	0	X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	0	0	0	X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	0	0	0	X
i) Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	0	0	0	X
k) Inundation by seiche, tsunami, or mudflow?	0	0	0	X

*a-b) The proposed project is not expected to violate any water quality standards. The proposed project will be served by Sunnyslope Water District and therefore is not expected to affect ground water supply. **No impact is expected***

*c-d) The project will not alter any existing drainage patterns of any streams or rivers. The creation of a buildable lots and eventual addition of single family dwellings are not expected to significantly alter drainage patterns because all new single family dwellings are required to adequately demonstrate storm water drainage capability. **No impact is expected***

*e-f) The project would contribute to more storm water runoff because of the assumed future development of single family dwellings, however the contribution is not expected to exceed the capacity of the current storm water drainage systems. The storm water run-off is not expected to be polluted or expected to degrade water quality because no hazardous material are proposed to be used or kept on site. **Less than significant impact is expected***

*g-k) The project is partially located within a 100-year flood zone however no construction is proposed therefore no risk or exposure is expected due to flooding, inundation by seiche, tsunami, or mudflow. Also, the buildable lot created by the sub-division will be outside of the flood plain.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**X. LAND USE AND PLANNING** - Would the project:

a) Physically divide an established community?	θ	θ	θ	X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	θ	θ	θ	X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	θ	θ	θ	X

*a-c) The General Plan designation for this site is Residential Mixed (RM). The purpose of this designation is to allow areas of unincorporated urban uses where circulation and utility services exist. This will provide individuals with the opportunity to live in an unincorporated village or neighborhood atmosphere composed primarily of residential land uses with some commercial uses serving the residences. This designation applies to areas that are largely developed and have public infrastructure and services necessary to support the increased density. This project is consistent with the designation in that it promotes urban uses. The County Zoning Ordinance designates this property as Single Family Residential (R1.) The R1 zone is intended to provide areas of housing with limited densities. The creations of buildable lots are consistent with both the county General Plan and the County Zoning Ordinance.*

*The project does not, and will not physically divide a community, conflict with any applicable land use plan/policy/regulation, or habitat conservation plan. **No impact is expected***

**XI. MINERAL RESOURCES** -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	θ	θ	θ	X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	θ	θ	θ	X

*a-b) The project is not located on a site designated as a mineral resource. No material is proposed to be removed from the site. **No impact is expected***

XII. NOISE -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	0	0	X	0
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	0	0	0	X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	0	0	X	0
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	0	0	0	X
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 expose people residing or working in the project area to excessive noise levels?	0	0	0	X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	0	0	0	X

*a-b) No building or grading is proposed in conjunction with the project; however the creation of buildable lots assume future single family dwellings. During construction and grading, persons may be exposed to minimal and temporary noise and groundborne vibrations. Construction hours will be limited by the County Ordinance to minimize any noise or groundborne vibrations. **Less than significant impact is expected***

*c-d) No building or grading is proposed with this project. Single-Family dwellings may be built at a future undetermined date, and this may increase periodic and temporary noise, however the increase in ambient noise is not expected to be significant. **Less than significant impact is expected***

*e-f) This project is not within the vicinity of a public or private airport and therefore will not expose persons to excessive noise. **No impact is expected***

XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension or roads or other infrastructure)?	0	0	X	0
b) Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	0	0	0	X



c) Schools may be impacted by the proposed use because new residential development is expected, however the impact would be minimal and dependent on the number of new students in one family. This impact is addressed by the payment of school fees at the time the building permit for the dwellings are issued. Therefore, the minor subdivision is considered a less than significant impact. **Less than significant impact is expected**

d) Parks are expected to be minimally impacted by the addition of two single family dwellings, however the current recreation and park facilities will be adequate to serve minor addition. **Less than significant impact is expected**

e) The need for future expansion of other public facilities is not expected to result from the approval of this project. **Less than significant impact is expected**

XV. RECREATION --

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?	θ	θ	X	θ
--	---	---	---	---

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?	θ	θ	θ	X
---	---	---	---	---

a) The project will have a minimal impact on recreational facilities. **Less than significant impact is expected**

b). All existing facilities are expected be adequate and will not require any expansion. **No impact is expected**

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	θ	θ	X	θ
--	---	---	---	---

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	θ	θ	θ	X
--	---	---	---	---

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	θ	θ	θ	X
---	---	---	---	---

d) Substantially increase hazards due to a design feature (e.g. sharp curves, or dangerous intersections) or incompatible uses (e.g., farm equipment)?	θ	θ	θ	X
--	---	---	---	---

e) Result in inadequate emergency access?	θ	θ	θ	X
---	---	---	---	---

f) Result in inadequate parking capacity?	θ	θ	θ	X
---	---	---	---	---

g) Conflict with adopted policies, plans, and programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	θ	θ	θ	X
---	---	---	---	---

*a-b) The project does not expect to increase congestion or substantially affect the existing traffic load and capacity. Although a traffic study has not been completed, the project is not expected to exceed the level “D” service standard of San Benito County because it is not expected to induce substantial population growth or trip generation. **Less than significant impact is expected***

*c) No air traffic patterns are expected to change due to the proposed project. **No impact is expected***

*d-g) The project as proposed will not result in impacts to existing roadways, emergency access and parking capacity because there is no development proposed. While the project may lead to the future development of single family dwellings, that use is considered allowed under the existing zoning ordinance. Therefore, any potential issues regarding actual construction will be addressed during the building permit process. Also public works is requiring the applicant to show all driveway geometry details ( i.e. cross-section & structural design) to confirm that the driveway is adequate to be used as an emergency access road. **No impact is expected***

XVII. UTILITIES AND SERVICE SYSTEMS --

	Potentially Significant Impact	With Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	θ	θ	θ	X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	θ	θ	θ	X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	θ	θ	θ	X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	θ	θ	θ	X
e) Result in 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?	θ	θ	θ	X
f) Be served by a landfill with sufficient permitted	θ	θ	θ	X



*parcels in the vicinity are smaller and would not be allowed to split. **Less than significant impact is expected***

*c) No substantial adverse effects on human beings are expected either directly or indirectly. **No impact is expected***

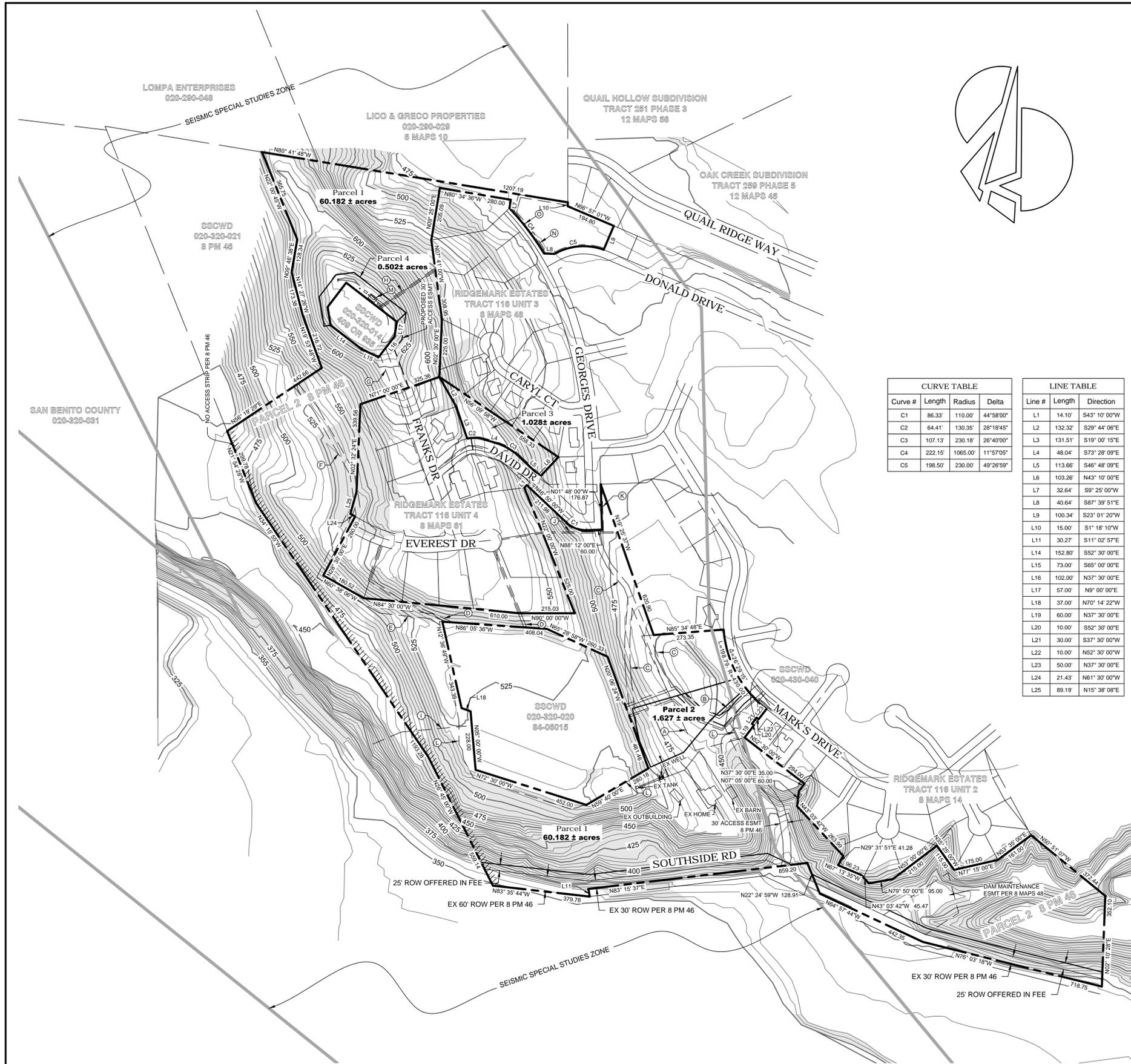
## XVIII. LIST OF REFERENCES.

The numbers indicated in the checklist in parentheses refer to this numbered list:

1. San Benito County General Plan
  - a. Housing Element
  - b. Land Use Element
  - c. Transportation Element
  - d. Noise Element
  - e. Open Space and Conservation Element
  - f. Scenic Roads and Highways Element
  - g. Seismic Safety/Safety Element
  - h. Environmental Resources and Constraints Inventory
2. San Benito County Zoning Ordinance.
3. Soil Survey for San Benito County, 021-000-009, 1969, US Dept. of Agriculture, SCS.
4. Natural Diversity Data Base for San Benito County.
5. Staff Knowledge of Area.
6. Project File
7. Air Quality Management Plan; Monterey Bay Unified Air Pollution Control District.
8. Water Quality Control Plan for the Central Coastal Basin; California Regional Water Quality Control Board, Central Coast Region; September, 1994.
9. Ambag Population Projections; Association of Monterey Bay Area Governments
10. Maps
  - a. General Plan Land Use Map
  - b. Zoning Map, San Benito County
  - c. Landslide Hazard Identification Maps: Relative Susceptibility Map
  - d. Landslide Hazard Identification Maps: Landslide and Related Features Map
  - e. Alquist Priolo Fault Hazard Maps, 1986
  - f. Fire Hazard Severity Zones in State Responsibility Areas
  - g. Flood Hazard Boundary Maps (FEMA), unmapped area, dated 9-27-91
  - h. San Benito County Sensitivity Maps, Prehistoric Cultural Resources
  - i. Kit Fox Habitat Conservation Plan Impact Fee Map
  - j. U.S.G.S. Quadrangle: San Juan Batista
  - k. San Benito County Important Farmland 2012 Map, California Department of Conservation, Office of Land Conservation, Farmland Mapping and Monitoring Program

### Attachments:

1. Site Plan
2. Vicinity Map



Curve #	Length	Radius	Delta
C1	86.33	110.00	44°58'00"
C2	64.41	130.35	28°18'45"
C3	107.13	230.18	26°40'00"
C4	222.15	1065.00	11°57'05"
C5	198.50	230.00	49°26'59"

Line #	Length	Direction
L1	14.10	S43° 10' 00"W
L2	132.32	S29° 44' 06"E
L3	131.51	S19° 00' 15"E
L4	48.04	S73° 28' 09"E
L5	113.66	S46° 48' 09"E
L6	103.26	N43° 10' 00"E
L7	32.64	S9° 25' 00"W
L8	40.64	S87° 39' 51"E
L9	100.34	S23° 01' 20"W
L10	15.00	S11° 18' 10"W
L11	30.27	S11° 02' 57"E
L14	152.80	S52° 30' 00"E
L15	73.00	S65° 00' 00"E
L16	102.00	N37° 30' 00"E
L17	57.00	N9° 00' 00"E
L18	37.00	N70° 14' 22"W
L19	60.00	N37° 30' 00"E
L20	10.00	S52° 30' 00"E
L21	30.00	S37° 30' 00"W
L22	10.00	N52° 30' 00"W
L23	50.00	N37° 30' 00"E
L24	21.43	N61° 30' 00"W
L25	89.19	N15° 38' 08"E

