

EXECUTIVE SUMMARY

This SEIR has been prepared to examine the potential environmental effects of the proposed Del Webb at San Juan Oaks Specific Plan project (Project). This section summarizes the characteristics of the proposed Project, the environmental impacts, mitigation measures, and residual impacts associated with the proposed Project.

PROJECT SYNOPSIS

Property Owners/Project Applicant

San Juan Oaks, LLC
3825 Union Road
Hollister, California 95023

Pulte Group
6210 Stoneridge Mall Road, Fifth Floor
Pleasanton, California 94588

Project Location

The Project Site encompasses approximately 1,994 acres located in the central northern portion of unincorporated San Benito County. The Project Site is located approximately three miles southwest of the City of Hollister, approximately 3.5 miles southeast of the City of San Juan Bautista and approximately 1.0 miles south of State Route 156 (SR 156). The Project Site's street address is 3825 Union Road, Hollister.

San Benito County is considered part of the Monterey Bay Area; it is located in the Coast Range Mountains, south of the City of San Jose, and west of the Central Valley. The cities of Hollister and San Juan Bautista are the only two incorporated cities in San Benito County. San Benito County is bordered by Santa Clara County to the north, Santa Cruz and Monterey Counties to the west, and Merced and Fresno Counties to the east and south.

Project Description

The proposed Project involves adoption of the Del Webb at San Juan Oaks Specific Plan as well as other related approvals, permits and entitlements to guide future development within the Project Site, located in the northern/central portion of the County. The Project Site would be developed with two primary components, and consists of a combined acreage of approximately 1,994 acres.

The first component consists of an "active-adult community" (i.e., age-restricted to 55 years and older) including 1,017 single-family residences on approximately 176 acres and an approximately 17,500 to 25,000 square foot amenity center on approximately 10 acres. The second component would consist of 67 conventional (i.e., non-age restricted) single-family residential units, an up to 200-room resort hotel on approximately 35 acres, up to 65,000 square foot neighborhood



commercial center on 14 acres, an approximately four-acre assisted living/skilled nursing/memory care facility with up to 100 beds.

The Project also includes the provision of a substantial amount of open space areas, as well as park and recreational facilities and agricultural and habitat preserves. This would include four private neighborhood hood parks (totaling approximately seven acres) in the adult-active community for use by Project residents; two community parks (totaling approximately 17 acres); and approximately 114 acres of common area open space, including landscaped areas and informal trails. The Project would also establish approximately 41 acres of on-site agricultural preserves, and set aside approximately 1,243 acres for permanent wildlife habitat preservation.

Project Phasing

Development of the Project Site is proposed to include five development phases, with anticipated build-out occurring over a period of approximately ten years. Development of the Project Site would be in response to market demands and other considerations, and according to orderly extension of roadways, infrastructure, public services, and utilities.

ALTERNATIVES

Four alternatives to the proposed Project were selected for consideration and analyzed in the EIR as follows:

- *Alternative 1: No Project /No Development*
- *Alternative 2: No Project /Buildout Under Existing Land Use and Zoning Designations*
- *Alternative 3: Reduced Site Development Footprint*
- *Alternative 4: Reduced Project Buildout*

As described in Section 6.0, *Alternatives*, the No Project/No Development Alternative would avoid all of the proposed Project's impacts, and is therefore considered environmentally superior overall. The No Project/Buildout Under Existing General Plan and Zoning Designations Alternative would also be considered environmentally superior. This alternative would reduce the significant and unavoidable aesthetic impact of the proposed Project to a less than significant level. However, this alternative would increase impacts on agricultural resources to a significant and unavoidable level because the proposed off-site 153-acre preserve would not be established to offset the loss of agricultural resources. In addition, the remaining significant and unavoidable impacts associated with the proposed Project would remain under this alternative (greenhouse gas emissions, noise, transportation and circulation). It should also be noted that this alternative would not meet a number of the Project objectives, as described in Section 6.0, *Alternatives*.

The Reduced Project Buildout Alternative and Reduced Site Development Footprint Alternative would both be considered environmentally superior for some issue areas, as described in Section 6.0, *Alternatives*.



SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 includes a brief description of the environmental issues relative to the proposed Project, the identified environmental impacts, proposed mitigation measures, and residual impacts. Impacts are categorized by classes. Class I impacts are defined as significant, unavoidable adverse impacts which require a statement of overriding considerations to be issued per Section 15093 of the *State CEQA Guidelines* if the Project is approved. Class II impacts are significant adverse impacts that can be feasibly mitigated to less than significant levels and which require findings to be made under Section 15091 of the *State CEQA Guidelines*. Class III impacts are considered less than significant impacts.



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
 and Significance After Mitigation**

Impact	Mitigation Measures	Significance After Mitigation
AESTHETICS		
Impact AES-1 Implementation of the proposed Project would alter the scenic vistas from public viewing locations because the proposed Project would create new development located south of two viewsheds on SR 156 and one viewshed southwest of Union Road. However, it would not alter scenic resources within a state scenic highway. The proposed buildings would be constructed approximately 1.5 miles from the viewsheds, behind agricultural land and in the foreground of sloping hillsides. Due to the distance from the viewsheds and relative building size compared to the hillsides, impacts would be Class III, less than significant. [Thresholds number 1 and 2]	None required.	Less than significant.
Impact AES-2 The proposed Project has the potential to substantially alter the aesthetic character of the site vicinity by changing the area's character from rural to a more urbanized developed setting. This is a Class I, significant and unavoidable impact to the aesthetic character of the area. [Threshold number 3]	Proposed Project design features would reduce impacts to the extent feasible. No feasible mitigation measures are available that would reduce the Project's adverse changes to visual character to a less than significant level.	Significant and unavoidable.
Impact AES-3 Given the distance of the Project Site from SR 156 and Union Road, light and glare generated by the proposed Project would be minimal to public viewers. Light and glare impacts would be Class III, less than significant. [Threshold number 4]	None required.	Less than significant.
AGRICULTURAL RESOURCES		
Impact AG-1 The proposed Project would convert approximately 12 acres of Important Farmland and approximately 218 acres of NRCS-classified prime farmland (conservatively assuming irrigation) to non-agricultural use. However, the Project would preserve approximately 153 acres of productive off-site agricultural land, which would offset the loss of agricultural land on-site. Impacts from the loss of Important Farmland would be Class III, less than significant. [Threshold number 1]	None required.	Less than significant.
Impact AG-2 Implementation of the proposed Project may result in the conversion of off-site farmland due	AG-2(a) Olive Hill Park Signage. Signage shall be installed at the parking lot, trail entrances, and along the trail (as appropriate) informing users to	Less than significant.



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to land use conflicts between existing agricultural land uses and the proposed residential, recreational, resort and commercial uses. This is considered a Class II, significant but mitigable impact. [Threshold numbers 2 and 5]	stay on designated trails and that dogs must remain on leash. Prior to issuance of a building permit for the proposed Olive Hill Park, a site plan shall be submitted to San Benito County for review and approval showing the location of signage. The signage text shall also be submitted to San Benito County for review and approval.	
AIR QUALITY		
Impact AQ-1 Construction of the proposed Project would result in the temporary generation of air pollutants, which would affect local air quality. However, short-term emissions of PM ₁₀ during the construction periods would not exceed MBUAPCD thresholds. Impacts would be Class III, <i>less than significant</i> . [Threshold number 2]	None required.	Less than significant.
Impact AQ-2 Operational emissions of ROG would exceed MBUAPCD's daily thresholds. Mitigation would be required to reduce this impact. Therefore, the Project would have a Class II, <i>significant but mitigable</i> , impact to regional air quality. [Threshold numbers 2 and 3]	<p>AQ-2(a) Natural Gas Fueled Residential Fireplaces. All residential fireplaces included in design plans for any unit or structure within the Project shall be fueled by natural gas, rather than wood. Planning and Building Inspection Services Department shall verify that fireplaces are natural gas fueled before issuance of building permits for all future development of residential uses within the Project Site.</p> <p>AQ-2(b) Low-ROG Architectural Coatings. Low-ROG architectural coatings shall be used on all interior and exterior surfaces. Coatings shall not exceed:</p> <ul style="list-style-type: none"> • 50 g/L for residential interior surfaces; • 100 g/L for residential exterior surfaces; and • 150 g/L for non-residential interior and exterior surfaces. <p>The ROG content of coatings shall be estimated using the methodology described in the MBUAPCD's Rule 426 (Architectural Coatings).</p>	Less than significant.
Impact AQ-3 The Project would not expose sensitive receptors to substantial pollutant concentrations associated with construction dust, toxic air contaminants, or naturally-occurring asbestos. Impacts related to localized pollutants would therefore be Class III, <i>less than significant</i> . [Threshold number 4]	None required.	Less than significant.
Impact AQ-4 The Project would result in the degradation of service levels at four intersections in the vicinity of the Project Site and would have the potential to create carbon	None required.	Less than significant.



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monoxide hotspots (CO hotspots) at these intersections. However, impacts related to CO hotspots are Class III, <i>less than significant</i> . [Threshold number 4]		
Impact AQ-5 The Project may involve the development of an optional on-site wastewater treatment plant (WWTP), which has the potential to generate odor nuisance effects. Other components of the project would not create objectionable odors that would affect neighboring properties. Impacts related to odors from the optional on-site WWTP would be Class II, <i>significant but mitigable</i> . [Threshold number 5]	AQ-5 Odor Abatement Plan. The applicant shall develop an Odor Abatement Plan (OAP) which shall include the following: a. Name and telephone number of contact person(s) responsible for logging and responding to odor complaints; b. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint; c. Description of potential odor sources at the facility; d. Description of wind patterns in the area of the facility; e. Description of methods for reducing odors; and f. Contingency measures to curtail emissions in the event of a continuous public nuisance. This plan shall be prepared by the applicant and approved by the Planning and Building Inspection Services Department and MBUAPCD prior to approval of the final building permit for the treatment facility. MBUAPCD shall be responsible for overseeing implementation of the OAP if odor complaints are received.	Less than significant.
Impact AQ-6 The Project Site has a few existing structures such as the Golf Clubhouse (which would be remodeled), the driving range, and supporting structures. The upgrades to these structures would not expose site occupants and/or workers to health hazards associated with hazardous asbestos and/or lead-based paint. This would be a Class III, <i>less than significant</i> , impact. [Threshold number 4]	None required.	Less than significant.
Impact AQ-7 The proposed Project would contribute to population growth that is consistent with the growth assumptions in the <i>Air Quality Management Plan (AQMP)</i> . This impact is Class III, <i>less than significant</i> . [Threshold number 1]	None required.	Less than significant.
BIOLOGICAL RESOURCES		
Impact BIO-1 Implementation of the proposed Project would temporarily and permanently impact 124 acres of available grassland habitat suitable	BIO-1(a) Compensatory Mitigation. Prior to issuance of any building permits, the applicant shall permanently protect suitable San Joaquin kit fox habitat as follows, to mitigate for permanent	Less than significant.



