

**INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION**

for the

**SAN BENITO COUNTY
HOUSING ELEMENT UPDATE**

Prepared for

**County of San Benito
Planning Department
3224 Southside Road
Hollister, CA 95023**

October 2009

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I. Project Data

1. **Project Title:** San Benito County Housing Element Update
2. **Lead Agency Name and Address:** San Benito County Planning and Building Inspection Services, 3224 Southside Road, Hollister, CA 95023-9174
3. **Contact Person and Phone Number:** Art Henriques, Director (831) 636-1763
4. **Project Proponent:** San Benito County
5. **Project Location:** The San Benito County 2007-2014 Housing Element applies to all residential zoning districts within San Benito County. Figures 1 and 2, Regional and Vicinity Maps, show the residential zoning districts within San Benito County.
6. **Project Description:** The County is required to update its Housing Element as part of the General Plan update and every 5 years as required by the Department of Housing and Community Development. This update is a response to this requirement. The substantive requirements for a housing element are set forth in Article 10.6 and Section 65583 of the California Government Code.

II. Project Description

Introduction

This Initial Study has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA). The purpose of an Initial Study is to determine whether the proposed project could significantly affect the environment, requiring the preparation and distribution of an Environmental Impact Report. Based on the following analysis, it appears that the environmental impacts of the project will be less-than-significant.

Project Location

San Benito County is located in the California Coastal Range, containing portions of the Gabilan and Diablo Mountain Ranges. The San Andreas and Calaveras Earthquake Faults traverse the County from south-east to north-west and have helped define the valleys between the mountain ranges. The County is located at the southern tip of the San Francisco Bay Area, is immediately south of Santa Clara County and east of Monterey County (Figure 1). San Benito County has a total land area of 1,389 square miles and population of 57,784. The County contains two incorporated cities, both located in the north-west portion of the County (Figure 1).

Project Description

The project is the update to the County of San Benito's General Plan Housing Element, referred to herein as the "project," "Housing Element," or "Element." State law requires every city and county to adopt a general plan containing at least seven mandatory elements (chapters). One required element is the housing element, which must be updated every five years. The County's updated Housing Element covers the planning period of 2007 to 2014. The purpose for requiring local housing elements is to ensure that each jurisdiction provide its fair share of regional demand for housing. The State of

California Department of Housing and Community Development (HCD) allocate regional shares of statewide housing needs. These allocations are provided to a region’s Council of Government (COG), which determines each jurisdiction’s fair share contribution. The San Benito County Council of Governments (SCOG) encompasses the cities of Hollister and San Juan Bautista and the unincorporated areas of San Benito County. SCOG indicates each jurisdiction contribution through the creation of a Regional Housing Need Allocation (RHNA). The RHNA for the period of 2007-2014 for the SCOG region is 4,754 new housing units. Table 1 indicates the unincorporated County of San Benito’s fair-share contribution.

TABLE 1
UNINCORPORATED SAN BENITO COUNTY RHNA 2007

Income Group	% of County Area Median Income	2007 Total Housing Units allocated	Percentage of Units
Extremely Low/Very Low	0-50%	364	22%
Low	51-80%	282	17%
Moderate	81-120%	331	20%
Above Moderate	120% and above	678	41%
Total		1,655	100%

SOURCE: SAN BENITO COUNTY REGIONAL HOUSING NEEDS PLAN, 2008

State law requires that all housing elements address four key topics: needs, constraints, resources, and planning. Analysis of these topics provides the foundation for the preparation of a housing element. The San Benito County Housing Element profiles community demographics and examines housing needs of various demographic groups, including owner versus renters, lower-income households, overcrowded households, the elderly, special needs groups, and the homeless, among others. This information is detailed in the Element.

The Housing Element also identifies constraints on the production of new housing, including governmental, environmental, and market constraints. By identifying these constraints, the County recognizes possible barriers to housing development and can adopt policies and programs in the Housing Element to remove or significantly reduce those barriers. The San Benito County Housing Element identifies the following circumstances that may act as barriers to development:

- Steep slopes, flood zones, and fire hazards on residentially zoned parcels;
- High land and material costs;
- Limited infrastructure and funding of capital improvements for traffic, water supply, and wastewater disposal;
- Requirement of 30 percent affordable units in developments of 21 or more units; and
- Density and development restrictions in residentially zoned parcels, specifically agricultural zones where residential development is permitted.

The inventory of sites for regional housing needs portion of the Element focuses on those opportunities available for the County to accommodate and facilitate State law. The most critical component is the sites

inventory, which examines locations available to support new housing for persons on all income categories.

The Housing Element covers the time period 2007-2014, and to date the County has provided 451 units, credited towards its RHNA. Table 2 indicates the number of credited units and the balance of units to be met under each income category. Credits include units constructed, units approved, and units proposed.

TABLE 2
CREDIT TOWARDS RHNA

	Income Level				Total
	Very Low	Low	Moderate	Above Moderate	
RHNA	364	282	331	678	1,655
Credits	37	8	37	303	385
Balance	327	274	294	375	1,270

The Housing Element indicates the County has been credited for 385 units; therefore, the County is required to provide opportunities for an additional 1,270 units by 2014. In accessing available inventory for residential sites, the Element considers vacant properties, conceptual development plans, and mixed-use areas. The analysis concludes additional land is needed to be re-zoned to accommodate the remaining RHNA objective, as summarized in Table 3.