**Project Name:** Hilden Tentative Map  
**603 Tyler Trail**  
**Hollister, CA 95023**

**Applicant:** Lynn Hilden  
**603 Tyler Trail**  
**Hollister, CA 95023**  
**(831) 636-3710**

**Owner:** Lynn & Susan Hilden  
**603 Tyler Trail**  
**Hollister, CA 95023**  
**(831) 636-3710**

**Engineer:** Matthew J. Kelley, RCE 62098  
**Kelley Engineering & Surveying**  
**400 Park Center Drive, Suite #4**  
**Hollister, CA 95023**  
**(831) 636-1104**

Scale: 1"=200'  
 Date Map Prepared: February 2016  
 Assessor's Parcel Numbers: 020-510-051, 020-510-052, 020-510-057,  
 020-530-023, 020-320-018, 020-320-022,  
 020-330-050

Zoning: R1  
 General Plan: R/URB  
 Existing Land Use: Residential  
 Proposed Land Use: Residential

Number of Lots: 4  
 Total Area: 63.175 acres  
 Minimum Lot Size: 0.498 acres net  
 Net Density: 15.8 acres / Lot

Domestic Water Source: SSCWD  
 Fire Protection Water Source: SSCWD  
 Sewer: SSCWD  
 Electricity: PG&E  
 Telephone: AT&T

- LEGEND & ABBREVIATIONS**
- SUBDIVISION BOUNDARY
  - LOT LINE
  - EASEMENT LINE
  - WATER LINE
  - FENCE
  - INGRESS/EGRESS EASEMENT
  - STORM DRAIN EASEMENT
  - SUNNYSLOPE COUNTY WATER DISTRICT
  - STORM SANITARY SEWER
  - TREE CANOPY
  - NON-BUILDABLE (SLOPE GREATER THAN 30%)
  - NON-ACCESS STRIP

**KEY NOTES**

Key	Description
(A)	DRAINAGE EASEMENT PER 8 MAPS 48
(B)	50' WIDE ROAD AND UTILITY EASEMENT PER 2010-0005102
(C)	20' WIDE ROAD AND UTILITY EASEMENT PER 2010-0005102
(D)	10' WIDE PUBLIC UTILITY EASEMENT PER 8 MAPS 61
(E)	20' SANITARY SEWER EASEMENT PER 8 PARCEL MAPS 46
(F)	20' SANITARY SEWER & ROAD EASEMENT PER 8 PARCEL MAPS 46
(G)	30' WIDE ROADWAY AND UTILITY EASEMENT PER 409 OR 935
(H)	10' WIDE WATERLINE EASEMENT PER 409 OR 935
(I)	POLE LINE EASEMENT PER 90-08684
(J)	5' WIDE STORM DRAIN EASEMENT PER 8 MAPS 61
(K)	5' WIDE COMMUNICATIONS EASEMENT PER 2007-0002310
(L)	WATER, WASTEWATER, RECYCLED WATER, PUBLIC UTILITY & ROAD EASEMENT PER 2010-0005103
(M)	CELL TOWER EASEMENT 2009-0002659
(N)	10' WIDE SSCWD SEWER MAIN EASEMENT 96-06677
(O)	6' PUBLIC UTILITY EASEMENT PER 8 PM 46

**NON-BUILDABLE AREA NOTE:**  
 THE AREAS DESIGNATED WITH THE SHADED CONTOURS, CONTAINING SLOPES GREATER THAN 30%, ARE HEREBY NOTED AS BEING NON-BUILDABLE. THESE AREAS HAVE NOT BEEN SURVEYED. A FIELD SURVEY MAY REVEAL THAT SOME SLOPES ARE LESS THAN 30% AND THEREFORE WOULD BE CONSIDERED BUILDABLE.

**Improvement Note:** No street improvements are proposed for this project because Marks Drive is fully improved and dedicated to their maximum required widths.

**Flood Zone:** This project lies entirely within Zone X, areas determined to be outside the 500-year flood plain according to FIRM 06069C 080C, 9/27/1991

**Seismic Zone:** Portions of this property are located within a special studies zone according to the State of California Special Studies Zone Map, Hollister & Tres Pinos Quadrangles, 7/1/1986

**Utility Note:** The types, locations, sizes and/or depths of existing underground utilities as shown on this plan are approximate and were obtained from sources of varying reliability. Only actual excavation will reveal the types, extent, sizes, locations and depths of such underground utilities. A reasonable effort has been made to locate and delineate all known underground utilities. However, the engineer can assume no responsibility for the completeness or accuracy of its delineation of such underground utilities which may be encountered, shown or not shown on this plan.

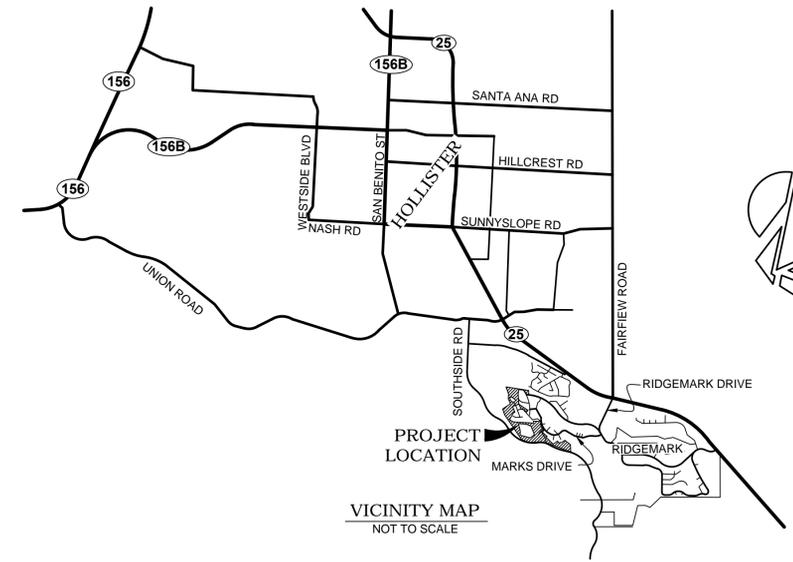
**ENCUMBRANCE NOTE:**  
 THE FOLLOWING DOCUMENTS CREATE OR RESERVE ENCUMBRANCES UPON THE PROPERTY THAT ARE NOT LOCATABLE OF RECORD:

- BOOK 133, PAGE 341 OFFICIAL RECORDS
- 2003-0015347
- 2003-0015645
- 2003-0023543
- 2009-0002659
- ELECTRIC POLE LINE RECOGNITION AND ATTORNMENT AGREEMENT
- MEMORANDUM OF LEASE AGREEMENT
- MEMORANDUM OF LEASE
- MEMORANDUM OF AGREEMENT

**SOURCE OF CONTOURS:**  
 TOPOGRAPHIC SURVEYS PERFORMED BY KELLEY ENGINEERING & SURVEYING COMBINED WITH AERIAL SURVEY PREPARED BY SAN BENITO ENGINEERING FOR SUNNYSLOPE COUNTY WATER DISTRICT AND SAN BENITO COUNTY GIS. DATUM: NAVD 1988

**GEOTECHNICAL/GEOLOGICAL INVESTIGATIONS:**  
 THE FOLLOWING REPORTS HAVE BEEN PREPARED AND ARE ON FILE WITH THE OFFICE OF PLANNING, COUNTY OF SAN BENITO

- ENGINEERING GEOLOGIC EVALUATION BY PACIFIC RIM GEOLOGIC DATED FEBRUARY 2000
- GEOTECHNICAL ENGINEERING INVESTIGATION BY SALEM ENGINEERING GROUP DATED JANUARY 20, 2015



In accordance with section 6735 (a) of the Professional Engineer's Act these plans are			
<b>PRELIMINARY</b>			
and therefore do not bear the signature and seal of a registered civil engineer.			
BY	DATE	REVISIONS	APPR

**KELLEY**  
**ENGINEERING & SURVEYING**  
 400 PARK CENTER DRIVE, SUITE #4  
 HOLLISTER, CA 95023  
 OFFICE (831) 636-1104 FAX (831) 636-1837

DATE:	AUGUST 2016
SCALE:	1" = 200'
DESIGNED:	MJK, TJK
DRAWN:	TJK
JOB NO.:	13022

**VESTING TENTATIVE MAP**  
**LYNN HILDEN MINOR SUBDIVISION**  
**HOLLISTER, CA**

**SHEET**  
**1**  
 OF 4

FILE NAME: USER\WORK\Projects\2013\13022 - Lynn Hilden.dwg | 13022 Hilden 01 Title Sheet.dwg | Thursday, 01 September 2016 at 2:41pm by: MATJ LJT

- KEY NOTES:**
- ① EXISTING 36" STORM INLET
  - ② EXISTING 18" RCP STORM PIPE
  - ③ EXISTING 24" STORM INLET
  - ④ EXISTING 12" HDPE STORM PIPE
  - ⑤ EXISTING OUTLET OF 18" RCP STORM PIPE
  - ⑥ EXISTING OUTLET OF 12" HDPE STORM PIPE
  - ⑦ EXISTING 16" RECYCLED WATER PIPELINE
  - ⑧ EXISTING TWO 10" SANITARY FORCE MAINS
  - ⑨ EXISTING 6" SANITARY SEWER LATERAL
  - ⑩ EXISTING SANITARY SEWER EMERGENCY OVERFLOW
  - ⑪ EXISTING 10" POTABLE WATER
  - ⑫ EXISTING JOINT TRENCH

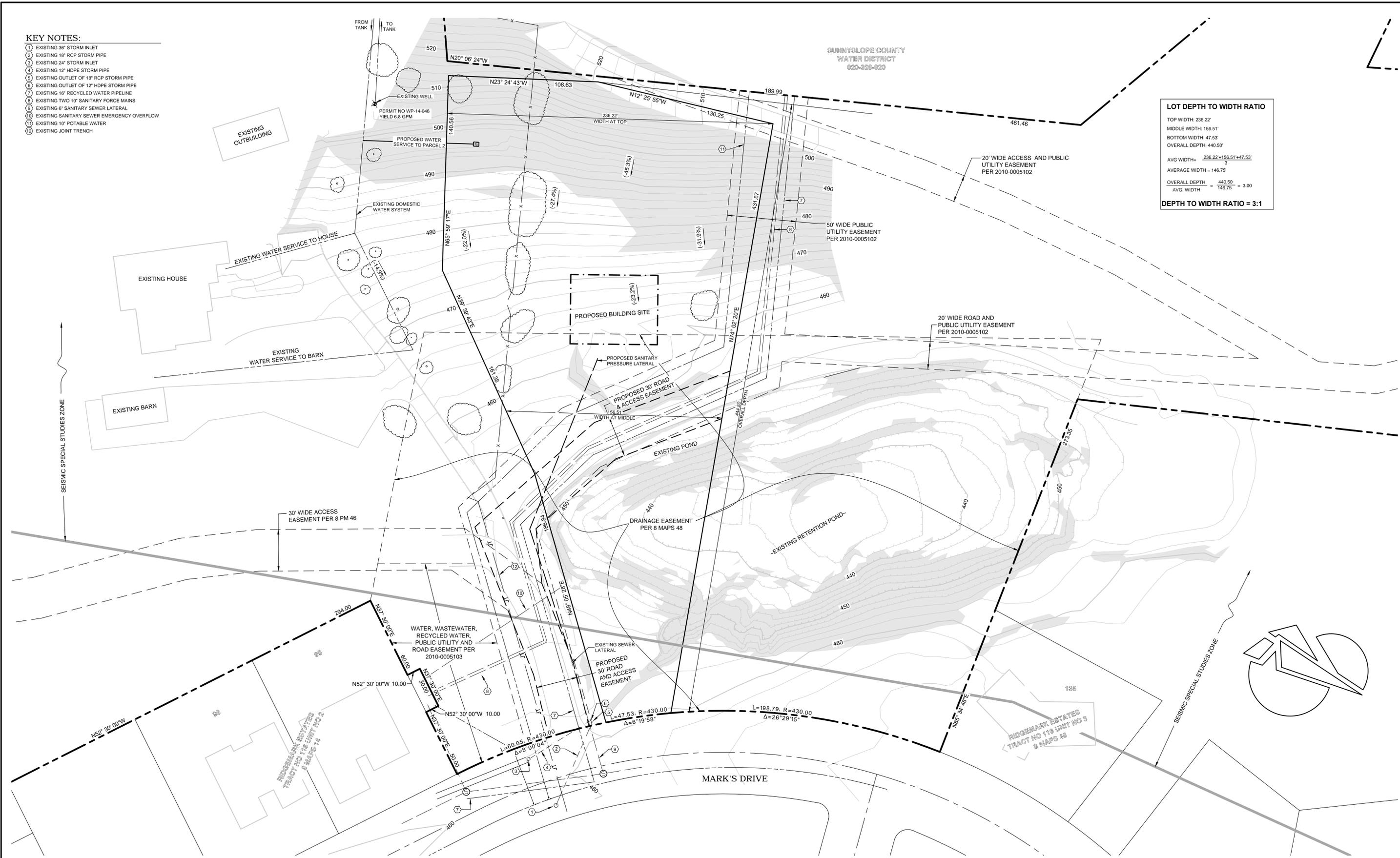
SUNNYSLOPE COUNTY  
WATER DISTRICT  
020-320-020