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<p>for the San Joaquin kit fox (SJKF). Development in accordance with the proposed Project may also result in direct take of individual SJKF through grading activities and on-site construction. This potential impact to a federally endangered and State threatened species is a Class II, significant but mitigable, impact. [Threshold number 1]</p>	<p>impacts to suitable San Joaquin kit fox habitat (i.e. grassland habitat) and ensure that the conserved lands are managed for wildlife habitat in perpetuity. For every one (1) acre of suitable San Joaquin kit fox grassland habitat on the site that is permanently impacted as a result of Project development, three(3) acres shall be preserved (124 acres of permanent impacts to grassland habitat at a 3:1 mitigation ratio = 372 acres preserved). The required easement area or deed restriction shall therefore be a minimum of 372 acres to compensate for impacts to grassland wildlife habitat, which can be established by utilizing the areas designated for conservation as Permanent Wildlife Habitat within the proposed Project. As proposed, the Project includes a conservation easement for approximately 1,243 acres of land to be preserved as a wildlife conservation area, exceeding the acreage requirements to mitigate for loss of suitable SJKF habitat. The conserved lands shall set aside an unfragmented section of land that could benefit the SJKF, along with other associated plant and animal species. Any proposals to grade, build, landscape, cultivate ground or otherwise use the land within conserved lands shall be prohibited, with the exception of allowable uses specified in the Wildlife/Habitat Management Plan, which shall include, without limitation, ongoing grazing, maintenance and management of utility easements and infrastructure, and abatement of any geological hazards on or through those lands. The Permanent Wildlife Habitat should be managed as a unit by an entity approved by the County. Runoff from roads, building pads, lots and other adjacent developed areas of the site shall be directed away from the conserved lands.</p> <p>The on-site Permanent Wildlife Habitat easement shall:</p> <ul style="list-style-type: none"> • Provide a complete corridor through the easement area; • Prohibit development of the easement area, including agricultural development (with the exception of allowable uses specified in the Wildlife/Habitat Management Plan, to be approved by CDFW, which shall include, without limitation, managed grazing, and the ongoing maintenance and management of utility easements and infrastructure, and abatement of any geological hazards on or through those lands); • Prohibit removal or alteration of native plants or animals from the easement area unless otherwise specified in the 	



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	<p>Wildlife/Habitat Management Plan;</p> <ul style="list-style-type: none"> • Prohibit use of the easement area for agricultural staging activities or storage of any kind unless otherwise specified in the Wildlife/Habitat Management Plan; • Allow for scientific investigation within the easement area conducted as part of a project or plan instigated by the land owner, or otherwise approved by the land owner and the USFWS and/or CDFW; and • Allow for flood control and stream bank stabilization activities within the easement area conducted with approved State, Federal, and Local permits. <p>The on-site Permanent Wildlife Habitat easement shall not:</p> <ul style="list-style-type: none"> • Allow for or imply public access, unless included as part of a the CDFW- approved Wildlife/ Habitat Management Plan. <p>Prior to issuance of any building permits, the applicant shall grant an easement or convey a deed restriction suitable to the County according to the above conditions that shall be approved by the County Planning Department. The County Planning Department staff shall verify that the easement or deed restriction has been granted.</p> <p>BIO-1(b) Wildlife Fencing. All permanent fencing in the Wildlife Habitat area shall be suitable for SJKF passage (minimum 6-inch gap between bottom of fence and ground) and shall be approved by the CDFW.</p> <p>BIO-1(c) Pre-Construction Survey and Den Avoidance. Within 60 days prior to initiation of construction of any phase, the applicant shall hire a qualified biologist acceptable to the USFWS, CDFW, and the County, to conduct a pre-construction survey for active SJKF dens within areas proposed for development. A letter shall be submitted to the County Planning Department prior to issuance of construction permits confirming the completion of this survey. If no dens are observed, no den avoidance requirements mitigation measures are required. However, if dens are observed, implementation of mitigation measures BIO-3(d) and (e) are required. All remaining mitigation measures set forth herein shall be implemented during the Project to assure that the risk of the SJKF impacts is minimized.</p> <p>Prior to final land use clearance, the applicant shall submit the results of the above survey for approval by the County Planning Department. The</p>	



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	<p>County Planning Department, or a qualified third-party retained by the County at the applicant's expense, shall check plans for compliance with mitigation measures recommended by the pre-construction survey.</p> <p>BIO-1(d) Den Discovery and Avoidance. No active SJKF dens were observed during field surveys. However, if any known or potential SJKF dens are subsequently observed during the required pre-construction survey within the designated grading envelope, the USFWS and CDFW shall be contacted to determine the appropriate take avoidance measures. If the den is unavoidable and will be destroyed by the proposed Project, and the result would exceed the take limit authorized by the existing BO (i.e. zero [0] kit foxes killed or harmed and one [1] kit fox harassed) reinitiation of take authorization shall be initiated with the USFWS and take authorization shall be obtained from CDFW, pursuant to the FESA and the CESA, respectively.</p> <p>Exclusion Zones. If any known or potential SJKF dens are subsequently observed during the required pre-construction survey, the following mitigation measures shall apply: Fenced exclusion zones shall be established by a qualified biologist approved by the County around all SJKF dens that can be avoided but may be inadvertently impacted by Project activities. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:</p> <ul style="list-style-type: none"> a. Potential kit fox den: 50 feet b. Known kit fox den: 100 feet c. Kit fox pupping den: 250 feet <p>Only essential vehicle operation on existing roads (if the exclusion zone intersects a road) and simple foot traffic shall be permitted within these exclusion zones. Otherwise, all Project activities such as vehicle operation, materials storage, etc., shall be prohibited within these areas. Exclusion zones shall be maintained until all Project-related disturbances have been terminated, and then shall be removed. If specified exclusion zones cannot be observed for any reason, the USFWS and CDFW shall be contacted for guidance prior to ground disturbing activities on or near the subject den or burrow.</p> <p>Prior to final land use clearance, the applicant</p>	



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	<p>shall submit the results of the above survey for approval by the County Planning Department. The County Planning Department, or a qualified third-party retained by the County at the applicant's expense, shall check plans for compliance with mitigation measures recommended by the pre-construction survey.</p> <p>BIO-1(e) Speed Limit Restriction. To reduce the likelihood of road mortality of the SJKF, roads on the Project Site shall be posted with a 25 mph speed limit or lower during construction and in perpetuity.</p> <p>Prior to final land use clearance the applicant shall submit documentation of compliance with proposed speed limits for approval by the County Planning Department. The County Planning Department shall check plans for compliance and shall site inspect one year after completion of the development for compliance.</p> <p>BIO-1(f) Worker Education Program. Before any grading or construction activities commence, all personnel who will enter the Project Site shall attend a worker education program regarding the SJKF. Specifics of this program should include SJKF life history and careful review of the mitigation measures required to reduce impacts. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the Project. The County Planning Department shall be notified of the time that the applicant intends to hold this meeting, and be invited to attend.</p> <p>Prior to final land use clearance the applicant shall provide a copy of the WEAP training for approval by the County Planning Department. Documentation (sign-in sheets) of completion of the WEAP training for all personnel shall be submitted to the County Planning Department on a Monthly basis.</p> <p>BIO-1(g) Entrapment Prevention. To prevent entrapment of the SJKF during the construction phases of the Project, all excavations, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped SJKF each morning prior to onset of field activities and immediately prior to covering with plywood at</p>	



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	<p>the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped SJKF. Any SJKF so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.</p> <p>During all of the Project's construction phases, any pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at the Project Site for one or more overnight periods shall be thoroughly inspected for trapped SJKF before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during any construction phase, a SJKF is discovered inside a pipe, that section of pipe shall not be moved, or if necessary shall be moved only once to remove it from the path of activity until the SJKF has escaped.</p> <p>Prior to final land use clearance the applicant shall provide written documentation that entrapment prevention measures have been incorporated into Project construction design/plans to the County Planning Department. Adherence to these conditions will be recorded in daily monitoring logs and noted in monitoring reports to be submitted to the County Planning Department for review.</p> <p>BIO-1(h) Waste Disposal. So as not to attract red fox, coyotes, or domestic dogs to the area (all of which are predators of the SJKF), all waste products shall be disposed of in a manner that would not attract these animals. All food-related trash items such as wrappers cans, bottles, and food scraps generated during all construction phases shall be disposed of in closed containers only and regularly removed from the site. Food items may attract SJKF onto the Project Site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.</p> <p>Prior to final land use clearance the applicant shall provide written documentation that waste disposal measures have been incorporated into Project construction design/plans to the County Planning Department. Adherence to these conditions will be recorded in daily monitoring logs and noted in monitoring reports to be submitted to the County Planning Department for review.</p> <p>BIO-1(i) Inadvertent Take Procedure. Any Project contractor or employee that observes or inadvertently kills or injures a SJKF, or who finds</p>	



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	<p>any such animal either dead, injured, or trapped shall be required to report the incident immediately to a supervisor overseeing the Project development. In the event that such observations are made of injured or dead SJKF, a Project representative shall immediately notify the USFWS and the CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the CDFW for care, analysis, or disposition. Prior to final land use clearance the applicant shall provide written documentation that inadvertent take procedures have been incorporated into Project construction design/plans to the County Planning Department. Adherence to these conditions will be recorded in daily monitoring logs and noted in monitoring reports to be submitted to the County Planning Department for review.</p>	
<p>Impact BIO-2 Implementation of the proposed Project would result in both direct and indirect impacts to CRLF (Federally threatened) and CTS (Federally and State threatened) due to loss of upland habitats. Increased human activity within and adjacent to CRLF and CTS habitat would result in indirect impacts. These impacts are Class II, significant but mitigable, impacts. [Threshold number 1]</p>	<p>BIO-2(a) FESA and CESA Consultation. The Project applicant obtained take authorization from the USFWS for the CRLF in 2006. In doing so, the USFWS also considered impacts to the CRLF critical habitat, CTS and SJKF. Take authorization was obtained by consultation pursuant to Section 7 (federal nexus) of the FESA through the USACE and resulted in the issuance of a USFWS Biological Opinion (USFWS 2006). In order to issue take authorization, the USFWS determined that the Corp's proposed authorization of the Project activity was not likely to jeopardize the continued existence of the CTS, CRLF or SJKF. However, since specific details of the Project design and timing have been modified since the issuance of the BO, the applicant initiated informal consultation with the USFWS in 2013 to obtain concurrence that the existing determination of "not likely to jeopardize" is consistent with the current Project design, as required under the applicable permits and this mitigation measure. The USFWS determined in April 2014 that the BO remains valid, as long as none of the reinitiation triggers have been met. In addition, the applicant initiated consultation with CDFW in compliance with CESA in 2013. An Incidental Take Permit (ITP) application for CTS has been submitted to CDFW.</p> <p>The USFWS mitigation components of the USFWS take authorization are outlined below and are required to avoid impacts to CTS. The applicant shall also present written confirmation from CDFW that the Project complies with the applicable requirements of CESA, and shall</p>	<p>Less than significant.</p>



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	<p>demonstrate, to the County’s satisfaction, that an ITP has been issued by CDFW.</p> <p>BIO-2(b)CRLF, CTS and SJKF avoidance and minimization measures. The USFWS included the following reasonable and prudent measures to minimize adverse effects to the CTS, CRLF, SJKF, and critical habitat for the CRLF in the 2006 BO. Consistent with the previously issued BO, the following measures are necessary to ensure that adequate mitigation is implemented for potential impacts to these species:</p> <ol style="list-style-type: none"> 1. The level of incidental take that occurs during Project implementation shall not exceed that allowed through USFWS and CDFW permitting. If take allowance is exceeded, reinitiation with USFWS and CDFW is required. 2. Only qualified biologists, authorized by the USFWS and CDFW, may survey for, capture, and move CRLF from work areas. 3. Authorized biologists must implement well-defined measures to reduce take of CTS and CRLF during Project activities. <p>The USFWS provided the following non-discretionary specific terms and conditions to implement reasonable and prudent measure 1:</p> <ol style="list-style-type: none"> a. Based on an estimate of 42 CTS that may be killed, injured or harmed; if more than 7 CTS in any 1 year are found dead or injured, the applicant must contact USFWS immediately so it can review the Project activities to determine if additional protective measures are needed. Project activities may continue pending the outcome of the review, provided that the proposed protective measures and the terms and conditions of the BO have been and continue to be fully implemented. However, if more than 42 CTS are found dead or injured, Project activities must cease and the applicant must contact USFWS immediately so it can review the Project activities to determine if additional protective measures are needed. b. If more than two CRLF are found dead or injured, the applicant must contact USFWS immediately so it can review the Project activities to determine if additional protective measures are needed. Project activities may continue pending the outcome of the review, provided that the proposed protective measures and the terms and conditions of the BO have been and continue to be fully implemented. 	