TABLE 3
INVENTORY AND RHNA COMPARISON

	Income Level				Total
	Very Low	Low	Moderate	Above Moderate	
Current RHNA	327	274	294	375	1,270
Inventory of Vacant and Underutilized properties	197	197	102	153	649
Balance	130	77	192	220	619

The remaining need of 619 units will require additional sites within the County to be re-zoned to residential uses to accommodate these units. The Element found that 13.9 acres will need to be re-zoned Rural Multiple (RM) and an additional 53.4 acres will need to be re-zoned to Single-Family Residential (R1) to accommodate the remaining 619 RHNA units. The potential sites that could be re-zoned and/or re-designated are described in Table 4 and depicted in Figures 5, 6 and 7. The amount of units per site provided in Table 4 were estimated by County staff based on analysis of site size, constraints, and realistic capacity. The methodology used by County staff for these estimations is provided below. The amount of units that can be provided by these potential housing sites are approximate only and based on

density and development standards for the RM and R1 zones; actual housing unit numbers will vary depending on each project proposal.

TABLE 4
POTENTIAL HOUSING SITES

Site	Acres	Current Zoning	Future Zoning	Income Level				Total
				Very Low	Low	Moderate	Above Moderate	
Area B – Enterprise Road (Figure 5)	52.7	RR	RM	83	87	51		221
East of Fairview (Figure 6)	120.4	RT and R	R1 and RM	367	382	318	140	1,207
North of Hospital Road (Figure 7)	34	AP	R1			50	76	126
Total*				450	469	419	216	1,554

* Based on estimations provided in Table 6-7 of the Element in realistic estimations for R1 and RM zones. These numbers are approximate and do not represent future plans of the General Plan or zoning amendment which will be required for higher density residential buildout on these sites.

Potential Housing units affordable at various income levels are based on calculations identified in Chapter 6 of the Element of the potential percentages for very low, low, moderate, and above moderate based on proposed densities of future zoning district. 60 percent of R1 sites are counted toward above-moderate households, while 40 percent of these sites are assumed to be affordable to the upper half of moderate-income households. 37.7 percent of RM sites are counted toward very-low-income households, 39.2 percent are counted toward low-income households, and 23.1 percent are counted toward the lower-income half of moderate-income households.

County staff selected these potential housing sites on the basis of suitability, existing General Plan policy, and direction from the County Board of Supervisors. Area B (Figure 5) near Enterprise Road is a rural/urban property that would require only a zone change from Rural Residential (RR) to Rural Multiple (RM). The site East of Fairview (Figure 6) would require not only a zone change from Rural Transitional (RT) or Rural (R) to RM or R1, but also a General Plan amendment to facilitate development affordable to identified income categories. The third site, North of Hospital Road (Figure 7), was identified by the Board of Supervisors in their meeting July 7, 2009, as having potential for residential development. The Board directed staff to consider and include this site in the Housing Element as a potential site for residential development. This site would require not only a zone change from Agricultural Productive (AP) to R1, but also a General Plan amendment from Agricultural Productive to a residential land use.

The Element summarizes key financial opportunities available to assist in the production, revitalization, or obtainment of affordable housing as follows:

- Home Investment Partnership Program (HOME);
- Office of Migrant Services (OMS) funds for seasonal/farmworkers;
- Community Development Block Grant (CDBG);
- Community Services Block Grants (CSBG);
- Emergency Housing and Assistance Programs (EHAP);
- Federal Emergency Shelter Grants (FESG);

- Emergency Food and Shelter Program (EFSP); and
- Low-Income Heating & Energy Assistance Program (LIHEAP).

The Housing Plan section of the Element, based on the analysis provided in the needs, constraints, and resources sections, establishes the goals, policies, and programs that will guide the County decision-making on housing issues. The Housing Plan is the crux of the project and provides the foundation for environmental review. The goals, policies, and programs of the Housing Plan are intended to promote the production of housing, which may result in environmental effects based on the nature of residential development. The goals and policies of the Housing Plan are:

Goal 1.0 Availability of Housing

- Policy 1.A The County shall continue to enforce the provisions of its Inclusionary Housing Ordinance (No. 766 or its successor).
- Policy 1.B The County shall ensure that housing is affordable to extremely low, very low, low, and moderate-income families and members of the local workforce (e.g. teachers, fire and police, farmworkers).
- Policy 1.C The County shall annually assess the potential options for local, state, and federal funding for affordable housing programs for low-income families and some moderate and above moderate-income families.
- Policy 1.D The County shall annually review and expand ongoing housing and related programs that are currently in place within the County.
- Policy 1.E The County shall encourage employers developing large projects to provide housing opportunities for their employees on-site or off-site.
- Policy 1.F The County shall promote a “fair share” of well-designed affordable and varied housing.
- Policy 1.G The County shall protect the existing stock of affordable housing.
- Policy 1.H The County shall establish resale controls and rent and income restrictions to ensure that affordable housing provided through incentives and/or inclusionary programs is utilized to maintain long-term affordability.
- Policy 1.I The County shall actively promote the development and rehabilitation of housing to meet the needs of special needs groups including the needs of seniors, people with disabilities, farmworkers, the homeless, people with HIV/AIDS, people in need of mental health, single parent families, large families, and other persons identified as having special housing needs.

Goal 2.0 Development of Housing

- Policy 2.A The County shall encourage and assist the construction of a variety of housing types with varying densities and prices, for both sales and rental that are affordable to all income groups, particularly very low income and special needs groups.
- Policy 2.B The County shall continue to approve developments that provide housing for all income groups where consistent with Inclusionary Housing Ordinance (No. 766 or its successor) and the County Housing Element.
- Policy 2.C The County shall assure that new housing efficiently uses land and causes minimum environmental impact.
- Policy 2.D The County shall encourage private builders and developers to participate in federal, state, or other programs that assist in providing and maintaining housing affordable to all income groups and special needs groups.