**LOT DEPTH TO WIDTH RATIO**

TOP WIDTH: 236.22'  
MIDDLE WIDTH: 156.51'  
BOTTOM WIDTH: 47.53'  
OVERALL DEPTH: 440.50'

AVG WIDTH =  $\frac{236.22 + 156.51 + 47.53}{3}$   
AVERAGE WIDTH = 146.75'

OVERALL DEPTH = 440.50'  
AVG. WIDTH = 146.75'  
DEPTH TO WIDTH RATIO = 3:1



▲	▲	▲	▲	▲	▲	▲	▲	▲	▲
In accordance with section 6735 (a) of the Professional Engineer's Act these plans are									
<b>PRELIMINARY</b>									
and therefore do not bear the signature and seal of a registered civil engineer.									
BY	DATE	REVISIONS	APPR						

**KELLEY  
ENGINEERING & SURVEYING**  
400 PARK CENTER DRIVE, SUITE #4  
HOLLISTER, CA 95023  
OFFICE (831) 636-1104 FAX (831) 636-1837

DATE:	AUGUST 2016
SCALE:	1" = 30'
DESIGNED:	MJK
DRAWN:	MJK
JOB NO.:	13022

**LYNN HILDEN MINOR SUBDIVISION  
PARCEL 2 - MARK'S DRIVE  
HOLLISTER, CALIFORNIA**

**SHEET  
2  
OF 4**

FILE NAME: I:\SERV\001\Projects\2013\13022 - Lynn Hilden\dwg\13022 Hilden 02 Parcel 2.dwg - Printed on: Thursday, 01 September 2016 at 2:42pm by: MATT 17





# Sunnyslope County Water District

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3570 Airline Highway  
Hollister, California 95023-9702

Phone (831) 637-4670  
Fax (831) 637-1399

March 3, 2016

Lynn Hilden  
603 Tyler Trail  
Hollister, CA, 95023

Re: Letter of Intent to Provide Water and Wastewater Service to Hilden Tentative Map

Mr. Hilden:

The Sunnyslope County Water District intends to provide water and wastewater service for the development of the proposed Parcel 2 and Parcel 3 of the Hilden Tentative Map.

The District has sufficient capacity at the Ridgemark I Wastewater Treatment Plant to accommodate wastewater flows from these two parcels. Upon development of these parcels, the Developer will be required to connect to the existing sewer system and pay the appropriate fees.

Sunnyslope County Water District currently has the water supplies and infrastructure necessary to serve additional development within the Hollister Urban Area and the District boundaries including the parcels listed above. Upon development of these parcels, the Developer may connect to the existing water system and pay the appropriate fees.

Sunnyslope County Water District may rescind or withdraw this intent to serve if emergency measures require the cessation of new water or wastewater connections within the District, or if other unforeseen circumstances limit either the capacity or ability for the District to provide these services.

Please do not hesitate to give me a call at 831-637-4670 if you have any clarifying questions. Thank you.

Sincerely,



Rob Hillebrecht, E.I.T.  
Assistant Engineer



## Matthew Kelley

---

**From:** Darryl Wong <dwong@cosb.us>  
**Sent:** Friday, August 19, 2016 4:39 PM  
**To:** Matthew Kelley  
**Cc:** 'Lynn Hilden'; smhilden@charter.net  
**Subject:** RE: Hilden Tentative Map - MS 1240-16 603 Tyler Trail

Sorry, I'm all thumbs on the calculator. You are correct that it is 6.8 GPM and it is adequate for two connections.

Darryl

---

**From:** Matthew Kelley [mailto:matt@kelley-engineering.com]  
**Sent:** Thursday, August 18, 2016 2:17 PM  
**To:** Darryl Wong  
**Cc:** 'Lynn Hilden'; smhilden@charter.net  
**Subject:** RE: Hilden Tentative Map - MS 1240-16 603 Tyler Trail

Good afternoon Daryl:

I'm not sure where the 22 GPM came from. We previously reported 15 GPM from the well completion report. The newest pump test was done with the output restricted and produced 6.8 GPM for 24 hours. This is enough for two homes.

Regards,

Matthew J. Kelley, P.E., L.S., Q.S.D.  
**Kelley Engineering & Surveying**  
400 Park Center Drive, Suite 4, Hollister, CA 95023  
Office (831) 636-1104 Fax (831) 636-1837  
<http://www.kelley-engineering.com>

---

**From:** Darryl Wong [mailto:dwong@cosb.us]  
**Sent:** Thursday, August 18, 2016 10:50 AM  
**To:** Matthew Kelley <matt@kelley-engineering.com>  
**Cc:** 'Lynn Hilden' <lghilden@charter.net>; smhilden@charter.net  
**Subject:** RE: Hilden Tentative Map - MS 1240-16 603 Tyler Trail

Hi Matt,

The SMS permit would only be required if the well is shared with Parcel #2 (it was mentioned as a possibility). I would like to confirm that the well produces 22 GPM. It does not appear to be stated on the pump test.

Thanks,  
Darryl

---

**From:** Matthew Kelley [mailto:matt@kelley-engineering.com]  
**Sent:** Thursday, August 18, 2016 9:36 AM  
**To:** Darryl Wong

**Cc:** 'Lynn Hiiden'; [smhilden@charter.net](mailto:smhilden@charter.net)

**Subject:** Hilden Tentative Map - MS 1240-16 603 Tyler Trail

Good morning Darryl:

In your memo to Planning regarding the Hilden minor subdivision, under the water comments, you request a Small Water System permit and 24 hour pump test. Please find the pump test attached.

Do you need the Small Water System permit application and fee at this time or should we submit this after approval?

Regards,

Matthew J. Kelley, P.E., L.S., Q.S.D.

**Kelley Engineering & Surveying**

**400 Park Center Drive, Suite 4, Hollister, CA 95023**

Office (831) 636-1104 Fax (831) 636-1837

<http://www.kelley-engineering.com>



# SAN BENITO COUNTY AGENDA ITEM TRANSMITTAL FORM

## BOARD OF SUPERVISORS

MARGIE BARRIOS  
District One  
ANTHONY BOTELHO  
District Two  
ROBERT RIVAS  
District Three  
JERRY MUENZER  
District Four  
JAIME DE LA CRUZ  
District Five

**Item Number: 4.**

**MEETING DATE:** 11/16/2016

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**DEPT HEAD/DIRECTOR:** Brent Barnes

**AGENDA ITEM PREPARER:** Robert Rivera

**SBC DEPT FILE NUMBER:** UP 1151-16

**SUBJECT:**

Metzer UP 1151-16

**AGENDA SECTION:**

PUBLIC HEARING

**BACKGROUND/SUMMARY:**

The applicant is requesting a Use Permit to allow the growing and breeding of ducks and geese at 4000 Fairview Road. Several times a year, breeder ducklings and goslings will be brought to the farm to be grown for future egg production. All eggs produced during this process will be transported to Metzer Farms in Gonzales, CA one to two times a week. At the Gonzales location, the eggs will incubate, hatch, and ultimately be distributed as day old ducklings and goslings.

Upon approval of Use Permit #1151-16, the applicant intends to populate the existing barn complex with approximately 3,000 ducks and 1,000 geese. The ducks would start laying eggs in mid-December, and the geese would begin to lay their eggs in February. At full capacity, the ranch would be capable of supporting a total of 14,500 birds.

Nine (9) existing buildings will serve as the operation center of the ranch.

Although the existing buildings will be cleaned, painted, and repaired as necessary, no additional

development is proposed or anticipated with this project.

In addition to the use permit, the applicant is proposing a lot line adjustment. The applicant is proposing to reconfigure two parcels, parcel one is 5.83 acres and parcel two is 24.22 acres. Figure 2 Provides the before and after configurations of the parcels.

**BUDGETED:**

**SBC BUDGET LINE ITEM NUMBER:**

**CURRENT FY COST:**

**STAFF RECOMMENDATION:**

**ADDITIONAL PERSONNEL:**

**ATTACHMENTS:**

Description	Upload Date	Type
Staff Report	11/8/2016	Staff Report
ISMND	11/8/2016	Exhibit
Traffic Forecast	11/8/2016	Exhibit
Noise Management Plan	11/8/2016	Exhibit
Odor Minimization Plan	11/8/2016	Exhibit
Nutrient Management Plan	11/8/2016	Exhibit
Vicinity and Assesor Maps	11/8/2016	Exhibit
Aerial Image	11/8/2016	Exhibit

## **STAFF REPORT**

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### **PROJECT INFORMATION:**

Application: Use Permit 1151-16 /LLA 16-599  
Date of Hearing: November 16, 2016  
Applicant/Owner: Metzger Farms, John and Marc Metzger  
Location: 4000 Fairview Road, Hollister, CA  
APN: 017-170-017; 017-170-005  
Zoning/ General Plan: Agricultural Productive (AP)  
Project Planner: Robert Rivera

### **PROJECT DESCRIPTION:**

The applicant is requesting a Use Permit and Lot Line Adjustment to allow the growing and breeding of ducks and geese at 4000 Fairview Road. All eggs produced during this process will be transported to Metzger Farms in Gonzales, CA one to two times a week. At the Gonzales location, the eggs will incubate, hatch, and ultimately be distributed as day old ducklings and goslings.

Upon approval of Use Permit #1151-16, the applicant intends to populate the existing barn complex with approximately 3,000 ducks and 1,000 geese. The ducks would start laying eggs in mid-December, and the geese would begin to lay their eggs in February. At full capacity, the ranch would be capable of supporting a total of 14,500 birds. The birds at Metzger Farms are cage free and allowed to roam through their assigned buildings.

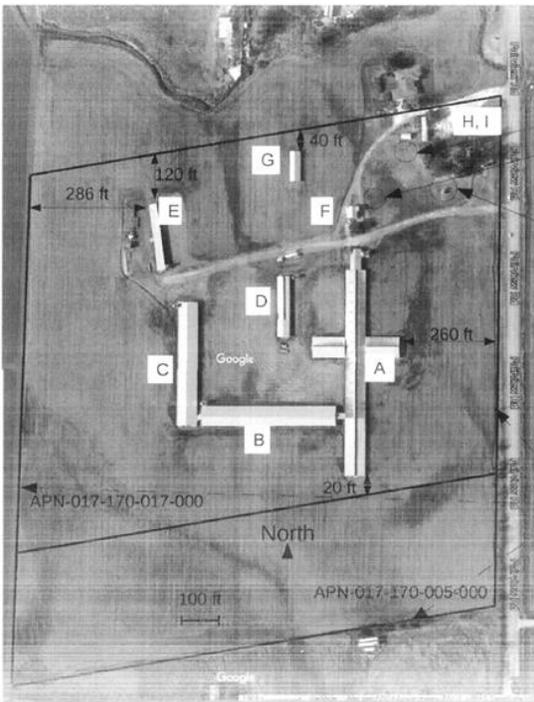
In a typical cycle, day old ducklings will be brought to the farm, raised for 20-25 weeks, and then spend the next 45-50 weeks laying eggs. The ducks are then rested for approximately 8 weeks before beginning another 40 weeks of production. After that, the ducks are sold and another flock is brought in to replace them. Several of these cycles occur throughout the year.

Geese are productive much longer and their egg laying season is shorter. Goslings typically hatch in April or May to be mature enough to lay eggs the following year. They lay eggs from February through June and are kept for 5 or 6 laying cycles (years) before they are sold.

Ducks and geese need 17 hours of light a day - a combination of natural and artificial. Lights inside the buildings will come on at about 4:30am, turn off at sunrise, turn on at sunset and turn off about 9:30pm. There is no exterior lighting planned for the site.

Mortality is expected throughout the life of the project. Deceased birds will be composted consistent with the methods currently employed at the Gonzales location. This is considered a superior alternative to incineration and shipment to a rendering location.

As depicted in the Photograph below, nine (9) existing buildings will serve as the operation center of the ranch.