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	<p>c. If one or more SJKF are found dead or injured, the applicant must contact USFWS immediately so it can review the Project activities to determine if additional protective measures are needed. Project activities may continue pending the outcome of the review, provided that the proposed protective measures and the terms and conditions of the BO have been and continue to be fully implemented.</p> <p>Terms and conditions to implement reasonable and prudent measure 2:</p> <p>a. Bryan Mori (or other duly-authorized USFWS representative) is authorized to: survey for, capture, and move CTS and CRLF from the work area; and survey for SJKF. The applicant must request USFWS approval of any other biologist they wish to employ to survey for SJKF, and/or to survey for, capture, and move CTS and CRLF from the work area. The request must be in writing and be received by the USFWS at least 15 days prior to any such activities being conducted.</p> <p>b. A USFWS-approved biologist must be contacted if any Project personnel find a CTS or CRLF under equipment, materials, or in trenches during construction activities. Project activities that may affect any CTS or CRLF found on the work site must be halted until the animal(s) can be relocated out of harm's way;</p> <p>c. Prior to the onset of grading and construction activities, USFWS-approved biologists must identify appropriate areas to receive translocated CTS and CRLF adults and tadpoles in the Project area. These areas must be in proximity to the capture site, outside of any area likely to be adversely impacted by construction activities, support suitable vegetation, and be free of exotic predatory species (e.g., bullfrogs, crayfish) to the best of the USFWS-approved biologist's knowledge.</p> <p>d. All CTS and CRLF found adjacent to exclusion fencing must be moved to appropriate areas and defined in measure 2, term c above.</p> <p>To avoid transferring disease or pathogens between aquatic habitats during the course of surveys and handling of CTS and CRLF, the USFWS-approved biologist must follow the Declining Amphibian Population Task Force's</p>	



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	<p>Code of Practice. The approved biologist may substitute a bleach solution (0.5 to 1.0 cup of bleach to 1.0 gallon of water) for the ethanol solution. Care must be taken so that all traces of the disinfectant are removed before entering the next aquatic habitat.</p> <p>Reporting requirements:</p> <p>The Applicant must submit a written report to the USFWS by December 31st in each year of construction activities. The annual reports must document: the number of CTS, CRLF, and SJKF observed throughout the action area; the number of CTS and CRLF captured and relocated pursuant to Project activities; the date and time of capture; specific location of capture; life stages (adult or larva) of individuals captured and relocated; and a description of relocation sites including existing habitat types and the presence or absence of non-native vegetation.</p> <p>The reports must also document: any incidental take that resulted from the implementation of the Project, including the form of take; when and where the take occurred; the disposition of dead or injured animals; problems encountered in implementing avoidance and minimization measures; and any other pertinent information. The reports must also include a map identifying locations of all CTS and CRLF found and relocation areas. The reports shall contain, if applicable, any recommendations on how future projects of this type can be conducted expeditiously while protecting the CTS, .CRLF, and SJKF. These documents will assist the USFWS and USACE in evaluating future measures for the conservation of these species during residential subdivision and associated development projects.</p> <p>Disposition of dead or injured specimens:</p> <p>Upon locating a dead or injured CTS, CRLF, or SJKF, initial notification must be made in writing to the USFWS's Division of Law Enforcement by facsimile at (31 0) 328C6399 and the Ventura Fish and Wildlife Office at (805) 644-3958 immediately, and in writing within three (3) working days. Notification must include date, time, location of the carcass; cause of death, if known; and any other pertinent information. Care must be taken in handling injured animals to ensure effective treatment and care, and in handling dead specimens to preserve biological material in the best possible state for later analysis. The finder</p>	



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	<p>has the responsibility to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed, unless to remove it from the path of further harm or destruction. Should any treated listed species survive, the USFWS should be contacted regarding their final disposition.</p> <p>The remains of CTS and CRLF must be placed with the California Academy of Sciences Herpetology Department. Arrangements regarding proper disposition of potential museum specimens must be made with the California Academy of Sciences by the USACE or the Applicant prior to implementation of any actions.</p> <p>Any SJKF found dead shall be provided to CDFW unless authorized agreements have been made with CDFW to the contrary. Additional CTS avoidance and minimization measures may be developed through the ITP process with CDFW.</p> <p>BIO-2(c) Compensatory Mitigation for CTS and CRLF. Prior to the recordation of the first final tract map, the applicant shall permanently protect suitable upland habitat for CTS and CRLF through a conservation easement or a deed restriction suitable to the County to ensure that the conserved lands are managed for wildlife habitat in perpetuity. The total area of conserved land must be equal to or greater than one acre of suitable CRLF and CTS habitat with known populations for every one acre of impacted habitat (as recommended by CDFW for this project). Therefore, the required easement shall include a minimum of 315 acres of upland habitat to be considered in conjunction with grassland habitat impacts for the SJKF in Measure BIO-3[a] above) within the conservation of the Wildlife Habitat Preserve as described in the proposed Specific Plan. Any proposals to grade, build, landscape, cultivate ground or otherwise use the land within this area shall be prohibited, with the exception of uses specified in the Wildlife/Habitat Management Plan, which shall include, without limitation, ongoing grazing, maintenance and management of utility easements and infrastructure, and abatement of geologic hazards on or through those lands. The Permanent Wildlife Habitat should be managed as a unit by an entity approved by the County. Runoff from roads, building pads, lots and other adjacent developed areas of the site shall be directed away from the wildlife habitat.</p> <p>The on-site Permanent Wildlife Habitat easement shall:</p>	



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	<ul style="list-style-type: none"> • Provide a complete corridor through the subject property; • Prohibit development of the area, including agricultural development (with the exception of allowable uses specified in the Wildlife/Habitat Management Plan, which shall include, without limitation, managed grazing, and ongoing maintenance and management of utility easements and infrastructure, and abatement of geologic hazards on or through those lands); • Prohibit removal or alteration of native plants or animals unless specified in the Wildlife/Habitat Management Plan; • Prohibit use of the area for agricultural staging activities or storage of any kind unless specified in the Wildlife/Habitat Management Plan; • Allow for scientific investigation conducted as part of a project or plan instigated by the land owner, or otherwise approved by the land owner and the USFWS and/or CDFW; and • Allow for flood control and stream bank stabilization activities conducted with approved State, Federal, and Local permits. <p>The on-site Permanent Wildlife Habitat easement shall not:</p> <ul style="list-style-type: none"> • Allow for or imply public access, unless included as part of the CDFW- approved Wildlife/Habitat Management Plan. <p>Prior to final map recordation, the applicant shall demonstrate compliance with the above for approval by the County Planning Department. The County Planning Department shall check plans for compliance and shall site inspect one year after completion of the development for compliance.</p>	
<p>Impact BIO-3 Implementation of the proposed Project could directly impact nesting raptors and other avian species protected under existing regulations by causing injury, death, or nest failure. Potential impacts to nesting birds are a Class II, significant but mitigable, impact. [Threshold number 4]</p>	<p>BIO-3(a) Nesting Bird Surveys and Avoidance. For any construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds covered by the CFGC, MBTA and the BGEPA (including, but not limited to, Cooper’s hawk, California horned lark, merlin, red-shouldered hawk, and red-tailed hawk) shall be conducted by a qualified biologist no more than 14 days prior to initiation of construction activities, including construction staging and areas of vegetation removal. The surveys shall include the entire disturbance area(s) plus a 200-foot buffer around each of the disturbance area(s). If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird</p>	<p>Less than significant.</p>



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	<p>species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have full discretion for establishing a suitable buffer, although any such buffer shall meet or exceed the above minimum requirements. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.</p> <p>Prior to issuance of a grading permit, the applicant shall submit a preconstruction survey report (or a preliminary notification that preconstruction surveys have been completed that includes a summary of results) documenting the findings of preconstruction surveys for nesting birds and identifying any active nests and associated buffers within and adjacent to impact areas. A complete preconstruction report should be submitted to the County within 30 days after surveys have been completed. The County Planning Department, or a qualified third party retained by the County at the applicant's expense, shall review preconstruction reports and shall site inspect during construction of the development for compliance.</p>	
<p>Impact BIO-4 Implementation of the proposed Project could result in impacts to special status animal species including American badger, burrowing owl, Pacific pond turtle, coast horned lizard and San Joaquin coachwhip. Impacts to special status animals are Class II, significant but mitigable. [Threshold number 1]</p>	<p>BIO-4(a) Burrowing Owl Pre-Construction Surveys and Minimization. A qualified biologist shall conduct pre-construction clearance survey(s) prior to any ground disturbance activities within all suitable habitat to confirm the presence/absence of burrowing owls. The survey(s) shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required.</p> <p>If burrowing owls are detected during the pre-construction clearance surveys, avoidance buffers will be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. Coordination with the CDFW by a qualified biologist shall occur to establish the appropriate avoidance buffer distances specific for the Project's activities and level of expected disturbance.</p> <p>If avoidance of burrowing owls is not feasible, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan will be developed by a qualified biologist in accordance with the CDFW (2012) and</p>	<p>Less than significant.</p>



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	<p>Burrowing Owl Consortium (1993). The Plan shall be provided to the applicable local CDFW office prior to implementation. A qualified biologist shall coordinate with the CDFW to determine the appropriate exclusion methods (passive or active relocation) for the Project to relocate burrowing owls to a suitable offsite location. Relocation of owls can only occur during the non-breeding season.</p> <p>Prior to issuance of each grading permit, the applicant shall submit a preconstruction survey report (or a preliminary notification that preconstruction surveys have been completed that includes a summary of results) documenting the findings of preconstruction surveys for burrowing owls and identifying any active burrows and associated buffers within and adjacent to impact areas. A complete preconstruction report should be submitted to the County within 30 days after surveys have been completed. The County Planning Department, or a qualified third party retained by the County at the applicant's expense, shall review preconstruction reports and shall site inspect during construction of the development for compliance.</p> <p>BIO-4(b) Pacific Pond Turtle, San Joaquin Coachwhip and Coast Horned Lizard, Capture, and Relocation. Not less than 14 days prior to the start of any construction activities (including staging and mobilization), a San Benito County and CDFW approved biologist shall conduct surveys for Pacific pond turtle, San Joaquin coachwhip and coast horned lizard within suitable habitat. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If any of these species are identified within the work area, they shall be captured and relocated to suitable habitat within the same or nearest suitable habitat. CNDDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed. The relocation site shall include suitable micro habitat and ecological features for each species as follows:</p> <ul style="list-style-type: none"> • Pacific pond turtle habitat shall include a pool surrounded by vegetation for escape cover. • San Joaquin coachwhip habitat shall include suitable small mammal burrows to provide immediate escape and cover • Coast horned lizard habitat shall include open grassland and sandy habitats, particularly where native ants are present. 	