- Policy 2.E The County shall participate, whenever eligible, in federal, state, or other programs that assist in providing and maintaining housing affordable to all income groups and special needs groups.
- Policy 2.F The County shall assist and cooperate with non-profit housing development corporations and self-help housing sponsors.
- Policy 2.G The County shall continue to work cooperatively with neighboring cities, and the Association of Monterey Bay Area Governments (AMBAG) to ensure that the County plans for its “fair share” of housing needs.
- Policy 2.H The County shall cooperate with and seek the advice of developers, builders, financial institutions, community groups, nonprofit agencies, and interested citizens on housing needs and the solutions to housing problems.
- Policy 2.I The County shall ensure that there is sufficient land zoned for a variety of housing types, residential densities, and housing prices that will meet the needs for projected growth while providing flexibility on the identification of housing sites.
- Policy 2.J The County shall review homeless needs and participate in coordinated programs to meet identified needs.
- Policy 2.K The County shall provide emergency housing for the health and safety of San Benito County residents.
- Policy 2.L The County shall require, through specific plans, neighborhood design standards and development review, a mix of housing types, densities, designs, and prices/rents in each planning area where land is available.
- Policy 2.M The County shall disperse lower, moderate, and higher cost housing throughout the County, each planning area and each subdivision where feasible due to the availability of land and adequate service facilities.
- Policy 2.N The County shall work cooperatively with the Cities of Hollister and San Juan Bautista to develop and implement coordinated and compatible housing policies and programs.
- Policy 2.O The County shall assist where possible with the removal of infrastructure constraints for the provision of waste water and water service.
- Policy 2.P The County shall annually review the availability of sites where public services are accessible or may be provided to facilitate and encourage the development of a variety of types of housing for all income levels consistent with the County's identified need and fair share responsibilities.
- Policy 2.Q The County shall encourage appropriately designed second units as a means of developing small, affordable units.
- Policy 2.R The County shall use land efficiently to encourage a diversity of housing types and to implement “smart” and sustainable development principles.
- Policy 2.S The County shall continue to develop appropriate solutions to meet farmworker housing needs and support efforts and provide assistance to providing temporary or permanent affordable farmworker housing.

Goal 3.0 Maintenance of Housing

- Policy 3.A The County shall continue rehabilitation of substandard residential units using federal and state subsidies for low and moderate-income households.
- Policy 3.B The County shall continue code compliance by the Building Inspection Division and other appropriate agencies of the Building, Electrical and Fire Codes; and Health and Safety Regulations.
- Policy 3.C The County shall continue to require the replacement of unsafe or dilapidated housing units.

- Policy 3.D The County shall periodically survey housing conditions to identify substandard residential units.
- Policy 3.E The County shall help preserve legally constructed housing stock and expand opportunities for affordable rental housing in San Benito County where there is not a risk to the general health and welfare from septic systems.
- Policy 3.F The County shall place a high priority to conserve and improve the condition of the existing affordable housing stock, investigating means to improve substandard housing and to maintain safe living conditions for all types of dwellings.

Goal 4.0 Equal Opportunity in Housing

- Policy 4.A The County shall ensure that all laws and regulations prohibiting discrimination in lending, the sale of homes, and rental practices are enforced.
- Policy 4.B The County shall promote housing programs that maximize equal opportunity and avoid economic segregation.
- Policy 4.C The County shall support housing discrimination case processing and enforcement of Fair Housing laws through the State Department of Fair Employment and Housing.
- Policy 4.D The County shall assess housing programs to assure equal opportunity in housing.
- Policy 4.E The County shall address the housing needs of special groups within the County including large families, female-headed households, farmworkers, the elderly, the homeless, and the handicapped.
- Policy 4.F The County shall allow the development of special needs housing to stimulate construction of housing of special needs group homes (assisted living for seniors, handicapped, farmworkers, the homeless, and the disabled) with a use permit.
- Policy 4.G The County shall annually evaluate the needed homeless emergency/transitional facilities in the unincorporated area and/or through interagency agreements with the Cities of Hollister and San Juan Bautista.

Goal 5.0 Energy Conservation

- Policy 5.A The County shall require energy-conserving construction, as required by state law.
- Policy 5.B The County shall encourage innovative site designs and orientation techniques, which incorporate passive and active solar designs and natural cooling techniques.
- Policy 5.C The County shall promote a weatherization and retrofit program for existing housing units that fall below current state performance standards for energy efficiency.
- Policy 5.D The County shall promote opportunities for use of solar energy by assuring solar access. The County shall pursue all avenues of solar access and energy conservation currently provided by California law and shall consider a local ordinance to further promote energy conservation.
- Policy 5.E The County shall promote energy efficient land use planning by incorporating energy conservation as a major criterion for future decision making.
- Policy 5.F The County shall promote energy conservation through education and outreach programs.
- Policy 5.G The County shall require solar access to be considered in environmental review and/or decision-making for all subdivisions.