Buildings A-E: Open Space for Poultry  
 Building F: Egg wash and storage  
 Building G: Storage  
 Buildings H & I: Storage

Septic Systems  
 Well

Fencing along east and west property lines, also along further most South line.

The existing buildings will be cleaned, painted, and repaired as necessary and the site will be landscaped with Oleander and Pepper trees.

No further development is proposed or anticipated with this project.

### LOT LINE ADJUSTMENT

In addition to the use permit, the applicant is proposing a lot line adjustment to finalize the sale of the property. The applicant is proposing to reconfigure two parcels, parcel one is 5.83 acres and parcel two is 24.22 acres. The figure below illustrates the before and after configurations of the parcels.



## **SITE DESCRIPTION:**

The project site is located adjacent to Fairview Road and is accessed by an existing private driveway and internal roadway network. The property is flat and currently fallow; devoid of any significant vegetation or wildlife. The existing buildings are composed of wood and wire, and have concrete floors.

The subject property is zoned Agricultural Productive (AP), and designated as Agriculture in the 2035 General Plan. The intent of the AP district is to provide for areas within the county to be used for agricultural production of any type as set forth in the general plan. In accordance with §25.07.005 of San Benito County Code, (c), Frog and Poultry Farms may be allowed in this District upon the issuance of a Conditional Use Permit.

Further, the intent of the Agricultural designation from the General plan is to maintain the productivity of agricultural land. Goal LU-3 in the General Plan seeks preserve the agricultural industry by allowing farmers to manage their land and operations in an efficient and economically viable manner.

Land uses within 2 miles of the project area include: Residential, Light Industrial, Rural Transitional, Agricultural, and Educational. Surrounding zoning is Agricultural Productive (AP) with one pocket of M1- Light Industrial nearby. The intent of the AP district is to provide for areas within the county to be used for agricultural production of any type as set forth in the general plan. The project as proposed is consistent with both the General Plan and the Zoning Ordinance.

Scenic Highway: No

Seismic: No

Fire Hazard: Non-Wildland / Non-Urban

Floodplain: Zone X (outside the 500 year flood).

Archaeological Sensitivity: Low Sensitivity.

Kit Fox Habitat: Within Impact Fee Area

Other Endangered or Sensitive Species: None known

## **STAFF ANALYSIS:**

Based upon the intent of the project, staff finds that the proposed project is consistent with the County Zoning Ordinance and General Plan in that it promotes agricultural businesses within the County of San Benito. The proposed project would promote economic development within the county and raise tax revenue as a result.

The location of the business is appropriate for both the size and character of the business. Noise and odor will be mitigated and monitored closely by the planning department and

applicant in order to address any adverse impacts. Less than significant impacts are expected with the mitigation measures. Annual reports will be filed with the County.

**ENVIRONMENTAL EVALUATION:**

An Initial Study/ Mitigated Negative Declaration was prepared for the project. The public review period on the environmental document began on September 20, 2016 and ended on October 10, 2016. No comments were received as a result of circulation of the initial study.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission approve UP 1151-16 / LLA 16-599 in accordance with the Findings and Evidence and subject to the attached conditions of approval and Mitigation Monitoring and Reporting plan.

**CEQA FINDINGS:**

**Finding 1:** That the Initial Study for UP 1151-16 /LLA 16-599 was prepared in compliance with the provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the San Benito County Implementing Procedures for the California Environmental Quality Act.

*Evidence:* The environmental documents in the preparation of the Initial Study are filed in the project record located at the San Benito County Planning Department in file number UP 1151-16/ LLA 16-599.

**Finding 2:** That the Planning Commission has considered the proposed Mitigated Negative Declaration together with all comments received from the public review process.

*Evidence:* The Initial Study was presented to the Planning Commission for the November 16th meeting and comments were made at the meeting. No comments were received by the Planning Department as a result of the initial study circulation.

**Finding 3:** The Mitigated Negative Declaration reflects the independent judgment of the Planning Staff.

*Evidence:* The Planning Department prepared the Initial Study. This report and the staff recommendation reflect the Planning Department's independent evaluation of the project.

**Finding 4:** That the Planning Commission has found that there is no substantial evidence that the proposed project will have a significant effect on the environment.

*Evidence: The Planning Commission has found that the project as proposed and conditioned will not result in a significant impact on the environment.*

#### **USE PERMIT FINDINGS:**

**Finding 1:** That the proposed use is properly located in relation to the General Plan, and the community as a whole and to other land uses, transportation, and service facilities in the vicinity.

*Evidence: The General Plan Land Use Element designates this property as Agriculture. Surrounding zoning is Agricultural Productive (AP) with one pocket of M1- Light Industrial nearby. The intent of the AP district is to provide for areas within the county to be used for agricultural production of any type as set forth in the general plan. The project as proposed is consistent with both the General Plan and the Zoning Ordinance.*

**Finding 2:** That the proposed use, if it complies with the conditions upon which approval is made contingent, will not adversely affect other properties in the vicinity or cause any damage, hazard, or nuisance to persons or property.

*Evidence: Staff completed and circulated an Initial Study/ Mitigated Negative Declaration for the proposed project. No public comments were received. Along with standard application materials, project file UP1151-16/ LLA 16-599 includes a Nutrient Management Plan, Noise Management Plan, and Odor Minimization Plan. Adherence to the plans, mitigation measures, and conditions of approval will ensure the project will not cause any damage, hazard, or nuisance to persons or property.*

#### **LOT LINE ADJUSTMENT FINDINGS:**

According to §25.23.006 of the San Benito County Code, all of the following findings shall be made to approve a lot line adjustment:

**Finding 1 & 2:** That the proposed design is consistent with applicable General and Specific Plans.

*Evidence: The project site is designated as Agriculture in the General Plan. Use of the property as a poultry farm is consistent with this designation.*

**Finding 3 & 4:** That the site is physically suitable for the uses and density allowed in the zoning district.

*Evidence: Staff has determined that the site is physically suitable for allowable uses within the AP district. Materials contained in file UP1151-16/ LLA 16-599.*

**Finding 5:** That the configurations of the resulting parcels or improvements will not likely cause substantial environmental damages or substantially and avoidably injure fish or wildlife or their habitat.

**Evidence:** *There is no evidence in the record as a whole that the lot line adjustment would potentially cause adverse impacts to the surrounding environment of fish and wildlife native to the surrounding area. There were no biological impacts identified in the Initial Study.*

**Finding 6:** That the configuration of the resulting parcels or the type of improvements is not likely to cause serious public health problems.

**Evidence:** *No physical changes to the site are proposed and no improvements are proposed at this time. To ensure the safety of public health, this project has been reviewed by all relevant County Departments. Nothing was identified in the aforementioned comments that would indicate potential impacts to public health.*

**Finding 7:** That the configuration of the resulting parcels or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, the property.

**Evidence:** *The proposed project has been reviewed by the Department of Public Works and Planning and no conflict(s) with easements has been identified in the proposed adjustment.*

**Finding 8:** The proposed lot line adjustment is consistent with the zoning and building ordinances.

**Evidence:** *The resulting parcels are consistent with the minimum 5 acre building site area as required in the AP Zoning District. No further construction is proposed.*

## **CONDITIONS OF APPROVAL:**

- 1. Indemnification:** APPLICANT shall defend, indemnify, and hold San Benito County, its agents, officers, and/or employees (hereinafter "COUNTY") free and harmless from any and all suits, fees, claims, demands, causes of action, proceedings (hereinafter collectively referred to as "Legal Action"), costs, losses, damages, liabilities and expenses (including, but not limited to, an award of attorneys' fees, expert witness fees, and court costs) incurred by COUNTY arising (directly or indirectly) or resulting from the review, processing, consideration, or approval of APPLICANT'S Project or action taken by COUNTY thereon, including Legal Actions based on the negligence of COUNTY. APPLICANT will reimburse COUNTY for any damages, costs, or fees awarded pursuant to any settlement, default judgment, or other judgment taken against the County, whether the result of Applicant's decision not to defend legal action or otherwise. COUNTY retains its

discretion to direct counsel regarding whether to defend, settle, appeal, or take other action regarding any Legal Action. [Planning]

2. **Conformity to Plan:** The development and use of the site shall conform substantially to the proposed site plan and Conditions of Approval as approved by the Planning Commission. Any increase, change, or modification in the nature or intensity of the land use on the site shall be subject to further Planning Commission review and approval. [Planning]
3. **Fire:** Any and all development on this property shall be required to meet the standards set forth in the latest editions of the 2013 California Fire Code, Public Resources Codes 4290 and 4291, Ordinances 822 and 823 of the San Benito County Code and other related codes as they apply to a project of this type and size. [Fire]
4. **Roadway Dedication: PRIOR TO OCCUPANCY** the Applicant shall be required to dedicate half of the 110 feet right-of-way (ROW) along the entire property frontage on Fairview Road. [Public Works]
5. **Drainage & Erosion Control:** Applicant shall comply with County Drainage Standards, which may include notes in the exhibit, but will also require sufficient detail on Site Plan to show existing and/or proposed drainage facilities per (§§ 19.17: Grading, Drainage and Erosion Control) to include (but not necessarily limited to):
  - a. Contours/ elevations & storm water (flow\_ patterns. Plan or schematic to show or note how potential or excessive runoff is retained on or leaves the property, where it might cross property lines and where it would go, either to an existing drainage retaining pond, other drainage facility, or to existing or proposed natural drainage easements.
  - b. Details of existing (if any) or proposed retention/detention pond, or other methods of dispersing storm waters to mitigate concentrated or increased runoff resulting from additional impermeable surface created by this proposed project.
  - c. Applicant shall also be required to provide confirmation of the adequacy of any existing or proposed storm drainage system or structures by hydraulic calculations. [Public Works]
6. **Encroachment:** Pursuant to § 19.27.004 of the County Code, the Applicant shall obtain a Public Works Encroachment Permit for any work being performed within the County Right-of-Way or any road offered for dedication to the County prior to commencement of any improvements associated with this project. [Public Works]
7. **Driveway: PRIOR TO OCCUPANCY** the Applicant shall submit proof to the Public Works Department that the proposed facility has adequate ingress and egress. Provide the Public Works Department with driveway entrance geometry and cross-section. [Public Works]

8. **Water System Permit: PRIOR TO OCCUPANCY** the Applicant shall apply for, and receive a small water system permit from the Environmental Health Department. [Environmental Health]
  
9. **Hazardous Materials Business Plan: PRIOR TO OCCUPANCY** the Applicant shall submit a Hazardous Materials Business Plan to the Environmental Health Department for review and approval. [Environmental Health]

**SAN BENITO COUNTY**  
**NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION**

**TO:** Responsible agencies, Trustee agencies, other County Departments, and interested parties.  
**FROM:** San Benito County Planning Department

This notice is to inform you that the San Benito County Planning Department has prepared an Initial Study and intends to recommend filing a **Mitigated Negative Declaration** for the project identified below. The public review period for the Initial Study is from **September 20, 2016 to October 10, 2016**. The document is available for review at the address listed below. Comments may be addressed to the contact person: Shandell Clark .Written comments are preferred. Please use the project file number in all communication.

1. **Project title and/or file number:** UP 1151-16
2. **Lead agency name and address:** San Benito County Planning Department  
2301 Technology Parkway, Hollister CA
3. **Contact Person/ phone number:** Shandell Clark, Associate Planner (831) 637-5313
4. **Project Location/APN(s):** The project site is located 4000 Fairview Road, Hollister, CA  
APN: 017170017; 017170005
5. **Project Sponsor/ Address:** Metzer Farms, John and Marc Metzer  
26000 Old Stage Road  
Gonzales, CA 93926
6. **General Plan Designation:** Agricultural
7. **Zoning:** AP- Agricultural Productive
8. **Description of Project:** The applicant is requesting a Use Permit to allow the growing and breeding of ducks and geese at 4000 Fairview Road. Several times a year, breeder ducklings and goslings will be brought to the farm to be grown for future egg production. All eggs produced during this process will be transported to Metzer Farms in Gonzales, CA one to two times a week. At the Gonzales location, the eggs will incubate, hatch, and ultimately be distributed as day old ducklings and goslings.

Upon approval of Use Permit #1151-16, the applicant intends to populate the existing barn complex with approximately 3,000 ducks and 1,000 geese. The ducks would start laying eggs in mid-December, and the geese would begin to lay their eggs in February. At full capacity, the ranch would be capable of supporting a total of 14,500 birds.

As depicted in Photograph 1, nine (9) existing buildings will serve as the operation center of the ranch.

Buildings A-E: Open Space for Poultry  
 Building F: Egg wash and storage  
 Building G: Storage  
 Buildings H & I: Storage



Figure 1

Although the existing buildings will be cleaned, painted, and repaired as necessary, no additional development is proposed or anticipated with this project.