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	<p>During the rainy season (approximately November 1 to April 15), Pacific pond turtles may actively move through upland habitats outside of drainages. San Joaquin coachwhip and coast horned lizard can occur in upland habitat at any time of the year. If any of these species are observed by construction personnel within or adjacent to the proposed development area, the animal's location shall be communicated to the San Benito County-approved biologist. Only the San Benito County-approved biologist shall capture and relocate wildlife. Construction personnel are not permitted to handle animals.</p> <p>Prior to issuance of a grading permit, the applicant shall submit a preconstruction survey report (or a preliminary notification that preconstruction surveys have been completed that includes a summary of results) documenting the findings of preconstruction surveys for San Joaquin coachwhip, coast horned lizard and Pacific pond turtle. A complete preconstruction report should be submitted to the County within 30 days after surveys have been completed. The County Planning Department, or a qualified third party retained by the County at the applicant's expense, shall review preconstruction reports and shall site inspect during construction of the development for compliance.</p> <p>BIO-4(c) American Badger Pre-construction Surveys and Impact Avoidance. A qualified biologist shall conduct pre-construction clearance surveys for American badger in suitable habitat within impact areas. These surveys may be conducted concurrently with SJKF surveys. Clearance surveys should be conducted for American badger, within 14 days of the start of any ground-disturbing activity. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days of that portion of the site being disturbed. If no potential American badger dens are present, no further mitigation is necessary.</p> <p>If potential American badger dens are present, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction. • If the qualified biologist determines that 	



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	<p>potential dens may be active, an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one way doors at burrow entrances, monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that badgers have stopped using active dens within the Project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.</p> <ul style="list-style-type: none"> • Construction activities shall not occur within 30 feet of active badger dens. <p>Prior to issuance of a grading permit, the applicant shall submit a preconstruction survey report (or a preliminary notification that preconstruction surveys have been completed that includes a summary of results) documenting the findings of preconstruction surveys for American badger. A complete preconstruction report should be submitted to the County within 30 days after surveys have been completed. The County Planning Department, or a qualified third party retained by the County at the applicant's expense, shall review preconstruction reports and shall site inspect during construction of the development for compliance.</p>	
<p>Impact BIO-5 Implementation of the proposed Project may impact riparian habitat associated with drainages present within the Project Site. This is Class II, significant but mitigable, impact. [Threshold numbers 2 and 3]</p>	<p>BIO-5(a) Riparian and Wetland Protection. Implementation of the following measures would further protect, and avoid riparian/wetland habitat:</p> <ul style="list-style-type: none"> • The Project shall be designed so that any and all preserved riparian and wetland habitat is buffered from development (including grading, except for stormwater and drainage control features (e.g., basins, bioswales), which may be within the buffer zone) by an average 50-foot setback measured from the edge of riparian vegetation or delineated wetland. Vegetation may be managed in this setback area for fire protection purposes. • The riparian and wetland habitat area and average 50-foot buffer zone for preserved riparian/wetland areas shall be shown on all grading plans and shall be demarcated with highly visible construction fencing to avoid impacts during construction. • Drainage from development adjacent to jurisdictional drainages shall be directed away from those drainages or routed through bioswales prior to entering the drainages. 	<p>Less than significant.</p>



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	<ul style="list-style-type: none"> • The applicant shall prepare and submit for approval to the County’s Planning Department a grading and drainage plan that specifically seeks to protect waters and riparian/wetland resources downstream of construction activities (refer to Mitigation Measure H-1(c) in Section 4.9, <i>Hydrology and Water Quality Impact Analysis</i>). • During construction activities, washing of concrete, paint, or equipment, and equipment maintenance, repair or fueling shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing of such materials shall not be allowed within 100 feet of wetland and riparian resources or near sensitive biological resources. <p>Where impacts to riparian habitat cannot be avoided, the following shall be implemented to mitigate impacts.</p> <ul style="list-style-type: none"> • The applicant shall obtain authorization from the CDFW pursuant to Section 1600 et seq. of the California Fish and Game Code for any activities that affect the bed, bank, or channel of streams. It is recommended that the applicant contact CDFW prior to final plan submittal in order to incorporate any additional requirements into the Project design. <p>As part of the regulatory permitting process, the applicant would likely be required to prepare, implement, and monitor a compensatory habitat creation/restoration plan to mitigate impacts to CDFW jurisdictional stream and riparian areas. The plan should, at a minimum ensure no net loss of riparian habitat. One component of the plan was implemented in 2012 and provided greater than 2:1 replacement for the loss of habitat functions/values and/or acres. The remaining components of the plan would be implemented by a qualified biologist and shall include, at a minimum, the following mitigation measures: Mitigation plantings for the loss of existing riparian habitat shall be located in the on-site drainages that are proposed to be modified or preserved as part of the proposed Project to the fullest extent feasible. The compensatory plan shall provide a minimum 2:1 ratio of habitat values, functions, and/or acres created or enhanced to that impacted.</p> <ul style="list-style-type: none"> i. Prior to commencement of grading, the applicant shall file a performance security with the County to complete restoration, monitoring, and maintenance of plantings for 	



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	<p>a minimum five (5) year period to ensure mitigation success.</p> <ul style="list-style-type: none"> ii. Tree and shrub species installed as mitigation shall have 80% survivorship at the end of the five (5) year monitoring period. iii. Control of invasive plant species will be conducted, as necessary, to encourage the development and establishment of mitigated vegetation. Seasonally-timed weeding will be done mechanically or by hand during the five (5) year monitoring period or until it is determined that the installed plantings are not at risk from competition and exclusion by exotic pest plants. iv. Removal of native species in the creeks/drainages that are to be retained shall be prohibited, except as allowed through authorizations from CDFW. v. Construction envelopes shall be restricted to those areas shown on approved site Grading Plans in order to avoid impacts on riparian/wetland habitats. Envelope boundaries shall be staked in the field. Approved construction envelopes shall be shown on all approved grading and building plans. <p>Prior to tract map recordation of each phased final map, the applicant shall submit the agency-approved habitat restoration/compensation plan and a copy of the CDFW Streambed Alteration Agreement or written confirmation from the CDFW that a permit is not required to the County Planning Department for review and approval. All aspects of the plan shall be implemented as approved. The County Planning Department, or a qualified third party retained by the County, shall conduct site inspections throughout all phases of development to ensure compliance with all habitat restoration measures, and the Streambed Alteration Agreement at the applicant's expense.</p>	
<p>Impact BIO-6 Implementation of the proposed Project would result in direct and indirect impacts to oaks trees and the oak woodland habitat on the Project Site. Impacts would be Class II, significant but mitigable. [Threshold number 5]</p>	<p>BIO-6(a) Pre-construction Survey and Tree Protection Plan. Pre-construction Survey and Tree Protection Plan. Prior to Final Map recordation, an accurate map identifying and locating all existing oak trees within and adjacent to areas proposed for new development shall be prepared. The map shall include all existing oak trees that are outside of the proposed development area but which could be affected by the Project, and will identify all trees that would be removed as a result of Project development. The map shall be prepared by a certified arborist and submitted to the County for review and approval. Such map shall also identify all existing oak trees that are proposed by the applicant for relocation,</p>	<p>Less than significant.</p>



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	<p>and such trees shall be visibly marked for inspection.</p> <p>Upon determination of the final development plans for each phase of the Project, a qualified arborist shall conduct surveys of oak trees and oak woodland habitat that could be affected by the proposed development, and shall recommend specific measures to mitigate impacts, to the extent feasible, including:</p> <p>If feasible, the remaining oak trees and oak woodland habitat shall be avoided by adjusting proposed lots to eliminate inclusion of oak trees. If avoidance of oak trees, their canopies, and root zones is not feasible, tree replacement shall be required as described below.</p> <p>The design of proposed structures shall avoid impacts to limbs that are eight inches in diameter or greater to the greatest extent possible. In some instances, pruning and/or tying back branches may be a viable option for certain trees. These alternatives to avoidance shall be reviewed by a qualified arborist, and approved by the County, on a case-by-case basis.</p> <p>All trenching, soil scraping, over-excavation and grading (soil cuts, over-excavation, fill, and finish-grading) shall be avoided within the Tree Protection Zone (TPZ), as feasible. For design purposes, the TPZ of a particular tree shall be a minimum distance from its trunk of ten times its diameter. Where an impact encroaches slightly within a TPZ, it can be reviewed by the County and the qualified arborist on a case-by-case basis to determine appropriate mitigation measures. Soil disturbance (e.g. over-excavation, sub-excavation, grading, compaction or trenching) beyond a feature to be built within or near a TPZ shall be reduced to the maximum extent possible in the direction of a tree's trunk. In no instance should disturbance exceed the following distances towards a tree's trunk: 12 inches for a curb, gutter, walkway or pier, or 24 inches for retaining walls, foundations and concrete pads.</p> <p>Any existing, unused lines or pipes within a TPZ shall be abandoned and cut off at existing soil grade. These features shall not be dug up so as to avoid potential impacts to the root system; this provision shall be specified on applicable plans.</p> <p>To restrict spoils and runoff from traveling into root zones, erosion control design shall establish any silt fence and/or straw rolls uphill away from a tree</p>	



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	<p>trunk (not against it), and as close to the canopy edge as possible. Where erosion control devices are located within a TPZ, the material shall not exceed a vertical soil cut of two inches for embedment.</p> <p>Underground utilities and services shall be routed beyond a TPZ whenever possible. Where this is not feasible, the section of line(s) within the TPZ shall be directionally-bored by a minimum of four feet below existing grade, or installed by other means (e.g. pipe-bursting) to avoid an open trench; the ground above any tunnel shall remain undisturbed, and access pits and any above-ground infrastructure (e.g. splice boxes, meters and vaults) shall be established beyond all TPZs. No machine trenching within the TPZ shall be permitted, unless authorized, in writing, by the County, in consultation with an arborist.</p> <p>Staging areas and access routes shall be designed to avoid trees and tree canopies.</p> <p>Any structure or wall proposed within a TPZ shall utilize an alternative foundation that minimizes impacts to tree root systems (i.e., cantilever the encroaching section over and above existing soil grade so that the ground beneath is not be compacted or disturbed, or a pier and above-grade beam foundation that avoids soil disturbance), and shall be reviewed by a qualified arborist prior to final design approval.</p> <p>All trees designated to remain in place and that are within 50 feet of grading or ground disturbance shall be protected by a five-foot high fence enclosure, prior to the beginning of construction. The fence shall be highly visible wooden, chain link, or plastic barricade fencing. The location of the fence is normally at the dripline of the tree, but it may be adjusted or omitted with the County's written approval. In addition, the applicants shall demonstrate, to the County's satisfaction that construction activities are adhering to the approved tree protection plan. No parking of vehicles or equipment, or storage of materials shall be permitted within the dripline of the trees designated to remain.</p> <p>The diameter at breast height (DBH) of oak trees removed shall be replaced on an inch-for-inch basis with replacement oak trees. For example, if a 30" DBH oak tree is removed it shall be replaced with 30 one-inch diameter container stock oak trees, or 15 two-inch diameter container stock oak trees. Replacement oak trees shall be from</p>	



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	<p>regionally or locally collected seed stock (within a 25-mile radius). A qualified, County-approved arborist shall design oak tree replacement programs and monitor the implementation of such plans to ensure successfully meeting the requirements of the plan.</p> <p>All trees relocated or planted as mitigation shall be moved to a location approved by a qualified arborist within an on-site habitat restoration area or within the off-site conservation easement area, and planted in the ground. All trees relocated as mitigation shall have a 80% survival rate after five years. If the five year survival rate of trees planted or relocated as mitigation is less than 80%, the number of trees required to reach 80% survival shall be replaced at a 1:1 ratio. All replacement mitigation trees (trees planted to replace those that did not survive the five-year period), shall in turn have a survival rate of 100% five years from date of planting. Tree monitoring and replacement shall continue until an overall five-year, 80% survival rate is reached for all mitigation trees.</p> <p>Upon occupancy, property owners shall be advised by the lot seller/lessor to avoid watering within 15 feet of all oak trees and to avoid activity that may encroach upon roots by avoiding activity within the dripline of all oak trees.</p> <p>The proposed landscape design around the valley oaks shall conform to the following additional guidelines:</p> <ul style="list-style-type: none"> • Turf shall be avoided beneath their canopies. • Plant material installed beneath the canopies shall be drought-tolerant, limited in amount, and planted a minimum of five feet from their trunks. • Irrigation for any new plant material beneath an oak tree canopy shall be temporary, low volume, the minimum required to ensure establishment of new vegetation, and applied irregularly for no more than two to three years. • Irrigation shall not occur within five feet of the trunk of any oak tree. • New fencing shall be placed a minimum of five feet from any tree trunk. • Ground cover beneath canopies should be comprised of a three- to four-inch layer of coarse wood chips or other high-quality mulch (gorilla hair, bark, rock, stone, gravel, black plastic or any other synthetic ground cover shall be excluded from use as ground cover under tree canopies). 	