The project includes various implementation programs to meet the provision of its goals and policies. Key programs for environmental analysis include the following:

- Program 1-9 As established by Senate Bill No. 2 (Chapter 633, Statutes of 2007), Government Code Section 65583(a)(4) requires a local government to identify in its Housing Element a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The County is currently considering allowing emergency shelters as a permitted use in the R1 and RM zoning districts. The lands within the R1 and RM zones of the County have sufficient capacity to allow at least one year-round emergency shelter. Upon further consideration and analysis the County will select one or both of these zones to accommodate the need for emergency shelter in accordance with Senate Bill No. 2.
1. The County shall amend the Zoning Ordinance to allow emergency shelter, transitional housing, and supportive housing that shall be treated as residential uses and subject to only those restrictions on uses in the same zone.
 2. In order to comply with SB2, the words “by right” shall be added to clearly indicate emergency shelters are allowed by right in the selected zoning district(s) without any discretionary approval.
- Program 2-1 The County shall continue to cooperate with and advise developers in the use of the County’s Density Bonus Incentive Program as contained in Inclusionary Housing Ordinance (No. 766 or its successor). Bonus incentives are available to developers for including affordable units in their projects. Additionally, the County shall establish as one such incentive priority processing of development projects that establish a substantial amount of housing to be made affordable to very-low-, low-, and moderate-income households. Priority in these projects shall be granted in processing subdivision applications, building permits, plan-checking, building inspections, and other steps in the process from project proposal to building occupancy.
- Program 2-6 San Benito County intends to use its existing allocation from the California Housing Finance Agency (CalHFA) of Prop 63, Mental Health Services Act (MHSA) funds to provide housing to extremely low-income individuals and households. The San Benito County Behavioral Health Department in conjunction with the County Housing and Economic Development Department intends to work with a local non-profit affordable housing developer to utilize the allocated (MHSA) funds to acquire and/or rehabilitate single-family and/or multi-family residential property to create a permanent shared housing environment to serve the extremely low-income target population. With a total allocation of \$878,600 and a declining real estate market, it is the County’s estimation that possibly two separate single family residential properties and/or multi-family units can be acquired and/or rehabilitated.
- Program 2-7 The Community Services and Workforce Development (CSWD) Department who oversees the San Benito County Farmworker Migrant Center applied and received grant funds from the California Office of Migrant Services (OMS) during the prior program period. San Benito County received a grant of 2 million dollars in 2006 for the future remodel of Bunkhouse #300 located at the County Farmworker Migrant Center. Funding received for FY 2008/2009 totaled \$346,000. The San Benito County Community Services and Workforce Development (CSWD) Department is currently working with the Office of Migrant Services (OMS) to oversee a remodel of an additional Bunkhouse (Bunkhouse #300) located at the County Farmworker Migrant Center which is scheduled to be completed by June, 2010. Bunkhouse # 300 is proposed to add 22 additional group rooms (housing units) to expand total capacity from 46 to 68 total group rooms (housing

units). The County Farmworker Migrant Center would increase its capacity to serve up to 272 individuals for farmworker housing between Bunkhouse #100, Bunkhouse #200, and Bunkhouse #300.

- Program 2-13 Amend the Growth Management Ordinance (No. 733) to direct growth toward existing urbanized areas and to make further encouragement of affordable housing development.
1. Add to the ordinance an exemption for development that connects to public water lines and wastewater treatment facilities.
 2. Add to the ordinance an exemption for developments with at least 50 percent of the housing units as affordable with a range of affordability.
 3. Add to the ordinance an exemption for development permitted under development agreements, with preference given toward agreements that include a substantial component of housing made affordable to very-low-, low-, and moderate-income households.
 4. Expand the ordinance's point-rating system to grant points to any non-exempt project that proposes housing made affordable to very-low-, low-, and moderate-income households, as opposed to the current reward granting points for developments with 30 percent or more affordable housing.
- Program 2-14 Amend the Inclusionary Housing Ordinance (No. 766) to add greater flexibility and incentives to existing policies. Some of the key proposed amendments may include:
1. Lowering the Inclusionary housing requirement from 30% to 20%.
 2. Revising in-lieu fee calculation to be based on the total cost of development of housing, as opposed to the difference between market rate and affordable housing costs.
 3. Allowing a housing ratio mix based on needs assessment. Allowing the housing ratio mix for rental and/or for-sale inclusionary units to be determined on a case-by-case basis and set forth in the Affordable Housing or Development Agreement as approved by the Board.
- Program 2-15 To accommodate growth in the unincorporated County based on recent population projections and housing need, the County shall designate additional acreage for Residential Multiple (RM) zoning Single-Family Residential (R1) zoning districts in the following amounts:
1. Designate 10.0 additional acres for Residential Multiple (RM) zoning to satisfy housing need for very-low-income households and for and low-income households. Of this acreage, at least 50 percent shall be reserved for only those uses that are allowed in the RM zoning district and shall not be subject to overlay zoning that would permit other uses, whether conditionally or ministerially. In addition, acreage designated under this category shall be required to develop at the zoning district's maximum density, or higher with the granting of an inclusionary-housing density bonus or other mechanism allowing additional density for the primary purpose of encouraging availability of housing affordable to very-low- and low-income households.¹
 2. Designate 3.9 additional acres for Residential Multiple (RM) zoning to satisfy housing need for the lower-income half of moderate-income households.
 3. Designate 53.4 additional acres for Single-Family Residential (R1) zoning to satisfy housing need for the upper-income half of moderate income households and for above-moderate income households.

¹ In compliance with State Government Code §65583.2(h).
IS/ND

III. Environmental Factors Potentially Affected

The environmental factors identified below are discussed within **Section V. Evaluation of Environmental Impacts**. Sources used for analysis of environmental effects are cited in parenthesis after each discussion, and are listed in **Section VI. References**.

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

IV. Determination

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

date

V. Evaluation of Environmental Impacts

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

- a) The significance criteria or threshold, if any, used to evaluate each question; and
- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

1. Aesthetics

Environmental Setting

The location of the known and probable sites for new housing to meet San Benito County’s regional housing need are listed in Table 6-4 and Table 6-5 of the Housing element and depicted in Figure 4 of this Initial Study. The proposed Housing Element programs will not alter the location or physical appearance of previously approved developments. The Scenic Element of the General Plan identifies areas as having unique scenic values in the County.