In addition to the use permit, the applicant is proposing a lot line adjustment. The applicant is proposing to reconfigure two parcels, parcel one is 5.83 acres and parcel two is 24.22 acres. Figure 2 Provides the before and after configurations of the parcels.

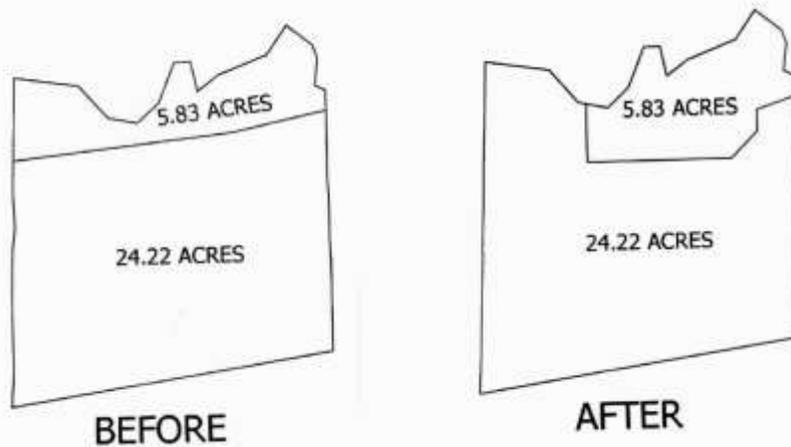


Figure 2

**9. Surrounding Land Uses and Setting:** The project site is located adjacent to Fairview Road and is accessed by an existing private driveway and internal roadway network. The property is flat and currently fallow; devoid of any significant vegetation or wildlife. The existing buildings are composed of wood and wire, and have concrete floors.

Land uses within 2 miles of the project area include: Residential, Light Industrial, Rural Transitional, Agricultural, and Educational. Surrounding zoning is Agricultural Productive (AP) with one pocket of M1- Light Industrial nearby. The intent of the AP district is to provide for areas within the county to be used for agricultural production of any type as set forth in the general plan. The project as proposed is consistent with both the General Plan and the Zoning Ordinance.

Scenic Highway: No  
Seismic: Yes, San Andres Fault (approximately 400 feet from fault zone)  
Fire Hazard: Non-Wildland / Non-Urban  
Floodplain: Zone X (outside the 500 year flood).  
Archaeological Sensitivity: Low Sensitivity.  
Kit Fox Habitat: Within Impact Fee Area  
Other Endangered or Sensitive Species: None known  
Soils:

**10. Planning and Zoning:** The subject property is zoned Agricultural Productive (AP), and designated as Agriculture in the 2035 General Plan. The intent of the AP district is to provide for areas within the county to be used for agricultural production of any type as set forth in the general plan. In accordance with §25.07.005 of San Benito County Code, (c), Frog and Poultry Farms may be allowed in this District upon the issuance of a Conditional Use Permit.

Further, the intent of the Agricultural designation from the General plan is to maintain the productivity of agricultural land. Goal LU-3 in the General Plan seeks preserve the agricultural industry by allowing farmers to manage their land and operations in an efficient and economically viable manner.

The minimum building site area is 5 acres, however no construction or grading is proposed with the project.

**11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** Public Works Department, Hollister Fire Department, and Division of Environmental Health, Tax Assessor’s Office

**Environmental Factors Potentially Affected:** The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact” or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

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

**Determination.**

On the basis of this initial evaluation:

- ∅ I find that the proposed project qualifies for an exemption to CEQA pursuant to Section 15061(b)(3).
- ∅ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- X 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*

Robert Rivera, Associate Planner  
*Printed Name*

\_\_\_\_\_  
*Date*

San Benito County Planning Department  
*Agency*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. <u>AESTHETICS</u> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	0	0	0	X
b) Substantially damage scenic resources, including, but Not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	0	0	0	X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	0	0	0	X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	0	0	X	0

a) *[No Impact] The proposed project is not in the area of any scenic highway or resource and is proposing to use existing barns. There is no new construction proposed, however the existing barns will be cleaned, painted and repaired as necessary. **No impact is expected.***

b-c) *[No Impact] The property is not making any physical changes to the property. No new structures are proposed in conjunction with this project and the proposed project does not have the potential to damage scenic resources. **No impact is expected.***

d) *[Less than significant] There is no exterior lighting proposed, however interior lighting is proposed. Interior lighting is proposed to turn on at 4:30 am, turn off at sunrise, turn on at sunset and typically turn off around 9:30PM. The limited light emitted from interior lighting is not expected to significantly impact day or nighttime views. **Less than significant impact is expected.***

II. AGRICULTURE 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 Dept. Of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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?	0	0	0	X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	0	0	0	X
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	0	0	0	X

Timberland Production (as defined by Government Code section 51104 (g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?	0	0	0	X
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?	0	0	0	X

*a) The site is designated as "other land" according to the San Benito County Important Farmland Map 2012, therefore the project will not convert any unique or prime farmland. "Other Land" is land not included in any other mapping category. Common examples include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as other land. **No impact is expected***

*b) The property is not currently under a Williamson Act Contract. The proposed use is consistent with the Agricultural zoning designation of the zoning ordinance and general plan. **No impact is expected.***

*c) The proposed project is consistent with the general plan and may be considered a conditional use to the AP district. The proposed project will not require a rezoning and will not conflict with existing zoning for forest land. **No impact is expected.***

*d) The proposed project is not expect to result in the loss of forest land or convert any forest land to non-forest use. **No impact is expected.***

*e) The proposed project is not located on farmland, and the proposed use is not expected to result in the loss or conversion of farmland. **No impact is expected.***

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**III. 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?	0	0	0	X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	0	0	0	X
c) 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 ( including releasing emissions which	0	0	0	X

exceed quantitative thresholds for ozone precursors)?

d) Expose sensitive receptors to substantial pollutant concentrations?	θ	X	θ	θ
e) Create objectionable odors affecting a substantial number of people?	θ	X	θ	θ

*a-c) The region has nonattainment status for ozone and particulate matter of 10 microns (PM10). The project proposed no construction or grading. The use is not expected to violate any air quality standards.*

*d-e) The proposed project will expose employees and operators to odors relating to animal waste. Mitigation Measure 1 is included to reduce this exposure to a less than significant impact.*

**MM-1 (AIR QUALITY)**

*Litter management shall comply with the Odor Minimization Plan (OMP). The OMP will be maintained on-site and revised as necessary to reflect any changes in the design or operation of the farm. The OMP will be reviewed annually to determine if any revisions are necessary.*

*A Complaint and Objectionable Odor record shall be kept on-site and the County shall be notified of any complaint filed and actions corresponding to each complaint.*

*Litter shall be managed in a manner that minimizes the development of conditions that could lead to objectionable odors by maintaining dry and covered stockpiles and adding additional woodchips, absorbents and iron sulfate as needed.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**IV. 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, by the California Department of Fish and Game or US Fish and Wildlife Service?	θ	θ	θ	X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	θ	θ	θ	X
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?	θ	θ	θ	X
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?	0	0	0	X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	0	0	0	X
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?	0	0	0	X

*a-f) Based upon all documents available for staff review, the site is not known to contain any federal or state listed endangered or special status species. The project does not appear to cause an effect that will adversely impact federally protected wetlands or interfere with the movement of any known or establishes migratory wildlife. The project does not appear to conflict with any local policies or ordinance or applicable conservation plans, including the Tree Protection ordinance. **No impact is expected.***

**V. CULTURAL RESOURCES** -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	0	0	0	X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	0	0	0	X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	0	0	0	X
d) Disturb any human remains, including those interred outside of formal cemeteries?	0	0	0	X

*a-d) The project location is not located within 500 feet of a recorded archaeological site and is within an area having very low potential for archeological sensitivity. There is no grading proposed with project. Therefore, due to the location and activity no changes to historical resources or archaeological resources are expected. However, as with all new developments, the project will be required to comply with the County Ordinance 610 if, at any time during the preparation for or process of excavation or otherwise disturbing the ground, any human remains of any age, or any significant artifact or other evidence of an archaeological site is discovered, all further excavations and disturbances within 200 feet of the discovery shall cease and desist. If human and/or questionable remains have been discovered, the sheriff-coroner shall be notified immediately. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. GEOLOGY AND SOIL -- Would the project:

a) Expose people or structures to 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 the Division of Mines and Geology Special Publication 42.

0 0 0 X

ii) Strong seismic ground shaking?

0 0 0 X

iii) Seismic-related ground failure, including liquefaction?

0 0 0 X

iv) Landslides?

0 0 0 X

b) Result in substantial soil erosion of the loss of topsoil?

0 0 0 X

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?

0 0 0 X

d) Be located on expansive soil, as defined in Table 18-1-B of the uniform building Code (1994), creating substantial risks to life or property?

0 0 0 X

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

0 0 0 X

*a) The project proposes to utilize existing buildings. The buildings were originally of a similar use and the proposed new use would not expose more people to a potential risk due to strong seismic ground shaking. Further, the applicant is proposing to renovate the existing building to current building standard. **No impact is expected***

*b-d) No new construction is proposed with this application. The building has been constructed to the standards required by the building department, including the necessary geotechnical elements including expansive soils and unstable soils. This proposal does not include any new structures or any new paving or grading. **No impact is expected***

*e) The proposed property is expected to have soils that are adequate to support septic systems. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**VII. GREENHOUSE GAS EMISSIONS –** Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Response:**

a,b) **Less Than Significant Impact** — *Emissions of certain gases into the atmosphere are believed to have resulted in a warming trend across the globe, and human activity is believed to be an influence on this trend. Releases of greenhouse gases (GHG)—carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), and water vapor, which occur naturally and prevent the escape of heat energy from the Earth’s atmosphere—are thought to have been unnaturally increased by activities such as fossil-fuel consumption. The warming trend became especially pronounced in the 1990s, thought to be the warmest years in human history. Believed future impacts of climate change may include significant weather-pattern changes, decreased water availability, increased occurrence of wildfires, and resulting health effects.*

*In 2006, State Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, set a goal of reducing GHG emissions to 1990 levels by 2020. Subsequently, 2007’s State Senate Bill (SB) 97 added greenhouse-gas emissions to the set of environmental issues requiring analysis under CEQA.*

*In addition, the County General Plan Open Space and Conservation Element includes Policy 10, to “strive to maintain air quality through proper land use planning,” and which includes actions directing residential development toward urban centers, requiring access non-motorized transportation modes to community facilities, and reducing vehicle-miles traveled. However, the plan’s current text does not include discussion of greenhouse gases.*

*The proposed project has potential to generate indirect and direct greenhouse gases above that which would occur without the project. However, no standard established for San Benito County and its air basin, managed by the Monterey Bay Unified Air Pollution Control District (MBUAPCD), is available to indicate whether emissions could be considered significant.*

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**VIII. 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?   | 0 | 0 | X | 0 |
| 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? | 0 | 0 | X | 0 |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within   | 0 | 0 | 0 | X |

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?	0	0	0	X
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 for people residing or working in the project area?	0	0	0	X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	0	0	0	X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	0	0	0	X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	0	0	0	X

*a-b) Materials consistent with current industry standards and farm operations will be used and stored on-site throughout the life of the project. As a condition of project approval, the permittee is required to submit a Hazardous Materials Business Plan to the Environmental Health Division for review and approval prior to commencing the use. Therefore, this impact is considered **less than significant**.*

*c) There is no proposed or existing school within one-quarter mile of the proposed site. **No impact is expected***

*e-f) The proposed project is not located near existing public or private airstrip in the or within an airport land use plan. The project is not expected to result in any safety hazard for people residing or working in the project area. **No impact is expected***

*g-h)The project does not appear to impair implementation of any emergency response plan or expose people or structures to risk involving wildfires. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**IX. HYDROLOGY AND WATER QUALITY** -- Would the project:

a) Violate any water quality standards or waste discharge	0	X	0	0
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requirements?

b) substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	0	0	0	X
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 substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site?	0	0	0	X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	0	0	0	X
e) 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?	0	X	0	0
f) Otherwise substantially degrade water quality?	0	X	0	0
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	0	0	0	X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	0	0	0	X
i) Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	0	0	0	X
k) Inundation by seiche, tsunami, or mudflow?	0	0	0	X

*a) During the life of the project, litter containing animal waste may be stored on-site or discharged during routine cleaning. Therefore, Mitigation Measure 2 is proposed to reduce potential impacts to water quality to a less than significant level.*

## **MM-2 (HYDROLOGY AND WATER QUALITY):**

*The applicant is to ensure that CAFO sites follow state regulations CCR Title 27, Division 2, Chapter 7, Subchapter 2, Article 1 in order to protect groundwater. Also, the well shall have at least 100 feet of horizontal separation from any animal or fowl enclosure. San Benito County Water District shall*

require nitrate monitoring of the 1<sup>st</sup> encountered water. This monitoring will include 1 up gradient and 1 down gradient monitoring well, and will include periodic monitoring, on an annual basis, of the well on site. If first encountered water is impacted, more monitoring may be required.

b) The project will be provided water from an existing well. The water source has been reviewed by the Environmental health Department. Therefore, no impacts to groundwater supply are expected.

c-d) No grading or construction is proposed, therefore the project is not expect to alter any existing drainage patterns of any streams or rivers.

e-f) Although no additional construction is proposed for the property, use of the site has been dormant for several years. Therefore, Mitigation Measure 3 has been proposed to reduce potential impacts cause by increased runoff to a less than significant level.