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	<ul style="list-style-type: none"> • Mulch shall not be placed directly against the trunk of any trees. • Tilling for weed control or other purposes within a TPZ shall be avoided. • Bender board or other edging material proposed beneath the canopies shall be established on top of existing soil grade and not installed below grade. <p>The applicant shall submit a final tree report and tree protection plan prepared by a County-approved arborist that includes the species, quantity, diameter-at-breast-height, and status (live, dead, diseased, etc.) of native trees to be translocated and indirectly impacted by construction activities prior to initiation of the proposed Project. This report shall also identify the final number of replacement trees utilizing the County's replacement ratio identified above (if applicable). All aspects of the plans shall be implemented as approved.</p>	
<p>Impact BIO-7 Implementation of the proposed Project would impact populations and available habitat of wildlife in general and special status species through the introduction or maintenance of populations of non-native and invasive species. Adverse effects on wildlife and wildlife habitat through the introduction and maintenance of invasive species is a Class II, significant but mitigable, impact. [Threshold number 7]</p>	<p>BIO-7(a) Pet Brochure. The applicant shall prepare a brochure that informs prospective homebuyers and all Home Owners Association (HOA) members about the impacts associated with non-native animals, especially cats and dogs, and other non-native animals to the Project Site; similarly, inform potential homebuyers and all HOA members of the potential for coyotes to prey on domestic animals.</p> <p>Prior to recordation of the first final map, the applicant shall draft a notice indicating the above information, to be recorded with the final map, subject to approval by the County Planning Department. The County Planning Department shall check plans for compliance.</p> <p>BIO-7(b) Night Lighting Standards. The following standards pertaining to night lighting shall be added to the Project's design guidelines:</p> <ul style="list-style-type: none"> • Night lighting of public areas shall be kept to the minimum necessary for safety and security purposes. • Exterior lighting within 100 feet of open space shall be shielded and aimed as needed to avoid spillover into open space areas and conservation easements. Decorative lighting shall be low intensity. <p>Prior to recordation of the first final map, the applicant shall submit a lighting plan for approval by the County Planning Department. The County Planning Department shall check plans for compliance and shall site inspect one year after completion of tract development for compliance.</p>	<p>Less than significant.</p>



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	<p>BIO-7(c) Native or Adaptive Landscaping. In order to ensure that Project landscaping does not introduce invasive or inappropriate plant and tree species into the vicinity of the site, the final landscaping plan shall be reviewed and approved by a County approved biologist or landscape architect. No invasive plant and tree species shall be permitted to be installed by the applicant as part of the Project development.</p> <p>As a condition of each tentative map, the applicant shall submit a landscaping plan for approval by the County Planning Department. The County Planning Department, or a qualified third party retained by the County at the applicant's expense, shall check plans for compliance and shall site inspect six months after completion of the development for compliance.</p>	
CULTURAL RESOURCES		
<p>Impact CUL-1 Construction of the proposed Project would involve surface excavation, which has the potential to unearth or adversely impact known and previously unidentified cultural resources and human remains. Impacts would be Class II, significant but mitigable. [Thresholds numbers 2 and 4]</p>	<p>CUL-1(a) Archaeological Resource Construction Monitoring. Prior to the commencement of any grading or construction within the Project Site, an orientation meeting shall be conducted by an archaeologist for construction workers associated with earth disturbing procedures. The orientation meeting shall describe the possibility of exposing unexpected archaeological resources and directions as to what steps are to be taken if such a find is encountered.</p> <p>A qualified archaeologist shall be present during ground disturbing activities requiring "cut" and/or excavation within previously undisturbed native soil. A qualified archaeologist shall only be present during ground disturbing activities requiring the placement of fill material within areas of previously identified, known archaeological resources. In the event that unearthed prehistoric or archaeological cultural resources or human remains are encountered during Project construction, mitigation measure CUL-1(b) shall take effect.</p> <p>A qualified archaeologist and Ohlone/Costanoan representative shall monitor ground disturbing activities requiring "cut" and/or excavation within previously undisturbed native soil or within areas of previously identified, known cultural resources to the extent determined necessary by a qualified archaeologist and the County of San Benito. After the initial ground disturbance phase of grading, the project applicant may request that monitoring activities be reduced or curtailed subject to review and approval by the County of San Benito and a qualified archaeologist. In the event that archaeological or historic artifacts are encountered</p>	<p>Less than significant.</p>



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	<p>during Project grading or construction, all work in the vicinity of the find shall be halted until such time as the find is evaluated for its significance by a qualified archaeologist and appropriate mitigation (e.g., curation, preservation in place, etc.), if necessary, is identified and implemented.</p> <p>CUL-1(b) Avoidance of CA-SBN-199 and CA-SBN-200. Site CA-SBN-199, and CA-SBN-200, shall be fenced off and avoided. Ground disturbance activities involving “cut” and excavation shall be monitored by a qualified archaeologist within 100 feet of the locations of CA-SBN-199 and CA-SBN-200.</p>	
<p>Impact CUL-2 Construction of the Project would involve surface excavation. Although unlikely, these activities have the potential to unearth and/or adversely impact paleontological resources. Impacts would be Class II, significant but mitigable. [Threshold number 3]</p>	<p>CUL-2(a) Paleontological Resource Construction Monitoring. Any excavations within areas of high paleontological sensitivity (i.e., Pleistocene- or Pliocene-aged deposits) and those areas potentially underlain by Pliocene- or Pleistocene-aged deposits (i.e., Holocene-aged alluvial valley sediments) that exceed three feet in depth shall be monitored as necessary by a qualified paleontological monitor. If no fossils are observed during the first 50 percent of excavations in Holocene-aged sediments exceeding three feet in depth, or if the qualified paleontologists can determine that excavations below three to five feet are not disturbing fossils within Pliocene or Pleistocene (or other potentially fossil-containing) sediments, then paleontological monitoring shall be reduced to weekly spot-checking under the discretion of the qualified paleontologist. Ground disturbing activity in areas of low paleontological sensitivity shall not require paleontological monitoring.</p> <p>CUL-2(b) Paleontological Resource Construction Monitoring in Areas of Undetermined Paleontological Sensitivity. Any excavations within areas of undetermined paleontological sensitivity (i.e., in areas mapped as unnamed terrestrial clastics or Tn) shall be monitored by a qualified paleontological monitor. If no fossils are observed during the first 50 percent of excavations by area within these sediments, then paleontological monitoring may be reduced to weekly spot-checking under the discretion of the qualified paleontologist.</p> <p>CUL-2(c) Fossil Salvage. If fossils are discovered during grading or construction, the qualified paleontologist (or paleontological monitor) shall temporarily halt work and establish a work-exclusion buffer of 50 feet. The paleontologist or contractor shall immediately notify the County and the qualified paleontologist (or paleontological</p>	<p>Less than significant.</p>



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Impact	Mitigation Measures	Significance After Mitigation
	monitor) shall immediately examine the discovery. The paleontologist shall document the discovery as necessary in accordance with the Society of Vertebrate Paleontology standards (SVP 2010), evaluate the potential resource or resources, and assess the significance of the find. In this case, the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, the fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.	
GEOLOGY AND SOILS		
Impact GEO-1 Although an active fault surface trace occurs along the southern property line, no other active faults are mapped on the Project Site. The Development Areas are not located in a mapped Alquist-Priolo fault zone and would not be subject to rupture of a known fault. Seismically induced ground shaking could destroy or damage structures and infrastructure, resulting in loss of property or risk to human safety. However, given mandatory compliance with applicable County of San Benito, and California Building Code requirements, impacts from seismic ground shaking would be Class III, less than significant. [Threshold number 1]	None required.	Less than significant.
Impact GEO-2 The Project could be subject to structural damage related to the presence of liquefiable soils, due to the presence of sand and silty sand below the groundwater level in the Development Areas. Potentially liquefiable soils can result in settlement or rupture of the ground surface during earthquakes. Liquefaction also has the potential to cause lateral spreading at the site. This is considered a Class II, significant but mitigable impact. [Threshold numbers 1 and 3]	GEO-2(a) Adherence to Geotechnical Report. Compliance with the recommendations included in the Geotechnical/Geologic Feasibility Assessment (March 7, 2013) and Geotechnical Exploration (August 6, 2013), prepared by ENGEO, for foundation design plans and new geotechnical studies undertaken at the site shall be required. This includes, but is not limited to the following: <ul style="list-style-type: none"> • Foundation design considerations of a 1-inch thick total settlement due to liquefaction-induced settlement, as well as a reevaluation of the design-level study if finished site grades are lowered by more than ten feet when site grades are further refined. The County of San Benito shall review and approve all final plans for foundational design for each phase prior to issuance of a grading permit. Final plans for foundational design shall be designed to protect structures from anticipated liquefaction-induced settlement. 	Less than significant.



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
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Impact	Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> Once grading plans with a scale of 1 inch to 40 feet are available, a site-specific geotechnical report shall be produced by a County-approved geotechnical engineer to confirm the scope of any lateral spreading and slope deformation and to specify the most appropriate remedial measures. Mitigation measures may include, without limitation, specifications for cut and fill slopes, specification of minimum setbacks from unstable natural slope areas, construction of a toe shear keyway that extends below the flow line elevation of the adjacent drainage channels, and other common remedial grading practices used to minimize potential impacts from settlement, surface rupture, and lateral spreading. The developer shall implement all recommended mitigation measures, as required by the County approved geotechnical engineer and the County Public Works Department. <p>GEO-2(b) Site-Specific Geotechnical Studies and Hazard Minimization. Prior to issuance of grading permits for each phase of development in the Project Site, a site-specific geotechnical study shall be prepared by a County-approved geotechnical engineer to more specifically identify any areas that could be subject to geologic or soil-related hazards, including liquefaction, slope instability, ground shaking, faults, and expansive soils. If such hazards are identified, then the appropriate phase of development shall be designed in compliance with the recommendations of the geotechnical survey and in conformance with the County's Subdivision Ordinance and shall comply with recommendations in the Geotechnical/Geologic Feasibility Assessment (March 7, 2013) and Geotechnical Exploration (August 6, 2013), prepared by ENGEO, for foundation design plans. Site-specific geotechnical studies and grading and design recommendations shall be reviewed and approved by the County of San Benito Public Works Department.</p>	
<p>Impact GEO-3 The geotechnical analysis prepared for the Project Site concluded that the on-site unstable existing and proposed slopes could be subject to seismically induced landslides. This is considered a Class II, significant but mitigable impact. [Threshold numbers 1 and 3]</p>	<p>GEO-3(a) Slope Stability Analysis. As applicable, prior to issuance of a grading permit, further slope analysis shall be conducted once 40-scale grading plans are available. The analysis shall confirm landslide stability in proximity to grading limits, cut slopes, slope rebuilds and planned taller fill slopes. If it is determined that shallow landslides and slope instability may occur related to the specific development proposed, then measures as identified in the slope analysis shall be incorporated into the Project design. These mitigation measures for shallow landslides and</p>	<p>Less than significant.</p>