Program 2-15 directs the County to re-zone and re-designate 13.9 acres to Residential Multiple (RM) and 53.4 additional acres for Single-Family Residential (R1). Potential areas in the County for re-zoning identified in the Housing Element are listed in Table 4 above and depicted in Figures 5, 6, and 7. Future projects will be located away from State Scenic Highways, scenic areas including hillsides, rock outcroppings, and oak woodlands.

Environmental Impacts

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

Explanation

- a) **Less-than-Significant Impact.** The General Plan Scenic Roads and Highways Element identifies scenic roads within the County and the lands within the corridor of the scenic roads as areas to be protected for their scenic value. Policies of the General Plan aim to maintain the rural atmosphere of the County to restrict development within viewsheds of scenic corridors. The Housing Element identifies 518 acres of land that has the potential for residential development. Portions of the land identified for residential development are located on steep slopes. Development in these areas may be visible due to topography or building height. Development projects in the County are subject to review and approval by the Planning Commission and/or Board of Supervisors. The Planning Commission and Board of Supervisors hold public hearings and apply conditions to entitlements to ensure that community design elements of a project implement General Plan policies and are compatible with the character of the immediate surrounding area. Implementation with General Plan policies meant to protect scenic resources will ensure impacts to scenic vistas will be less than significant. (1)

- b) **No Impact.** The County’s General Plan identifies State Scenic Highways 101, 129 and 146. None of the areas for potential residential development are located within these scenic corridors. No impact will occur. (1)
- c) **Less-than-Significant Impact.** The Conservation and Open Space of the General Plan establishes policies to protect the visual quality of open space that includes direct development to urban areas, require specific plans for community growth, enforce open space overlays, protect ridgelines from development, and protect the rural atmosphere and natural resources. Criteria have been established to insure that projects within open space areas are reviewed for these objectives. The Housing Element will not contradict the policies established under the Open Space Element of the General Plan. As stated above in Section 5.a. above, development is subject to discretionary review and approval by the County to ensure the projects implement the County’s community design principles and are consistent with public expectations. (1)
- d) **No Impact.** New lighting for development projects including the construction of new homes and accessory buildings can add nighttime glare to potential project site and surrounding properties. In order to address potential aesthetic related impacts associated with increased lighting, the County adopted a Dark Sky ordinance to regulate outdoor lighting. The Dark Sky ordinance is enforced to minimize light pollution, glare, light trespass, conserve energy, and resources while maintaining night-time safety, utility, security, and curtail the degradation of the night time light environment. All new housing developments within the County will be required to meet the requirements of the County Dark Sky Ordinance No.748, and therefore will result in a less-than-significant impact to light and glare. (1, 3)

2. Agricultural Resources

Environmental Setting

In California, agricultural land is given consideration under CEQA. The Department of Conservation monitors the conversion of farmland using its Farmland Mapping and Monitoring Program (FMMP). According to Public Resources Code §21060.1, “agricultural land” is identified as prime farmland, farmland of statewide importance, or unique farmland, as defined by the U.S. Department of Agriculture (USDA) land inventory and monitoring criteria modified for California. CEQA also requires consideration of impacts to land under Williamson Act contract. Portions of northern county are mapped as prime farmland according to the FMMP. Soils in the San Juan Valley and fertile basin north of Hollister are mapped as Grades 1, 2, and 3 in the Soils Survey of San Benito County. These areas and surrounding lands have historically been used for farming of row crops, fruits, and nuts. Agricultural Land Use Policies 1 and 2 of the County’s General Plan allow the development of low intensity residential uses on agricultural lands at a minimum lot size of 5 acres, and Policy 3 makes the protection of Grade 1 soils the highest priority for protection.

Environmental Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Resources Agency, to non-agricultural use?					
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

a) **Less than Significant Impact.** The Housing Element identifies 518 acres of areas for potential residential development. Sites identified in Table 6-4 of the Housing Element, Vacant and Underutilize land, have been previously approved or planned for residential development. Some of these lands may contain farmland mapped as prime, unique or of statewide importance. Future residential development on these lands may result in the conversion of prime, unique, or statewide important farmland. This analysis is based on assumptions and estimates contained in the Housing Element, at the time an application is submitted, plans will be reviewed and considered if consistent with the County’s General Plan policies to protect and conserve prime farmland and may also be subject to additional review. (1, 4, 5)

The 34-acre site North of Hospital Road identified in the Housing Element contains prime farmland (Figure 7), as does portions of the 52.7-acre site identified as Area B along Enterprise Road (Figure 6). Area B also contains lands identified as unique farmland, as identified by the County Important Farmlands Map. Future residential development could result in the conversion of unique farmland to non agricultural use on these sites and could be considered a significant impact under CEQA. At this time, there is no project application under review that would allow for a meaningful analysis of conversion of agricultural resources. Prior to residential development on the sites identified in Table 4 above and Program 2-15, further environmental review would be required for the General Plan and zoning changes for each site, and further environmental review once a project application and plans for development are received by the County. Adherence to County development review process and policies regarding protection of agricultural resources will ensure impacts to agricultural resources are less than significant. (1, 4, 5)

b) **Less-than-Significant.** Implementation of the Housing Element may lead to new residential development on sites identified in the Housing Element. Some of these sites are zoned for agricultural uses, and as a result of the implementation of the Housing Element, specifically Program 2-15, there could potentially be a change from agricultural productive zoning designation on the North of Hospital Road site (Figure 7) to a non-agricultural designation. Further environmental review would be required for a General Plan Amendment or zone change from agricultural use to residential use. Additional environmental review would be required once an application is received for residential development. These opportunities for further environmental review will allow for meaningful and appropriate analysis of agricultural resources as specific changes and plans would be proposed which to base an analysis. Adherence to County development review process and policies regarding protection of agricultural resources will ensure impacts to agricultural resources are less than significant. (1, 4, 5)