**MM-3 (HYDROLOGY AND WATER QUALITY):**

Prior to a use permit being issued a Storm Water Pollution Prevention Plan (SWPPP) prepared by a certified QSD/QSP( Qualified SWPPP Developer/ Qualified SWPPP Practitioner) shall be submitted to County Public Works Department. Based on review by County departments, this impact will be less than significant

g-k) The project is not located within a 100-year flood zone and no construction is proposed therefore no risk or exposure is expected due to flooding, inundation by seiche, tsunami, or mudflow. **No Impact is expected.**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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**X. LAND USE AND PLANNING** - Would the project:

a) Physically divide an established community?	0	0	0	X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	0	0	0	X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	0	0	0	X

a-c) The General Plan designation for this site is Rangeland (AP). The purpose of this designation is to provide for areas within the county to be used for agricultural production of any type as set forth in the General Plan. The project is consistent with the designation in that it promotes an agricultural use. The General Plan designates the project site as Agriculture. This

*designation applies to productive land of various types in order to maintain and preserve the productivity.*

*The project does not, and will not physically divide a community, conflict with any applicable land use plan/policy/regulation, or habitat conservation plan. **No impact is expected***

**XI. MINERAL RESOURCES** -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	0	0	0	X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	0	0	0	X

*a-b) The project is not located on a site designated as a mineral resource. No material is proposed to be removed from the site. **No impact is expected***

**XII. NOISE** -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	0	X	0	0
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	0	X	0	0
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	0	X	0	0
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	0	X	0	0
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 expose people residing or working in the project area to excessive noise levels?	0	0	0	X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	0	0	0	X

*a- d) The existing facility was once the location of an operational turkey farm, however, this location has been vacant for several years. Housing approximately 14,500 birds on the property has the potential to elevate noise levels in the immediate vicinity. Therefore, Mitigation Measure 4 is proposed to reduce impacts to a less than significant level.*

**MM-4 (NOISE)**

Noise management shall comply with the Noise Minimization Plan (NMP). The NMP will be maintain on-site and revised as necessary to reflect any changes in the design or operation of the farm. The NMP will be reviewed annually to determine if any revisions are necessary.

A Noise complaint record shall be kept on-site detailing;

- The activities taking place at the time of the complaint
- The timing of the complaint
- The weather conditions at the time of the complaint
- Any abnormal operations either on site or nearby
- Any changes that may have been made to a standard operational procedure
- The receptor and impact that may have been caused

The NMP shall be available on request and reported on an annually.

e-f)The proposed project site in not within an airport land use plan or within vicinity of a private airstrip. **No impact is expected.**

XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension or roads or other infrastructure)?	0	0	0	X
b) Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	0	0	0	X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	0	0	0	X

a-c) No housing is proposed is conjunction with the project. The project is not proposing to extend any facilities that would induce population growth. No housing is being removed due to the project therefore the project would not displace any people, or remove any housing. Further the project would not occupy or remove land with high potential for housing. **No impact is expected**

XIV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire Protection?	0	0	X	0
b) Police Protection?	0	0	0	X
c) Schools?	0	0	0	X
d) Parks?	0	0	0	X
e) Other public facilities?	0	0	0	X

*a). The Fire Department requires compliance with all fire safety standards, including access and fire suppression devices. Fire suppression devices are proposed to reduce risk. **Less than significant impact is expected***

*b) The proposed use will no significant impact police protection services because the event center would not require an increase in police protection. **No impact is expected***

*c) Schools are not expected be impacted by the proposed use because no residential development is proposed. **No impact is expected***

*d) Parks are not expected to be impacted by the proposed use. **No impact is expected***

*e) No expansion of other public facilities are expected to occur from this project. **No impact is expected***

XV. RECREATION --

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?	0	0	0	X
--	---	---	---	---

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?	0	0	0	X
---	---	---	---	---

*a-b) The project does not include and will have no impact on recreational facilities. All existing facilities are expected be adequate are will not require any expansion. **No impact is expected***

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the	0	0	X	0
---	---	---	---	---

street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	θ	θ	X	θ
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	θ	θ	θ	X
d) Substantially increase hazards due to a design feature (e.g. sharp curves, or dangerous intersections) or incompatible uses (e.g., farm equipment)?	θ	θ	θ	X
e) Result in inadequate emergency access?	θ	θ	X	θ
f) Result in inadequate parking capacity?	θ	θ	X	θ
g) Conflict with adopted policies, plans, and programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	θ	θ	θ	X

*a-b) The proposed project is expected to generate less than 50 trip ends and therefore does not require a traffic engineer. The existing traffic capacity of the street system is expected to adequate to accommodate the incremental increase in load. **Less than significant impact is expected***

*c) No air traffic patterns are expected to change due to the proposed project **No impact is expected***

*d-g) As a condition of approval public works is requiring the applicant to show all driveway geometry details ( i.e cross-section & structural design) to confirm that the driveway is adequate to be used as an emergency access road. **Less than significant impact is expected***

XVII. UTILITIES AND SERVICE SYSTEMS --

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	θ	θ	θ	X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	θ	θ	θ	X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing	θ	θ	θ	X

facilities, the construction of which could cause significant environmental effects?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	θ	θ	X	θ
e) Result in 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?	θ	θ	θ	X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	θ	θ	θ	X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	θ	θ	θ	X

*a-c) No new water, storm water drainage, or wastewater treatment facility is expected or required.*

*d) The project will be served from an existing well. As a condition of approval, a Water System permit will be required and monitored by the Environmental Health Division. Therefore, impacts to water supply are considered less than significant.*

*e) A wastewater treatment provider is not serving the project. **No Impact is expected***

*f-g) The current landfill is expected to hold enough capacity to accommodate the marginal increase of use. If any hazardous materials are to be stored in any existing or proposed facilities/buildings/ or structures a hazardous materials business plan must be completed and submitted to the Division of Environmental Health. **No impact is expected***

Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
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**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE –**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*a-b) **No Impact**- there is no evidence in the record as a whole that the project as proposed, or the will result in significant impacts to fish, wildlife, or plants.*

*c) **No Impact** – there were no substantial adverse impacts identified during the preparation or circulation of this environmental evaluation that indicate the project would result in adverse effects on human beings.*

## XVIII. LIST OF REFERENCES.

The numbers indicated in the checklist in parentheses refer to this numbered list:

1. San Benito County General Plan
  - a. Housing Element
  - b. Land Use Element
  - c. Transportation Element
  - d. Noise Element
  - e. Open Space and Conservation Element
  - f. Scenic Roads and Highways Element
  - g. Seismic Safety/Safety Element
  - h. Environmental Resources and Constraints Inventory
2. San Benito County Zoning Ordinance.
3. Soil Survey for San Benito County, 021-000-009, 1969, US Dept. of Agriculture, SCS.
4. Natural Diversity Data Base for San Benito County.
5. Field Inspection.
6. Staff Knowledge of Area.
7. Project File
8. Air Quality Management Plan; Monterey Bay Unified Air Pollution Control District.
9. Water Quality Control Plan for the Central Coastal Basin; California Regional Water Quality Control Board, Central Coast Region; September, 1994.
10. Ambag Population Projections; Association of Monterey Bay Area Governments
11. Maps
  - a. General Plan Land Use Map
  - b. Zoning Map, San Benito County
  - c. Landslide Hazard Identification Maps: Relative Susceptibility Map
  - d. Landslide Hazard Identification Maps: Landslide and Related Features Map
  - e. Alquist Priolo Fault Hazard Maps, 1986
  - f. Fire Hazard Severity Zones in State Responsibility Areas
  - g. Flood Hazard Boundary Maps (FEMA), unmapped area, dated 9-27-91
  - h. San Benito County Sensitivity Maps, Prehistoric Cultural Resources
  - i. Kit Fox Habitat Conservation Plan Impact Fee Map
  - j. U.S.G.S. Quadrangle: San Juan Batista
  - k. San Benito County Important Farmland 2000 Map, California Department of Conservation, Office of Land Conservation, Farmland Mapping and Monitoring Program

## Attachments:

1. Site Plan

# Metzer Farms Traffic Forecast

There will not be a substantial amount of traffic entering the farm. It will start small and escalate over several years to reach the following numbers of vehicles entering the farm.

Employees 5 per day, Monday through Friday, 3-4 per day Saturday, Sunday and holidays

Feed Trucks 1 per week

Trucks for removing the manure/litter 35 per year

Shavings trucks 22 per year

Propane trucks 6 per year

Non company pickups and trucks for repairs and deliveries 2 per week

UPS and FedEx 2 per week

Trucks picking up eggs 2 per week

# Metzer Farms

## Noise Management Plan

Hagins Farms  
4000 Fairview Road  
Hollister, CA

August 1, 2016

### **Introduction**

The overriding principle of this Noise Management Plan (NMP) is to ensure the day to day activities are carried out in accordance with this document to help minimize the noise production during sensitive hours from the farm. As there are several receptors within close proximity of the installation this OMP has been prepared.

The closest on-site receptors are employees of Metzer Farms and the Hagins residence. The closest off-site receptors are three neighbors to the South and Southeast that are about 825' from the nearest poultry building and two neighbors to the North that are about 1100" from the nearest poultry building.

### **Purpose**

Establish the likely source of noise arising from the farm.

Set out procedures at the farm in order to mitigate or minimise the risk of noise.

Formalize an effect method of dealing with any noise complaints quickly and efficiently.

## **On Farm Monitoring and Continual Improvement**

Complaints and Subsequent actions are to be logged on site.

Staff will receive annual training regarding Environmental Permitting Regulations which will include noise management and any new company procedures.

## **Noise Complaints Procedures**

Any noise complaints received in direct relation to the farm will be recorded on a complaints form. Noise complaints shall be fully investigated and available at future inspections. The investigations shall take into account the following.

The activities taking place at the time of the complaint.

The timing of the complaint.

The weather conditions at the time of the complaint.

Any abnormal operations either on site or nearby.

Any changes that may have been made to a standard operational procedure.

The receptor and the impact that may have been caused.

## **Summary**

All complaints will be seriously researched and documented. The source of the complaints will be contacted after the research has been completed. If the research indicates that changes have to be made to the Noise Management Plan, that will be done.

# Noise Complaint Report Form

Name and Address of Caller

Telephone Number of Caller  
Location of Caller in relation  
to farm

Date and time of complaint

Date, time and duration  
of event

Caller's description of noise  
event (hiss, rumble, vehicles,  
continuous, intermittent,  
machinery)

Weather conditions during  
event (if known)

Wind strength and direction  
during event (if known)

Any other previous complaints  
about this type of noise

Any other relevant information

Potential noise sources that  
could give rise to the  
complaint

Operating conditions at the  
time of the event (feeding,  
deliveries, use of machinery,  
Etc.)

Action taken

Follow Up  
Date and time caller contacted

Feedback from caller

Suggested amendments to  
Noise Management Plan

Form Completed By

Signature:

Date:

# Metzer Farms

## ODOR MINIMIZATION PLAN

### Purpose/Context of the OMP

This Odor Minimization Plan (OMP) is intended to provide guidance to on-site personnel to minimize the odors produced by the poultry on the farm. This OMP will be maintained on-site and revised as necessary to reflect any changes in the design or operation of the farm. In addition, this OMP will be reviewed annually to determine if any revisions are necessary.

### Sources

The predominant source of odor on the farm is the manure produced by the ducks and geese. The only other potential odor would be exhaust from pressure washers, vehicles, tractors or a generator.

### Odor Monitoring Protocol

#### Proximity of Odor Receptors

The closest receptors are employees of Metzer Farms and the Hagins residence.

The closest off-site receptors are three neighbors to the South and Southeast that are about 825' from the nearest poultry building and two neighbors to the North that are about 1100' from the nearest poultry building.

#### Method for Assessing Odor Impacts

Each operating day, the farm manager will evaluate on-site odors and operations that may release objectionable odors. If questionable or objectionable on-site odors are detected by employees, they will implement the following protocol:

1. Investigate and determine the likely source of the odor.
2. Determine if steps can be immediately taken to reduce the odor-generating capacity of the material or activity. Possible on-site odor sources and management techniques for resolving the situation are in Table 1.
3. Determine if the odor traveled off-site by surveying the site perimeter and noting existing wind patterns.
4. Take steps to reduce or eliminate the odor.
5. Record the event for further operational review.