**Table ES-1
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	<p>slope instability may include, without limitation, avoiding placement of structures in or downslope of slide areas, removing the landslide debris to bedrock and replacing it with engineered fill, buttressing the toes of landslides with engineered fill, and constructing keyways, debris benches, and/or landslide buffer/catchment areas with surface and subsurface drainage. Depending upon the type and heights of graded slopes, toe keyways may be recommended.</p> <p>GEO-3(b) Soil Creep. Improvements that will be located in the hillside portions of the Project Site shall be designed to mitigate the potential for adverse impacts from soil creep. Unless analysis by the Geotechnical Engineer on final grading plans determines otherwise, the proposed water tank shall be relocated to the west along the ridgeline to minimize design and corrective grading impacts, which the applicant has confirmed would be acceptable and consistent with the overall site plan and Specific Plan. The water tank shall be constructed entirely on bedrock cut, or otherwise designed and constructed to avoid a cut-fill transition condition during tank construction. Also, a supplemental subsurface exploration for the tank site, the resort hotel site, and the neighborhood commercial areas shall be performed and a report prepared to provide design-level recommendations and confirm slope stability and bedrock rippability. Remedial and/or structural measures shall be shown on the final 40-scale plans and after detailed slope stability analyses have been performed and reviewed and approved by the County of San Benito Public Works Department.</p> <p>GEO-3(c) Setbacks. Wall and building slope setbacks are variable depending on slope height and soil conditions and shall follow CBC and CRC requirements at a minimum. Additional slope setbacks shall be implemented where natural drainage channels could create slope instabilities unless repaired/mitigated. Specific setback recommendations from the ENGEO March 2013 and August 2013 geotechnical reports shall be implemented by the Project, as well as any additional setback recommendations made as part of the site-specific studies required by other mitigation measures in Section 4.6, Geology and Soils, of this SEIR. The County of San Benito shall review and approve all wall and building slope setbacks prior to issuance of a grading permit.</p> <p>GEO-3(d) Debris Benches. Debris benches shall be created at the interface between the open space hillside and the residential lots. Unless site-</p>	



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	specific supplemental studies approved by the County of San Benito for final 40-scale plans conclude otherwise, this shall include a minimum debris bench of 50 feet below hillside areas containing unmitigated landslides and a minimum debris bench of 25 feet below hillside areas with no mapped landslides or for mitigated landslide areas. A road may be considered part of the debris bench, but a backyard shall not.	
Impact GEO-4 The construction and operation of the proposed Project could result in soil erosion or loss of topsoil. Impacts would be Class II, significant but mitigable. [Threshold number 2]	<p>GEO-4(a) Debris and Stripping. Debris or soft compressible soils shall be removed from any location to be graded, from areas to receive fill or structures, or those areas to serve as borrow. The depth of removal of such materials shall be determined by the Geotechnical Engineer or qualified representative in the field at the time of grading. Existing vegetation should be removed from areas to receive fill, or structures, or those areas to serve for borrow. Tree roots should be removed down to a depth of at least 3 feet below existing grade. The actual depths of tree root removal shall be determined by the Project Geotechnical Engineer’s representative in the field to ensure that all debris or soft compressible soils at each specific construction site are removed. Strippings may be reserved for placement on graded slopes prior to installation of erosion control measures. After placement on graded slopes, any remaining strippings and organically contaminated soils which are not suitable for use as engineered fill may be used in approved open space areas or landscape areas subject to approval by the Landscape Architect. Otherwise, such soils should be removed from the Project Site or may selectively be blended with soil and placed in engineered fills outside street and pad areas. Any topsoil that would be retained for future use in landscape areas should be stockpiled in areas where it would not interfere with grading operations.</p> <p>GEO-4(b) Erosion Control Mat/Blanket. An erosion control mat or blanket shall be used for select slope face protection and lining of runoff channels during grading and construction. The use of erosion control mats or blankets shall be consistent with the Project’s SWPPP prepared in compliance with National Pollutant Discharge Elimination System (NPDES) Construction General Permit 99-08-DWQ. The Contractor shall submit a manufacturer’s certification that the erosion mat/blanket supplied meets the criteria specified.</p>	Less than significant.
Impact GEO-5 Portions of the Project Site contain expansive soils, which could expose people or structures to potentially substantial adverse	<p>GEO-5 Structural Reinforcement. During grading, exposed expansive soils where structures will be built shall be kept moist by occasional sprinkling. Structures shall be adequately</p>	Less than significant.



**Table ES-1
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Impact	Mitigation Measures	Significance After Mitigation
effects. Impacts would be Class II, significant but mitigable. [Threshold number 4]	supported on structural reinforced mat foundations that are designed to accommodate shrinking and swelling subgrade soils. If required by the geologic and geotechnical analysis, expansive soils either shall be removed and replaced with low-expansivity soils (the preferred approach), or an additional approach is that foundations shall be designed to accommodate movements caused by expansive soil, or expansive soils shall be conditions and treated to minimize expansivity.	
GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE		
<p>Impact GHG-1 Development of the Project would generate additional GHG emissions beyond existing conditions due to construction activity and the Project's long-term operation. Total estimated GHG emissions would exceed the efficiency threshold. Therefore, this impact would be Class I, significant and unavoidable. [Threshold number 1]</p>	<p>GHG-1 GHG Reduction Plan. Prior to initial grading permit issuance, the Project applicant shall develop and implement a Project GHG Reduction Plan, approved by the County, that documents a reduction in annual GHG emissions from the Project by a minimum of 2,522 MT CO₂e/year over the operational life of the Project. The GHG Reduction Plan shall include:</p> <p>A. On-site GHG reduction measures designed to reduce GHG emissions on the Project Site. On-site GHG reduction measures shall be implemented by the Project applicants and shall be reflected on and incorporated into all applications for development within the Project Site. On-site GHG reduction measures may include, but are not be limited to, the following components:</p> <ul style="list-style-type: none"> • Energy Use <ul style="list-style-type: none"> ○ On-site energy conservation policies in addition to those described in the Specific Plan Development Standards ○ Exceed adopted 2013 Title 24 energy requirements by a minimum of 10 percent through implementation of energy reduction measures, including: <ul style="list-style-type: none"> ▪ Use locally made building materials for construction of the Project and associated infrastructure when such materials are locally available; ▪ Use of materials which are resource efficient, recyclable, with long life cycles; ▪ Install energy-reducing shading mechanisms for windows, porches, patios, walkways, etc.; ▪ Install energy reducing day lighting systems (e.g. skylights, light shelves, transom windows); ▪ Use of water efficient landscapes; ▪ Use tankless water heaters or solar water heaters; ▪ Use of low-energy interior lighting; ▪ Use low-energy street lights and parking lot lights (i.e. sodium); and ▪ Use of light colored water-based paint 	Significant and unavoidable.



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Impact	Mitigation Measures	Significance After Mitigation
	<p>and roofing materials.</p> <ul style="list-style-type: none"> ○ On-site renewable energy production, including wind-generated energy or installation of solar photovoltaic (PV) panels or other on-site renewable energy that generates a minimum of 30 percent of the Project's total energy demand ● Vehicle Trips (based on MBUAPCD Transportation Demand Management [TDM] measures) <ul style="list-style-type: none"> ○ Provide preferential carpool/vanpool parking spaces ○ Add a location for tour and shuttle buses to pick up passengers near the amenity center and assisted living facility (i.e. bus duck out for residents living on the Project Site), or other shuttle/mini bus service ○ Provide bicycle storage/parking facilities for on-site employees ○ Provide shower/locker facilities for on-site employees ○ Provide child care centers for on-site employees ○ Provide an on-site park-and-ride lot ○ Employ a transportation/rideshare coordinator ○ Implement a rideshare program for on-site residents and employees ○ Provide incentives to employees to rideshare or take public transportation ○ Implement compressed work schedules B. GHG/Carbon Offset Mechanism. The GHG emissions reduction achieved through implementation of on-site GHG reduction measures would depend on the specific mix of measures available for each development application within the Project. Because it is not yet possible to know with certainty which on-site GHG reduction measures would be feasibly incorporated into the Project, or to quantify the reduction in GHG emissions that these measures would achieve, on-site GHG reduction measures may not be sufficient to reduce Project GHG emissions by the required 2,522 MT CO₂e/year. If GHG emissions cannot be reduced below threshold levels through compliance with the Project GHG Reduction Plan described in Part A, Project applicants shall purchase a fair share of carbon offsets that meet approved offset protocols through the California Cap-and-Trade Program to reduce GHG emissions below threshold levels. Carbon offsets reduce GHG emissions globally through funding off-site projects that eliminate new GHG 	



**Table ES-1
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	<p>emissions and/or sequester existing GHGs in the atmosphere.</p> <p>Plan Requirements and Timing. The GHG Reduction Plan shall be approved by San Benito County Planning and Building Departments prior to initial grading permit issuance. Applicable elements of the GHG Reduction Plan shall be reflected on development plans prior to permit approval. If GHG emissions cannot be reduced through compliance with such a plan, purchased carbon offsets shall be approved by Planning and Building staff prior to permit approval.</p> <p>Emissions reductions from individual GHG reduction measures are quantifiable for the purpose of demonstrating compliance with Mitigation Measure GHG-1 using CAPCOA's Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures (August 2010), available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf</p> <p>Depending on the specific mix of GHG reduction components available to a particular phase of the Project, sufficient on-site GHG emissions reductions may not be available to reduce GHG emissions by the required 2,522 MT CO₂e/year over the operational life of the Project. Therefore, to further reduce Project GHG emissions, Project applicants would be required to purchase carbon offsets that meet approved offset protocols through the California Cap-and-Trade Program.</p>	
<p>Impact GHG-2 The proposed Project would be generally consistent with the Climate Action Team GHG reduction strategies and the 2008 Attorney General Greenhouse Gas Reduction Measures. As a result, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be Class III, less than significant. [Threshold number 2]</p>	<p>None required.</p>	<p>Less than significant.</p>
HAZARDS/HAZARDOUS MATERIALS		
<p>Impact HAZ-1 Development of the Project could pose health hazards to construction workers or future residents and occupants of the site, due to potential soil contamination from previous and ongoing uses involving the application of pesticides, herbicides, petroleum-based fuels,</p>	<p>HAZ-1 Soil Sampling and Remediation. Prior to issuance of any grading permits associated with the Project, a soil assessment shall be completed for the portion of land to be graded under the supervision of a professional geologist or professional civil engineer to confirm the presence or absence of contaminated soil in the portion of the Development Areas that was not evaluated in</p>	<p>Less than significant.</p>



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<p>chlorinated solvents, or other chemicals. Impacts would be Class II, significant but mitigable. [Threshold numbers 1 and 4]</p>	<p>the Phase I ESA report, and presented to the San Benito County Environmental Health Services for confirmation. Laboratory analysis of soil samples shall be analyzed for the presence of organochlorine pesticides in accordance with EPA Test Method 8081. Soil samples also shall be analyzed for the presence of total arsenic in accordance with EPA Test Method 6010. Arsenic concentrations in the soil shall be evaluated by comparison with background levels in the southern hillsides on the Project Site, as identified in the Phase I ESA report, and with typical background levels in California, whereby an exceedance of typical background levels would represent a potential health hazard. If soil sampling indicates the presence of any contaminant at concentrations exceeding applicable environmental screening levels, the Project proponent shall coordinate with San Benito County Environmental Health Services to develop and implement a program to remediate or manage the contaminated soil during construction. Disposal shall occur at an appropriate facility licensed to handle such contaminants and remedial excavation shall proceed under the supervision of an environmental consultant licensed to oversee such remediation. The remediation/disposal program shall be approved by San Benito County Environmental Health Services.</p> <p>The Project proponent shall submit all correspondence to San Benito County Environmental Health Services prior to issuance of grading permits. All proper waste handling and disposal procedures shall be followed. Upon completion of any required remediation/disposal, a qualified environmental consultant shall prepare and submit to the County for review and approval a report summarizing the remediation efforts, the remediation/disposal approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.</p>	
<p>Impact HAZ-2 The Project would involve the development of certain land uses that could result in the use, transport or creation of hazardous materials, which could place such materials in proximity to residences and other occupied uses. Development would also occur near roadways on which accidents that involve hazardous materials could potentially create a public safety hazard by exposing people to contaminants. However, required</p>	<p>None required.</p>	<p>Less than significant.</p>