- c) **No Impact.** No other changes are expected to occur to the environment from the implementation of the Housing Element that will result in conversion of farmland to non-agricultural uses. (1, 5)

3. Air Quality

Environmental Setting

The federal Clean Air Act (CAA) and the California Clean Air Act (CCAA) mandate the control and reduction of certain air pollutants. Under these Acts, the United States Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for certain "criteria" pollutants. These pollutants are carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen oxides (NO_x), lead, particulate matter less than 10 microns in diameter (PM₁₀), and particulate matter less than 2.5 microns in diameter (PM_{2.5}). Areas where residential development may occur as a result of the Housing Element are located within the North Central Coast Air Basin, which is comprised of Santa Cruz, San Benito, and Monterey Counties, and is regulated by the Monterey Bay Unified Air Pollution Control District (MBUAPCD).

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

- a) **No Impact.** The MBUAPCD has indicated that a certain amount of new residential development has been accounted for in the area's Air Pollution Control Plan. The AMBAG Population and

Employment forecasts are issued for the MBUAPCD. The total new construction need for the 2007-2014 program period is 1,655 units. The 1,655 units represent 40% of the projected 4,296 increase in dwelling units in unincorporated San Benito County between 2010 and 2020, according to the 2008 AMBAG Population and Employment Forecasts. The project will not obstruct implementation with MBUAPCD Air Pollution Control Plan. No impact will occur. (1, 7, 10)

- b) **No Impact.** The project does not involve any construction activity, so the project will not directly violate or contribute to any violation of any air quality standard. Residential development to fulfill project needs will be evaluated on a project-by-project basis to ensure air quality impacts are addressed. No impact will result. (1, 7)
- c) **Less-than-Significant Impact.** The County is located in the North Central Coast Air Basin that is designated “non-attainment” for ozone and PM₁₀. The project will not directly increase emissions of the pollutants or pollutant precursors since the project does not involve any development activity. Residential development will be assessed on a project-by-project basis in accordance with County policy to evaluate potential air quality impacts. Cumulatively considerable impacts are anticipated to be less than significant. (1, 7)
- d) **Less-than-Significant Impact.** Construction of new homes will require additional access roads, drainage facilities, and other improvements that would require site grading. Particulate dust generated from the site preparation construction activities could impact adjacent properties. This could potentially create significant construction related air quality impacts. The County has established grading and site preparation regulations that require the site to be watered during grading activities to minimize increases in particulate dust and wind-borne dust. Construction-related air quality impacts are anticipated to be less-than-significant with the application of standard County regulations to reduce air quality impacts to future development projects. (1, 7)
- e) **No Impact.** Refer to discussion 3.b. above.
- f) **No Impact.** The project is a policy document related to the provision of housing, and housing does not generally create objectionable odors. No impact will occur. (1)

4. Biological Resources

Environmental Setting

General Plan Open Space and Conservation Element Policies 1, 2, 3, 4, and 5 protect biological habitats from intense development, avoid fragmentation of open space, avoid encroachment on wetlands, and project oak woodlands. San Benito County has established San Joaquin Kit Fox habitat areas, and the Natural Diversity Data base for San Benito County outlines habitat areas for other at-risk species. Project applicants are required to pay Kit Fox impact fees and wildlife Habitat Conservation fees appropriate to the site as part of the building permit costs. Ministerial projects must undergo Planning Department review for site suitability prior to project approval. For projects subject to CEQA, environmental review and mitigation would be required prior to building site approval.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

- a)-b) **No Impact.** Areas identified in the Housing Element as potential housing sites, are generally vacant, underdeveloped, or currently in agricultural production. These undeveloped lands are generally used for dry farming, orchard and row crops, or are left fallow. Generally, urban encroachment and agricultural disking have diminished the habitat value of these lands with the exception of riparian corridors and drainages. There are drainage corridors that could be subject to infill development as a result of the implementation of the Housing Element, but the timing and location of these developments is speculative at this time. Future subdivision and use permit would be subject to environmental review and must be designed to comply with Open space and Conservation Element policies 2 and 8 to direct development away from drainage corridors and to maintain corridors for habitat. Future subdivisions will also be subject to compliance with Open Space and Conservation Element policies to preserve natural resources, including policies for the

protection of threatened and endangered species. No impact to candidate, special status, or sensitive species is expected to occur as a result of project implementation. (1, 6)

- c) **No Impact.** Potential housing sites identified in the Housing Element do not contain protected wetlands, no impact will occur. (1, 6)
- d) **No Impact.** Refer to a)-b) above.
- e) **Less-than-Significant.** The project itself does not contain any plans for tree removal although development of potential housing sites is anticipated to occur as a result of the implementation of the Housing Element, which could potentially lead to tree removal. Future development and buildout of identified sites will be subject to review and approval by the Planning Department and considered in conjunction with the County’s Conservation and Open Space Element policies for the protection of trees. This impact is considered less-than-significant. (1, 6)
- f) **No Impact.** The project is a policy document related to the provision of housing, and housing does not generally create objectionable odors. No impact will occur. (1, 6)