## **Meteorological Conditions (Including Seasonal Variations)**

Historical wind data indicates prevailing wind is from the north/northwest during the spring, summer and fall. During the winter, there is little wind or it may come from the south or north.

## **Complaint Response Protocol**

When a complaint is received, verbally or in writing, we will contact the individual complaining to more fully understand the complaint and complete the Odor Complaint Report Form. We will also compare the date of the complaint with any recorded objectionable odor noted by employees. After the investigation and a decision has been made on any necessary corrections we will contact the source of the complaint to give them the results of our investigation and changes we will make.

## **Operating Procedures to Minimize Odors**

By keeping a low density of birds, the manure typically dries quickly and/or is covered by fresh shavings which is done 1-3 times per week. This compaction, drying process, which produces very little odor is disturbed when the buildings are cleaned. More odors volatilize during this process when lower layers of moist litter are exposed. Therefore, it is important the buildings are cleaned quickly and the resulting litter stacked outside is covered by plastic tarps at the end of each day. Employees will be trained to manage all litter material in a manner that minimizes the development of conditions that could lead to objectionable odors.

Table 1  
Sources of Odor and Possible Management Techniques

Odor Source Location	Possible Cause	Management Approach
Area Around Litter Stockpile	Storm water allowed to pond in improperly graded areas	Absorb sitting water with wood chips/other absorbent, fill depressions, improve grading and/or drainage control
Litter Stockpile	Ammonia odor (high nitrogen level)	Add additional wood chips or iron sulfate to absorb the ammonia
	Odors generated during building cleaning	Add iron sulfate to exposed, mixed litter in building to absorb odors. Ensure new stockpile that is outside is covered completely
	Undisturbed Stockpile	Confirm pile is completely covered

## Odor Complaint Report Form

Name and Address of Caller

Telephone Number of Caller

Location of Caller in relation  
to farm

Date and time of complaint

Date, time and duration  
of event

Caller's description of odor  
event (manure, ammonia,  
continuous, intermittent)

Weather conditions during  
event (if known)

Wind strength and direction  
during event (if known)

Any other previous complaints  
about this type of odor from  
caller

Any other relevant information

Potential odor sources that  
could give rise to the  
complaint

Operating conditions at the  
time of the event (cleaning  
buildings, pick up of litter, etc.)

Action taken

Follow Up -  
Date and time caller contacted

Feedback from caller

Suggested amendments to  
Odor Management Plan

Form Completed By

Signature:

Date:

# Metzer Farms

## **Nutrient Management Plan**

Hagins Farm  
4000 Fairview Road  
Hollister, California

August 1, 2016

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**General Information:**

Ranch Name: Hagins Farm  
Owner(s) Name: Hagins Properties LLC  
Mailing Address: 4000 Fairview Road  
Hollister, CA 95023  
Ranch Address: 4000 Fairview Road  
Hollister, CA

County: San Benito Existing/**New/Expanded** (circle one)

**Operation Description:**

Poultry Type:

	Total Confinement	Semi-Confinement	Range	Total
Duck Breeders	13,000			
Goose Breeders	1,500			
Broilers				
Chickens				
Squab				
Turkey Breeders				
Turkeys				
Other: _____				

**Estimated quantity of litter produced annually: 875 tons**

## Temporary Storage of Litter

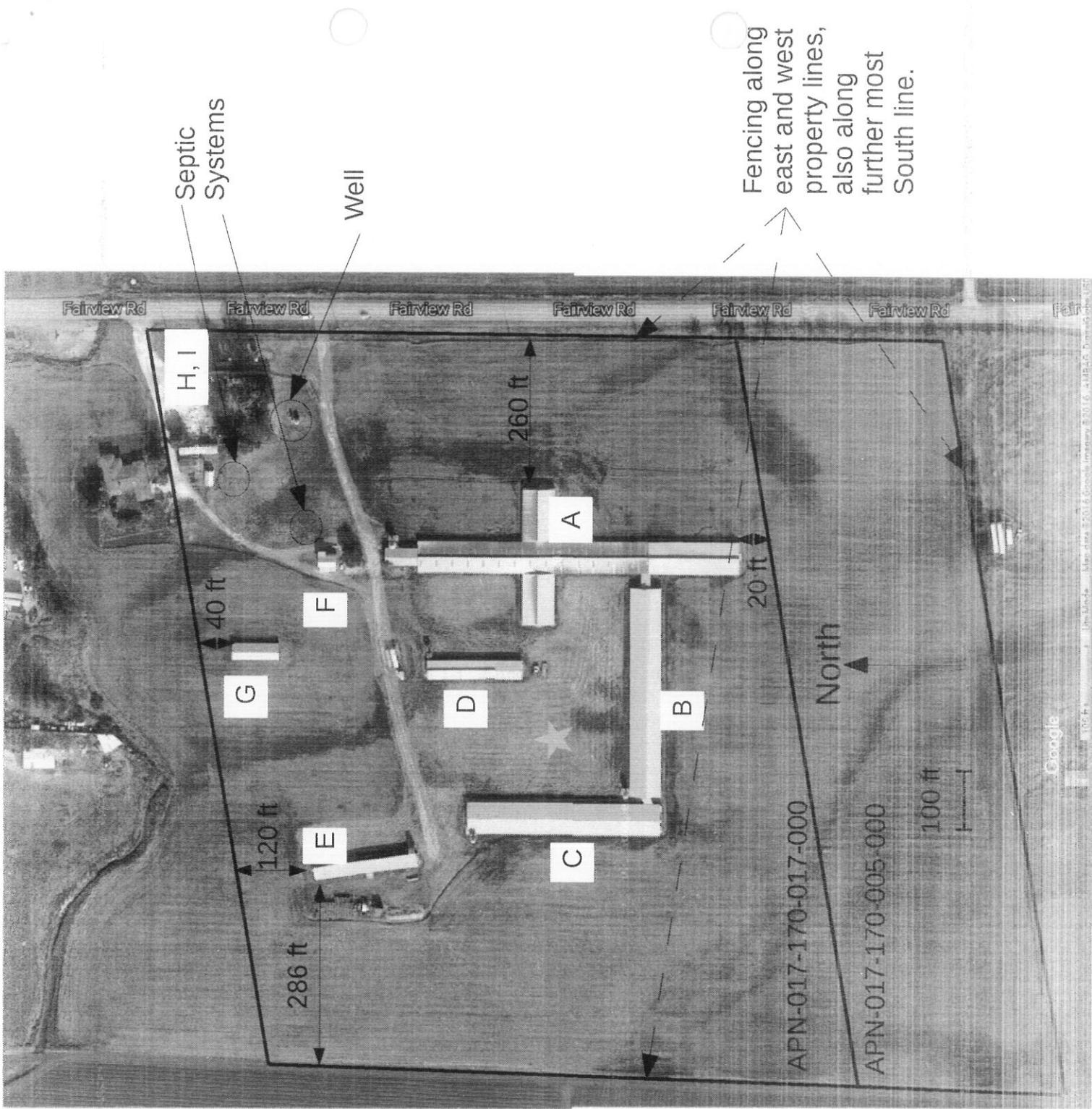
Shavings are added to the pens at least once a week. The litter (shavings and manure) will be removed from the building when the birds are removed from the pen. For young, replacement breeders, this is twice a year. For birds that are laying, it is once a year. The manure will be piled in the location marked with a green star on the site map. This litter will be covered with plastic tarps until it is removed from the farm. Covering it will prevent odors and dust from being blown from the pile and in the winter it will prevent nutrients from leaching into the ground.

The litter is about 40% shavings and 60% manure by weight.

The litter will be removed at least every three months – more frequently if possible. It will be picked up by companies that will compost it and then sell it to farms.

We do not intend to spread any of the litter on the farm.

- Parcel Size: 24.22 acres & 10.00 acres
- General Plan Land Use Designation: Agriculture
- Zoning Designation: Agricultural Productive





# County of San Benito



666.7

333.33

166.67

83.33

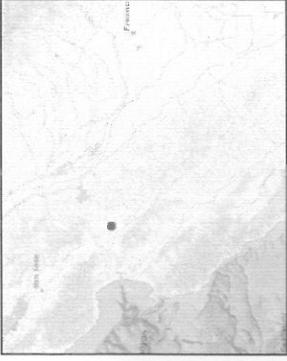
0

Feet

1: 4,000



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



## Legend

- Hollister City Limit
- San Juan Bautista City Limit
- Railroad
- Streets**
  - Highway
  - Arterial
  - Collector
  - Local
  - Private
  - Ramp
  - Trail
  - Dirt
- Parcels

## Notes



Septic Systems

Well

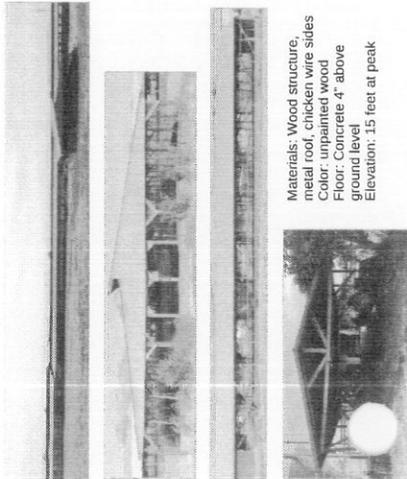
Vicinity Map:



Fencing along east and west property lines, also along further most South line.

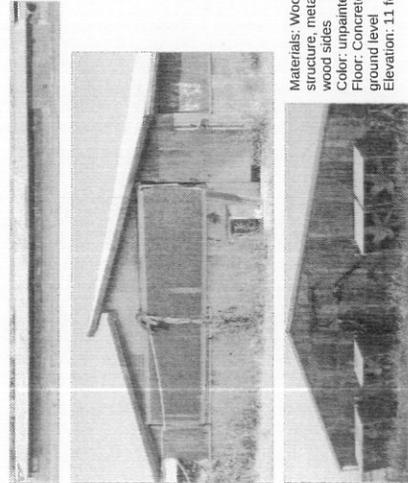
- Parcel Size: 24.22 acres & 10.00 acres
- General Plan Land Use Designation: Agriculture
- Zoning Designation: Agricultural Productive

Structure A



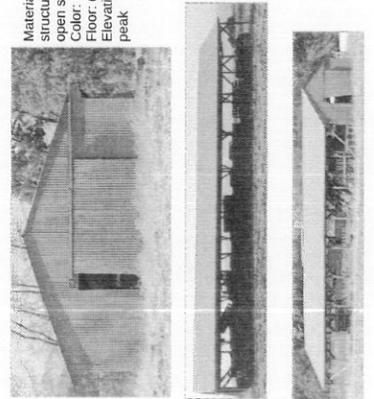
Materials: Wood structure, metal roof, chicken wire sides  
 Color: unpainted wood  
 Floor: Concrete 4" above ground level  
 Elevation: 15 feet at peak

Structure D



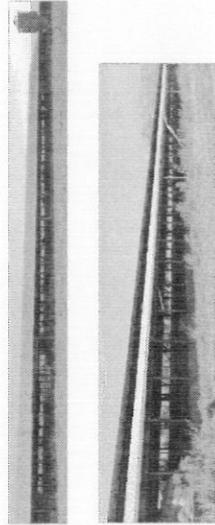
Materials: Wood structure, metal roof, wood sides  
 Color: unpainted wood  
 Floor: Concrete 4" above ground level  
 Elevation: 11 feet at peak

Structure G



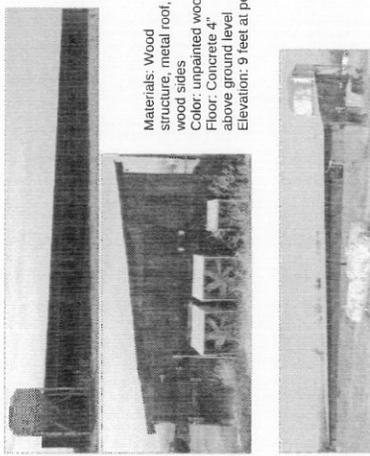
Materials: Wood structure, metal roof, open sides  
 Color: unpainted wood  
 Floor: dirt  
 Elevation: 14 feet at peak

Structure B



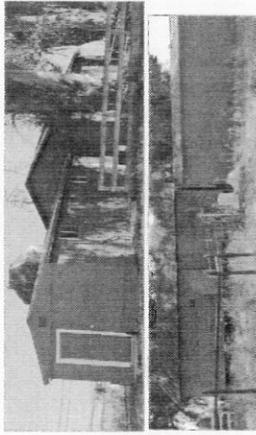
Materials: Wood structure, metal roof, chicken wire sides  
 Color: unpainted wood  
 Floor: Concrete 4" above ground level  
 Elevation: 15 feet at peak