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Impact	Mitigation Measures	Significance After Mitigation
adherence to existing regulations would reduce impacts to a Class III, less than significant impact. [Threshold numbers 2 and 4]		
Impact HAZ-3 The Project Site does not contain a listed hazardous materials site, and future residents and occupants would not be exposed to significant hazards from surrounding listed sites. Impacts would be Class III, less than significant. [Threshold number 4]	None required.	Less than significant.
Impact HAZ-4 Development of the Project would be located in a wildland fire hazard area, which could create a potential safety hazard. However, new development located on the Project Site would be required to comply with existing regulations intended to minimize the potential effects associated with wildfires. Required compliance with these regulations would ensure that impacts would be Class III, less than significant. [Threshold number 8]	None required.	Less than significant.
HYDROLOGY AND WATER QUALITY		
Impact HWQ-1 During Project construction, the soil surface would be subject to erosion and the downstream watershed would be subject to pollution. This is a Class II, significant but mitigable impact. [Threshold numbers 1 and 5]	<p>HWQ-1(a) Berms and Basins. As a condition of approval of the amended vesting tentative tract map for the Project, the applicant shall be required to construct temporary berms and sediment basins in order to avoid unnecessary siltation into local streams during construction activities where grading and construction shall occur in the vicinity of such streams.</p> <p>Photos showing berm and basin installation shall be provided to the Planning Department prior to issuance of building permits. Berms and basins shall be constructed when grading commences. The Project applicant shall sufficiently document, to the County's satisfaction, the proper installation of such berms and basins during grading.</p> <p>HWQ-1(b) Grading and Drainage Plans. As a condition of approval of the amended vesting tentative tract map for the Project, the applicant shall be required to submit grading and drainage plans to the Planning and Public Works Departments, for approval. The grading and drainage plans shall be designed to minimize erosion and water quality impacts, to the extent feasible, and shall be consistent with the Project's SWPPP and Chapter 19.17 (Grading, Drainage and Erosion Control Ordinance) of the San Benito County Code. The plans shall include the following:</p>	Less than significant.



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	<p>a. Graded areas shall be revegetated with deep-rooted, native, non-invasive drought tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established;</p> <p>b. Temporary storage of construction equipment shall be limited to a minimum of 100 feet away from drainages on the Project Site; and</p> <p>c. Erosion control structures shall be installed.</p> <p>As a condition of approval of the amended vesting tentative tract map, the grading and drainage plans shall be submitted for review and approval by the Planning and Public Works Departments. The applicant shall notify the Planning Department prior to commencement of grading. The notification shall be provided in writing, and indicate the date of planned grading commencement. Components of the grading plan shall be implemented prior to issuance of certificates of occupancy. The applicant shall photo document revegetation and provide sufficient documentation to the Planning Department to ensure compliance with the plan. The applicant shall provide sufficient documentation, to the County's satisfaction, that the technical aspects of the grading activities are being properly monitored. The applicant shall ensure installation of erosion control structures prior to beginning of construction of any structures, subject to review and approval by the County.</p> <p>HWQ-1(c) Grading Limitations. As a condition of approval of the amended vesting tentative tract map for the Project, the applicant shall be required to limit excavation and grading to the dry season of the year (i.e., May to September) unless a County-approved erosion control plan is in place and all measures therein are in effect.</p> <p>This requirement shall be noted on all grading and building plans. The Planning and/or Public Works Departments shall site inspect during grading, at the applicant's cost.</p>	
<p>Impact HWQ-2 The proposed Project would increase stormwater runoff due to the increase in impervious surfaces in the Project Site. However, impacts would be Class III, less than significant. [Threshold numbers 3, 4, 5, and 11]</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact HWQ-3 Due to the intensification of uses proposed on the Project Site, there is the potential</p>	<p>HWQ-3(a) Final Drainage Plan. As a condition of approval of the amended vesting tentative tract map for the Project, the applicant shall be required</p>	<p>Less than significant.</p>



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<p>for storm water transport of pollutants, bacteria, salts, and sediment into downstream facilities. However, impacts would be Class II, significant but mitigable. [Threshold number 6]</p>	<p>to submit a drainage plan that graphically illustrates the location and design of pollutant-removal systems for the County’s approval. These pollutant-removal systems shall include the following, as described in the Preliminary Stormwater Control Plan prepared for the proposed Project (Balance Hydrologics, Inc. 2013):</p> <ul style="list-style-type: none"> • Bioretention basins • In-ground planters • Vegetated swales • Wet ponds • Sediment and debris control • Covered trash collection areas • Education and outreach • Regular street sweeping <p>The drainage plans shall be submitted to the San Benito County Public Works Department for review and approval prior to recordation of the first final map for the Project. The applicant shall provide sufficient documentation, to the County’s satisfaction, that the approved drainage plans have been properly installed. The County Public Works Department may conduct a site inspection to confirm installation prior to occupancy clearance.</p> <p>HWQ-3(b) Water Softeners. Self-regenerating water softener appliances (SRWS) shall not be installed in any structure on-site. A SRWS is defined as a water softening device that removes calcium and magnesium salts from water by using an ion-exchange resin utilizing sodium chloride during the ion-exchange process. The ion-exchange resin used in SRWS’s is recharged by using a sodium chloride brine solution which is subsequently discharged into the sewer system. Water softeners recharged by portable cartridges supplied by service providers where the brine solution resulting is not discharged into the sewer system shall be allowed.</p> <p>As a condition of approval of the amended vesting tentative tract map, water softeners shall be shown on plans submitted to the San Benito County Planning Department for review and approval. The prohibition of SRWSs shall be included in Covenants, Conditions and Restrictions (CC&Rs), and monitored by the two Home Owners Associations (AHOA and MHOA) with oversight by the County Planning Department. The Planning Department shall review site plans for compliance prior to issuance of building permits. County inspectors may inspect site for installation of permitted water softeners prior to occupancy of the structures.</p>	



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<p>Impact HWQ-4 As an alternative to the use of groundwater to serve the proposed Project's non-potable demands, the Project may include an increase in the use of CVP water on the Project Site. Impacts related to water quality from use of this water are considered Class III, less than significant. [Threshold number 6]</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact HWQ-5 A portion of the Project Site is located in an area subject to inundation should a failure of the San Justo Reservoir dam occur. Impacts are considered Class II, significant but mitigable. [Threshold number 9]</p>	<p>HWQ-5(a) Hazard Response Plan. A condition shall be imposed on the amended vesting tentative tract map for the Project that requires the applicant to prepare a hazard response plan for the Project Site in consultation with the Bureau of Reclamation, OES, and SBCWD. The hazard response plan shall include the following elements, consistent with Government Code Section 8589.5(b)(2):</p> <ul style="list-style-type: none"> • Delineation of the area of the Project Site subject to potential inundation; • Identification of evacuation routes and traffic control measures to be used; • Identification of shelters to be activated for the care of evacuees; • Methods for the movement of people without their own transportation, including those in the proposed assisted living/skilled nursing/memory care facility; • Identification of particular areas of facilities in the flood zones that would not require evacuation because of their location on high ground or similar circumstances; • Procedures for the perimeter and interior security of the area, including such things as passes, identification requirements, and anti-looting patrols; • Procedures for the lifting of the evacuation and reentry of the area; and • Details as to which organizations are responsible for the functions described in the plan and the material and personnel resources required, including financial responsibilities for implementing the plan. <p>The San Benito County Planning and Public Works Departments, the Bureau of Reclamation, OES, and SBCWD shall review and approve the hazard response plan prior to the recordation of the first final map for the Project to ensure compliance with applicable laws.</p> <p>HWQ-5(b) Dam Inundation Hazard Disclosure. A condition shall be imposed on the amended vesting tentative tract map for the Project that requires the applicant to place a note on the final</p>	<p>Less than significant.</p>



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	<p>maps and requires, upon any transfer of real property or rental agreements on the Project Site, that the transferor shall deliver to the prospective purchaser or tenant or a building within the dam inundation area a written disclosure statement that shall make all prospective purchasers or tenants aware that the building is located within a dam failure inundation hazard area. The disclosure shall include a copy of the approved hazard response plan required in mitigation measure MM HWQ-4(a) above.</p> <p>The disclosure shall be provided by the property transferor to purchaser(s) and/or tenant(s) upon the transfer of real property at issue and/or execution of lease(s) on the Project Site. Updated disclosure notifications shall be provided to existing owner(s) and tenant(s) of the Project as necessary if substantial new information regarding dam inundation at the site becomes available. Planning Department staff shall review and approve the form of disclosure statement prior to issuance of the first certificate of occupancy for a proposed residential unit.</p>	
LAND USE		
<p>Impact LU-1 The proposed Project would not conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental impact. Therefore, development of the Project would result in a Class III, less than significant, impact. [Threshold number 2]</p>	None required.	Less than significant.
NOISE		
<p>Impact NOI-1 Construction of the proposed Project would not significantly affect nearby off-site sensitive receptors (the nearest of which is approximately 1,600 feet from the Project Site). However, construction noise has the potential to adversely impact newly developed receptors (the nearest of which could be adjacent to construction activities) within the Project Site. For the off-site sensitive receptors, construction impacts would be less than significant. However, for those future on-site receptors, construction impacts are considered a Class I, significant and unavoidable impact. [Threshold numbers 1 and 4]</p>	<p>NOI-1(a) Construction Activity Timing. Restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours of 7:00 am and 7:00 pm. Construction-related noise-generating activities shall be prohibited on Sundays and federally-recognized holidays.</p> <p>NOI-1(b) Construction Equipment. Properly maintain construction equipment and ensure that all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds (if the equipment had such devices installed as part of its standard equipment package) that are in good condition and appropriate for the equipment. Equipment engine shrouds shall be closed during equipment operation. The developer shall require all contractors, as a condition of contract, to maintain</p>	Significant and unavoidable.