5. Cultural Resources

Environmental Setting

The County has identified the historic quality of the communities of Tres Pinos and New Idria within the General Plan and policies to protect them. Program 2-6 of the Housing Element, calls for the rehabilitation of single-family and multi-family residential property to serve the extremely low-income population. Additionally, Table 10-1 of the Housing Element identifies a goal of 10 units to be rehabilitated in the program period.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation

- a) **Less-than-Significant.** The project will not directly cause a significant change in any historical resource, as it is a policy document without proposal for development. The project does include policies for the renovation and land to more efficiently utilize development resources and to

promote opportunities for the provision of housing. The County's General Plan includes a list and map of identified historical and cultural resources located in the County. Further, Policies 50 and 51 of the General Plan Conservation and Open Space Element supports the preservation of historical resources. Impacts to historic resources will therefore be less than significant. (1)

- b) **Less-than-Significant.** Archeologically sensitive areas within the County have been outlined on the San Benito County Archeological Sensitivity and Prehistoric Cultural Resources Map. Projects within a sensitive area are subject to ministerial review for site suitability prior to project approval. For projects subject to CEQA, environmental review and subsequent mitigation is required to avoid building in sensitive areas. As part of environmental mitigation it is required that a qualified archeologist observer present during scraping, grading, or construction. Impacts to archeological resources will therefore be less than significant. (1, 6)
- c) **Less-than-Significant.** The project is not expected to impact any paleontological resources. Should any paleontological resources be discovered during ground disturbing activities for any residential development project on a previously developed site, independent CEQA review conducted by for individual projects will indicate what mitigation is required if any. Compliance with existing law will reduce impact to less than significant level. (1)
- d) **Less-than-Significant.** If human remains be discovered during ground disturbing activities associated with any housing development on previously developed site, the developer will be required to comply with CEQA Section 21083.2 and the CEQA Guidelines Section 15064.5 regarding determination and mitigation. Compliance with existing law will reduce impact to a less than significant level.

6. Geology and Soils

Environmental Setting

The County of San Benito is located in the Central Coast range of California. The Diablo range borders the County to east and the Gabilan range to the west. The two urban centers, San Juan Bautista and Hollister, are located on the nearly flat valley floor between these ranges, in the northern portion of the County. Geologically young, unconsolidated stream deposits underlie the valley floor. The floor gives way to low foothills and piedmont slopes to the west and east. These older deposits have been locally modified by renewed surface erosion. The higher and steeper mountain areas of the two mountain ranges are underlain by a variety of semi-consolidated to consolidated bedrock material. San Benito County is in a highly seismic area. The San Andreas Fault system extends from the Gulf of California in northern Mexico northwestward through Western California and into the Pacific Ocean off Point Arena, a distance of more than 600 miles. The San Andreas Fault has been mapped from the northern portion of the County, a short distance east of Aromas diagonally through the entire length of the County, passing immediately east of San Juan Bautista and emerging at the southern border of the County, approximately 3.5 miles west of Priest Valley. The Hayward/Calaveras Fault passes through Santa Clara County and enters San Benito County at San Felipe Lake, terminating at a point just south of Hollister. Numerous other faults, both named and unnamed, have been mapped within the County. Some of these faults are active; others have had no movement observed on them during recorded history. Other geologic hazards in the Planning area include landslides, oil erosion and deposition, flooding, and expansive soils.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

a)-c) **Less-than-Significant Impact.** The project has the potential to expose people and structures to seismic hazards as a result of future residential development within the County. The County’s General Plan Seismic Safety Element contains policies to prevent the loss of life, to reduce injuries and property damage, and to minimize economic and social dislocations that could result from a major earthquake. Development of housing sites must be designed to minimize the potential for structural damage from ground shaking and other seismic hazards. Ministerial projects must undergo Planning Department review for site suitability prior to approval. Where development projects are proposed within seismic and landslide hazard areas site-specific geotechnical investigations and soils reports will be prepared as part of the site improvement plans. The Alquist-Priolo Earthquake Fault Hazards Act requires site specific evaluation to establish the location of the fault on the property for any subdivision located within the Alquist-Priolo Earthquake Fault Hazard Zone. Future development will be required to comply with the law to avoid risk of surface fault rupture from the construction of potential new housing sites to

comply with San Benito County’s regional housing needs. Impacts from seismic hazards are therefore considered less than significant. (1)

Construction of future residential development may require earth removal, clearing and grading which could result in an increase in erosion. Each development will be reviewed on a project-by-project basis. Each development would be subject to separate environmental review at the time a specific development proposal is made, and project constraints from erosion would be evaluated at that time. Therefore, these impacts are considered less than significant. (1)

- d) **No Impact.** Residential development will be evaluated on a project-by-project basis. Site suitability review will incorporate analysis of expansive soils in the planning process. (1, 3)
- e) **No Impact.** Residential development will be evaluated on a project-by-project basis. Percolation tests to verify the septic suitability of soils on site are required prior to development of septic facilities. (1, 3)

7. Hazards and Hazardous Materials

Environmental Setting

Chapter 7 of the Housing Element discusses environmental constraints to provide residential housing within the County. The County faces many environmental constraints to providing housing due to its location between the Gabilan Mountain Range and the Diablo Mountain Range. The California Department of Forestry has classified vast areas of the County as Very High Fire Hazard areas due to the topography of the land and vegetation type. The County Hazardous Waste Management Plan identifies five sites as potential hazardous waste sites as potential hazardous waste sites, which the EPA and/or DHS oversee where appropriate. The County Waste Management department oversees operation and cleanup of the John Smith Landfill.