Structure E



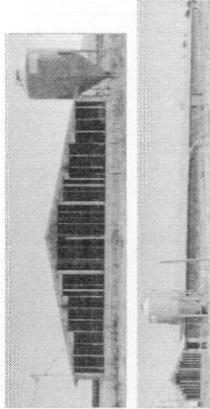
Materials: Wood structure, metal roof, wood sides  
 Color: unpainted wood  
 Floor: Concrete 4" above ground level  
 Elevation: 9 feet at peak

Structure H



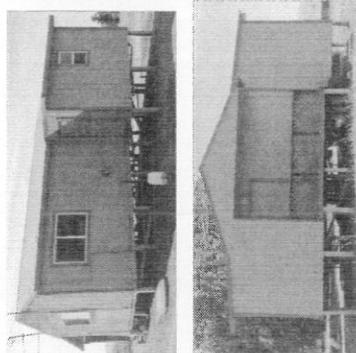
Materials: Wood structure, metal roof, wood sides  
 Color: Green and grey  
 Floor: wood 6" above ground level  
 Elevation: 11 feet at peak

Structure C



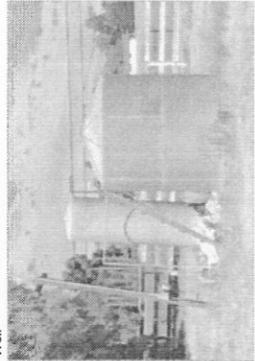
Materials: Wood structure, metal roof, wood and curtain sides  
 Color: unpainted wood  
 Floor: Concrete 4" above ground level  
 Elevation: 15 feet at peak

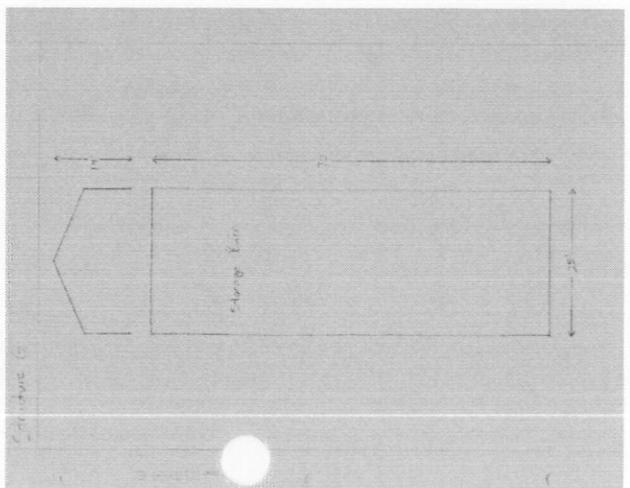
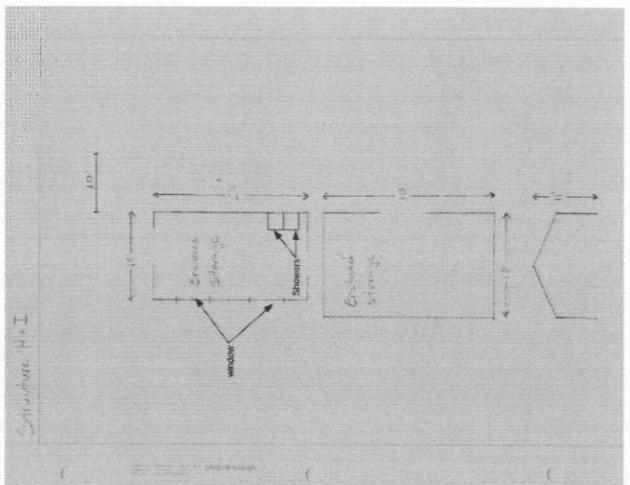
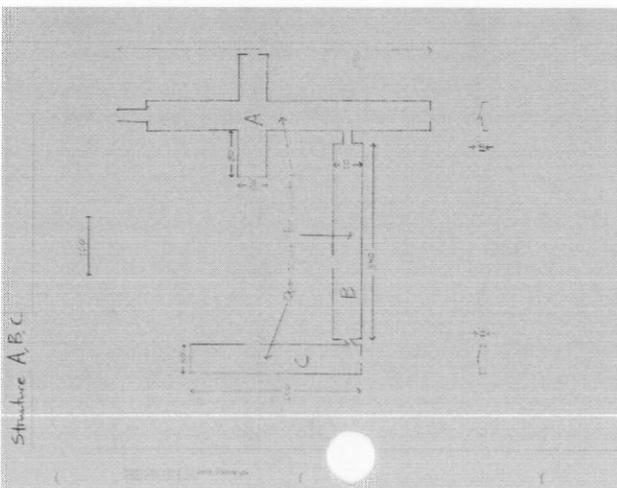
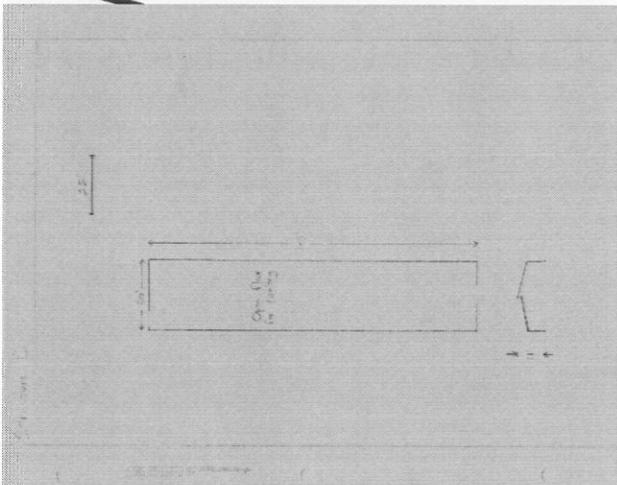
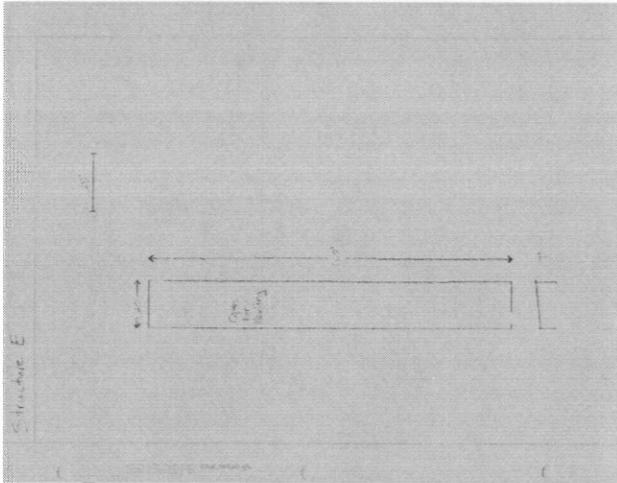
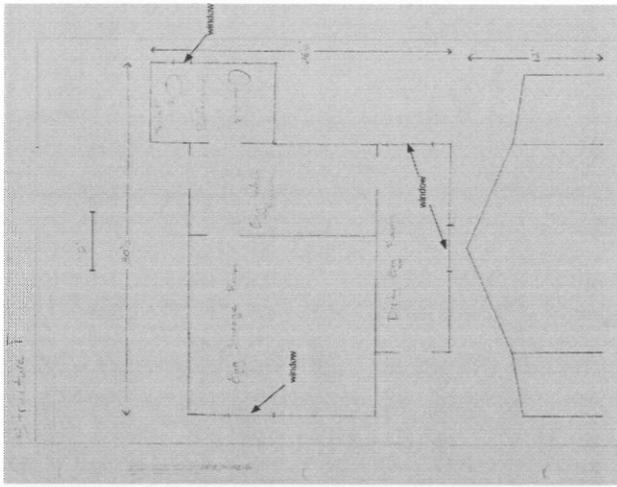
Structure F



Materials: Wood structure, metal roof, wood sides  
 Color: Beige  
 Floor: Wood 2 feet above ground level  
 Elevation: 12 feet at peak

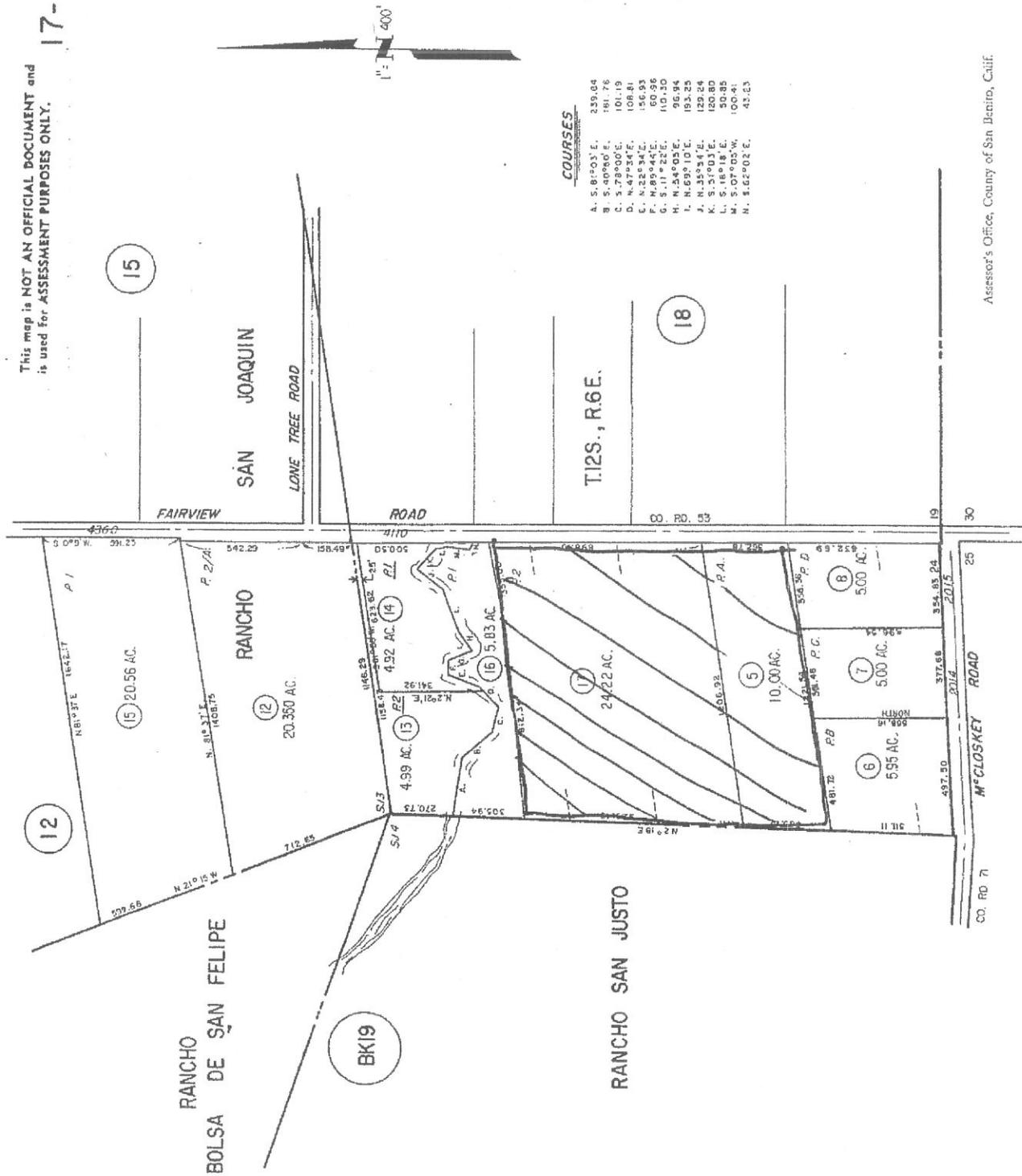
Well





This map is NOT AN OFFICIAL DOCUMENT and is used for ASSESSMENT PURPOSES ONLY.

17-17



COURSES

- A. S. 81°03' E. 239.04
- B. S. 40°00' E. 181.76
- C. S. 79°00' E. 101.19
- D. N. 47°34' E. 108.81
- E. N. 28°04' E. 156.33
- F. S. 11°22' E. 110.30
- G. S. 11°22' E. 110.30
- H. N. 54°05' E. 96.94
- I. N. 69°10' E. 193.25
- J. N. 35°54' E. 129.24
- K. S. 31°03' E. 120.80
- L. S. 18°18' E. 50.85
- M. S. 07°05' W. 100.41
- N. S. 62°02' E. 42.63

METZER UP 1151-16



McCloskey Rd

Fairview Rd

400 ft