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Impact	Mitigation Measures	Significance After Mitigation
	<p>and tune-up all construction equipment to minimize noise emissions.</p> <p>NOI-1(c) Vehicle and Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.</p> <p>NOI-1(d) Stationary Equipment. All noise-generating stationary equipment such as air compressors or portable power generators shall be located as far as possible from sensitive receptors. Temporary noise barriers shall be constructed to screen stationary noise generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by 10 dBA.</p> <p>NOI-1(e) Construction Route. All construction traffic to and from the Project Site shall be routed via designated truck routes where feasible. All construction-related heavy truck traffic in residential areas shall be prohibited where feasible.</p> <p>NOI-1(f) Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near the construction activity.</p> <p>NOI-1(g) Construction Plan. Prior to issuance of any grading and/or building permits, the contractor shall prepare and submit to the County for approval a detailed construction plan identifying the schedule for major noise-generating construction activity.</p> <p>NOI-1(h) Disturbance Coordinator. A "noise disturbance coordinator" shall be designated by the contractor. The noise disturbance coordinator would be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.</p>	
<p>Impact NOI-2 Construction-related activities associated with the proposed Project would intermittently generate groundborne vibration on and adjacent to the Project Site. Due to the phasing associated with</p>	<p>NOI-2 Vibration Mitigation. Equipment used for vibration-generating construction activities shall be limited to 20 tons, and heavily-loaded trucks shall be routed away from sensitive receptors. Earth-moving equipment shall be operated as far from these uses as possible.</p>	<p>Significant and unavoidable.</p>



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
 and Significance After Mitigation**

Impact	Mitigation Measures	Significance After Mitigation
<p>development of the Project, this may affect existing receptors near the Project Site as well as proposed receptors on-site. While impacts to off-site receptors would be less than significant, construction activities could occur adjacent to on-site receptors and produce vibration levels that exceed thresholds of significance. Therefore, impacts would be Class I, significant and unavoidable. [Threshold number 2]</p>		
<p>Impact NOI-3 Occupants of off-site residences would be exposed to noise levels that could exceed applicable criteria as a result of Project-generated traffic on SR 156, Union Road, and San Juan Oaks Drive. Project-generated traffic on Union Road would have a significant and unavoidable (Class I) impact on exterior noise levels at these sensitive receptors, since available mitigation may not be feasible. [Threshold number 3]</p>	<p>NOI-3 Off-site Residence Exterior Noise Attenuation. Attenuation of exterior noise levels experienced at the existing residential units located adjacent to Union Road between SR 156 and Riverside Road (specifically those residences located within 100 feet of the roadway centerline) shall be provided to the extent feasible. This can be accomplished by constructing a solid berm between affected residences and the roadway, or via other methods recommended in a noise study to be prepared by an acoustical engineer and approved by the County. The implementation of these structural measures would reduce noise impacts below the applicable standards; however, the measures would require the cooperation of the existing residents and/or private property owners. It should also be noted that the affected residences have driveways on Union Road, and implementing structural measures may limit access. In the event that these entities choose not to grant permission to implement these measures or the possible recommendations of an acoustical engineer, this mitigation would be considered infeasible.</p>	<p>Significant and unavoidable.</p>
<p>Impact NOI-4 The proposed residential, commercial, recreational, and resort uses would be subject to operational noise generated from existing uses (adjacent industrial, agricultural, and golf course uses) and from other proposed on-site uses. Noise generated by the existing adjacent agricultural and golf course uses, and by proposed uses on the site, would not exceed applicable County standards. Impacts would be considered Class III, less than significant. [Threshold number 1]</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact NOI-5 Occupants of the proposed on-site residences would not be significantly affected as a result of the cumulative traffic associated with the proposed Project. Existing off-site residences along SR 156 and Union Road would be</p>	<p>Mitigation Measure NOI-3 under Impact NOI-3 would be required.</p>	<p>Significant and unavoidable.</p>



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
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Impact	Mitigation Measures	Significance After Mitigation
<p>exposed to noise levels that could exceed applicable criteria a result of cumulative and Project-generated traffic from SR 156, Union Road, and San Juan Oaks Drive. Therefore, under cumulative conditions, Project-generated traffic on SR 156, Union Road, and San Juan Oaks Drive would have a significant and unavoidable (Class I) impact on noise levels at sensitive receptors along SR 156 and Union Road, since mitigation may not be feasible. [Threshold numbers 1 and 3]</p>		
PUBLIC SERVICES		
<p>Impact PS-1 Implementation of the proposed Project would result in a new service population that would require police protection services from the San Benito County Sheriff's Department. This increase in service population would require additional police staff and vehicles in order to maintain acceptable service levels. However, the additional police enforcement staff and equipment required to serve the proposed Project would not trigger the need to construct new police facilities or altered facilities. In addition, the Project proposes to include a funding mechanism which may be used to pay for additional personnel, which would be housed at existing facilities (thus not triggering the need to construct new or expand existing facilities). Therefore, this is a Class III, less than significant impact. [Threshold number 1]</p>	None required.	Less than significant.
<p>Impact PS-2 Implementation of the proposed Project would increase the service population for the City of Hollister Fire Department and the American Medical Response (AMR), creating a commensurate increase in the demand for Fire Department personnel and equipment. However, the Project proposes to include a funding mechanism which may be used to pay for additional personnel, which would be housed at existing facilities (thus not triggering the need to construct new or expand existing facilities). In addition, the Project applicants have incorporated into their proposal an offer of dedication to</p>	None required.	Less than significant.



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
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Impact	Mitigation Measures	Significance After Mitigation
<p>the County for an approximately two-acre site (consistent with the 2003 project conditions of approval), as a potential future site for an additional fire station or other public safety facility. Therefore, impacts related to fire protection are a Class III, less than significant impact. [Threshold number 1]</p>		
<p>Impact PS-3 Implementation of the proposed Project would generate an estimated total of approximately 35 elementary, middle and high school students. Students generated by the Project would attend either San Juan School or Anzar High School, neither of which would be required to operate above capacity as a result of the Project. Therefore, implementation of the proposed Project would not require construction of new or expanded educational facilities. Impacts to schools would be Class III, less than significant. [Threshold number 1]</p>	None required.	Less than significant.
<p>Impact PS-4 Implementation of the Project would generate additional demand for parkland, and the Project would be required to adhere to the County's parkland requirements including the development of the required park acreage and/or payment of applicable in-lieu fees. The Project would develop approximately 17 acres of public parkland in addition to trails and Class 2 bicycle lanes as well as private recreational facilities. Construction of new parkland may result in footprint impacts; however, those impacts have been evaluated as part of the proposed Project and are addressed throughout the applicable sections of this SEIR. Therefore, the Project would result in Class III, less than significant, impacts related to park demand and associated footprint impacts. [Threshold numbers 2 and 3]</p>	None required.	Less than significant.
<p>Impact PS-5 Implementation of the proposed Project would result in a new service population that may utilize the County library. However, this increase in service population would not trigger the need to construct new library facilities or</p>	None required.	Less than significant.



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
 and Significance After Mitigation**

Impact	Mitigation Measures	Significance After Mitigation
altered library facilities. Therefore, this is a Class III, less than significant impact. [Threshold number 1]		
TRANSPORTATION AND CIRCULATION		
<p>Impact TRF-1 The proposed Project would increase traffic levels at study intersections under Existing plus Project conditions and exceed established measures of effectiveness at four of the eleven study area intersections. Mitigation is required for three of the four intersections, and would reduce impacts to two intersections to a less than significant level. However, impacts at Union Road-Mitchell Road and SR 156 (Intersection #5) would remain Class I, <i>significant and unavoidable</i>. [Threshold numbers 1 and 2]</p>	<p>TRF-1(a) Union Road-Mitchell Road and SR 156 (Intersection #5). Prior to issuance of each building permit, the applicant shall pay the applicable Regional Traffic Impact Mitigation Fee (TIMF) to the County of San Benito as a fair share contribution toward the SR 156 widening project. The TIMF for the SR-156 widening project has been calculated as part of the Transportation Impact Fee Nexus Study completed by the Council of San Benito County Governments (2011). Based upon this study, the applicable fee will be \$5,233 per residential unit and \$3,395/1000 s.f. of commercial development within the Project Site.</p> <p>Monitoring: Compliance shall be monitored by the County Planning Department.</p> <p>TRF-1(b) Union Road and San Juan Oaks Drive (Intersection #8). At such time when construction related traffic is anticipated to reach 158 vehicles trips (the MUTCD peak hour volume signal warrant for this intersection), the applicant shall install a signal at the intersection, which would accommodate efficient ingress and egress for construction-labor traffic, construction heavy vehicles, and operation-related traffic, both in the peak and off peak hours.</p> <p>Monitoring: Compliance shall be monitored by the County Planning Department.</p> <p>TRF-1(c) SR 25-Airline Highway and Union Road (Intersection #11). Prior to issuance of the first occupancy permit for the Project, the applicant shall add an eastbound right-turn lane from Union Road onto southbound Airline Highway (SR 25). However, this intersection falls under Caltrans jurisdiction and the County cannot control issuance of the required permit. The applicant shall commence design of the improvement immediately following project approval and work diligently in collaboration with Caltrans and the County to obtain the permit required to authorize construction of this improvement. This improvement is included in the TIMF.</p> <p>Monitoring: Compliance shall be monitored by the County Planning Department.</p> <p>TRF-1(d) Construction Traffic. At the start of grading, the applicant shall have developed, in close collaboration with the County Public Works</p>	<p>Significant and unavoidable.</p>



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
 and Significance After Mitigation**

Impact	Mitigation Measures	Significance After Mitigation
	Director, a Construction Management Plan that would include industry, Caltrans (Caltrans Standard Plans and 2014 MUTCD), and County standards for managing construction traffic to and from the site. Measures to manage construction traffic could include warning signs per 2014 MUTCD requirements, flag men, and scheduling deliveries outside the AM and PM peak hours. This Traffic Management Plan shall also include the construction of a temporary signal or the permanent signal in Mitigation Measure TRF-1(b) at Intersection #8.	
Impact TRF-2 Implementation of the Project would add traffic to nearby freeway segments under Existing plus Project conditions. However, the Project-added traffic would not exceed established measures of effectiveness by causing unacceptable freeway segment levels of service. Impacts would be Class III, <i>less than significant</i> . [Threshold numbers 1 and 2]	None required.	Less than significant.
Impact TRF-3 The proposed Project would increase traffic levels at study intersections under Background plus Project conditions and would exceed established measures of effectiveness at four of the eleven study area intersections. Mitigation is required for three of the four intersections, and would reduce impacts to two intersections to a less than significant level. However, impacts at Union Road-Mitchell Road and SR 156 (Intersection #5) would remain Class I, <i>significant and unavoidable</i> . [Threshold numbers 1 and 2]	Mitigation Measures TRF-1(a) through TRF-1(c) under Impact TRF-1 would be required.	Significant and unavoidable.
Impact TRF-4 Implementation of the Project would add traffic to nearby freeway segments under Background plus Project conditions. However, the Project-added traffic would not exceed established measures of effectiveness by causing unacceptable freeway segment levels of service. Impacts would be Class III, <i>less than significant</i> . [Threshold numbers 1 and 2]	None required.	Less than significant.
Impact TRF-5 Implementation of the Project would increase traffic levels at study intersections under Cumulative plus Project conditions and would exceed established measures of effectiveness at three of the eleven	TRF-5 Bixby Road and SR 156-San Juan Road (Intersection #4). The applicant shall pay a fair share contribution toward the cost of installing a signal at this intersection. Because the Project would contribute approximately 7 percent of the traffic growth at this intersection, the Project's fair	Significant and unavoidable.



**Table ES-1
 Summary of Environmental Impacts, Mitigation Measures,
 and Significance After Mitigation**

Impact	Mitigation Measures	Significance After Mitigation
study area intersections. Impacts to one of the intersections would be mitigated to a less than significant level. However, impacts at two intersections would remain Class I, <i>significant and unavoidable</i> . [Threshold numbers 1 and 2]	share contribution is 7 percent of the total cost of the improvement. Plan Requirements and Timing: Prior to final map recordation, the applicant shall submit an agreement for provision of traffic mitigation fees, which will be a fair share payment of the cost of installing the signal. The fair share contribution shall be paid prior to Project occupancy. Monitoring: Compliance shall be monitored by the County Planning Department.	
UTILITIES AND SERVICE SYSTEMS		
Impact U-1 Existing entitlements to produce groundwater from the San Juan Subbasin and the projected ground water supply available from the San Juan Subbasin would be adequate to service both the Project's individual demands as well as the cumulative demand from the Project and other past, present, and reasonably foreseeable future uses in the San Juan Subbasin. Impacts related to groundwater supplies and net aquifer volume would therefore be Class III, less than significant. [Thresholds number 2 and 3]	None required.	Less than significant.
Impact U-2 The proposed Project would generate an estimated 0.16 million gallons of wastewater per day, which could be accommodated within the existing capacity of the City of Hollister's Water Reclamation Facility. Impacts would be Class III, less than significant. [Thresholds number 4 through 6]	None required.	Less than significant.
Impact U-3 The amount of solid waste that would be generated during construction and operation of the proposed Project would not exceed the available capacity of the landfill serving the site. Impacts would be Class III, less than significant. [Thresholds number 7 and 8]	None required.	Less than significant.



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