The County has two public airports, one private, and one heliport with numerous other private land strips.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation

- a)-d) **No Impact.** The proposed project, the update of County’s Housing Element, will not create residential development, but the policies and programs will lead to residential development. The County’s Hazardous Waste Management Plan identifies five sites as potential hazardous waste sites, which the EPA and/or DHS oversee or monitor where appropriate. Each development project will be reviewed on a project-by-project basis for site suitability in regards to potential hazards associated with the use or site. If hazards exist, the project will warrant review under CEQA, and the appropriate environmental review is performed. No impact will result. (1)
- e)-f) **No Impact.** Residential development may be located within the vicinity of the County’s airport. Development projects will be reviewed on a project-by-project basis for site suitability in regards to hazards associated with proximity to airports. Additionally, the County’s General Plan Transportation Element Policy 28 prohibits land uses that interfere with safe aircraft operation while Policy 29 restricts development within airport clear zones. No impact will result. (1)
- g) **No Impact.** The proposed Housing Element will not interfere with any emergency response or evacuation plans. No impact will result. (1)
- h) **Less-than-Significant Impact.** The project itself, does not propose residential development, although the programs contained in the Housing element may lead to residential development in areas of the County that would expose people or structures to a significant risk from wildland fires. As stated above, residential development will be reviewed on a project-by-project basis for

site suitability, in particular regarding hazards associated with wildland fires. Additionally, General Plan Open Space and Conservation Element Policy 40 require new development to conform to fire protection agency standards and to reduce risk to a level of acceptability. This represents a less than significant impact. (1)

8. Hydrology and Water Quality

Environmental Setting

The majority of San Benito County is within the Central Coast Region. Most of the eastern portions of the County are located within two sub-basins of the San Joaquin Region – the San Joaquin and Tulare lake sub-basins. Groundwater is the primary source of domestic and agricultural water in the County. Groundwater is generally poor with high concentration of Total Dissolve Solids, Conductivity, and Hardness. Chapter 7 of the Housing Element evaluates water resources in the County’s ability to select appropriate sites for residential development.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation

- a) **Less-than-Significant Impact.** Because the project is a policy document that facilitates the production of housing, the project does not include any components that would directly violate water quality or discharge standards. Adoption of the Housing Element will facilitate residential development, which would incrementally increase the need for water supply services. Residential development pursuant to project policies would be required to comply with General Plan Open Space and Conservation Element Policies 30 and 31, which require development projects to avoid impacts to groundwater quality. With application of standard development practices and compliance with General Plan policies, impacts to water quality will be less than significant. (1)
- b) **Less-than-Significant Impact.** The project is designed to promote the development of housing to meet the RHNA for unincorporated San Benito County. Increases in the County’s population may result in an increased demand on water resources. The County is served by Sunnyslope Water District and San Benito County Water District. Groundwater is the primary source of domestic and agricultural water in the County. General Plan Open Space and Conservation Element Policy 34 requires that evidence of water quality and quantity be provided for approval of development projects. Therefore, impacts to groundwater supplies will be less than significant. (1)
- c) **Less-than-Significant Impact.** The project does not involve any development activity, so the project will not result in direct on or off site erosion. Adoption of the Housing Element will facilitate residential development. Residential development facilitated by project policies will be subject to General Plan Open Space and Conservation Element Policies 8 and 9 which require minimization of development within drainage basins and aim to protect water quality in watersheds. Adherence to these policies and County standards will result in less than significant impacts to drainage patterns. (1)
- d) **Less-than-Significant Impact.** The project does not involve any development activity, so the project will not result in direct on or off site flooding. Adoption of the Housing Element will facilitate residential development. Residential development facilitated by project policies will be subject to General Plan Open Space and Conservation Policies 36, 37, 38, 39, 42, and 43, which generally restrict development within floodplain and aim to reduce impacts to floodplains from

development. Adherence to these policies and County standards will result in less than significant impacts to flooding. (1)

- e) **Less-than-Significant Impact.** The project will not directly impact the County's storm drain system. Adoption of the Housing Element will facilitate residential development, which would incrementally increase the need for storm drain systems. Residential development pursuant to Housing Element policies will be subject to development impact fees for maintenance and improvement to storm drain systems. Impact will be less than significant. (1)
- f) **No Impact.** No additional water quality impacts are anticipated since the project does not involve any development activity. .
- g) **Less-than-Significant Impact.** The project will not place housing directly in a 100-year flood hazard area because no development activity is proposed as part of this project. Adoption of the Housing Element will facilitate residential development. General Plan Open Space and Conservation Element Policy 39 prohibits the creation of new parcels entirely located within a hazard zone (floodplain). Policies 37 and 38 limit residential densities and prohibit development on existing lots within floodplains. Policies 42 and 43 discourage development within floodplains to protect these wetland resources and reduce effects of flooding on development. Adherence to these policies and application of standard County practices will assure impacts to flood hazard areas will be less-than-significant. (1)
- h) **Less-than-Significant Impact.** See response 8.g. above.
- i) **Less-than-Significant Impact.** See response 8.g. above.
- j) **Less-than-Significant Impact.** General Plan Land Use Element Policy 36 requires the County to maintain high standards of siting and design in the development of all uses. If a hazard exists, the project warrants review under CEQA, and the appropriate environmental document is generated and circulated for review. Adherence to this policy will assure impacts from potential seiche, tsunami, or mudflow will be less than significant. (1)

9. Land Use and Planning

Environmental Setting

San Benito County General Plan

The proposed Housing Element: 2007-2014 consists of revisions to the County's existing 2005 Housing Element. The 1994 San Benito County General Plan is the planning document that guides development within the County boundaries. The General Plan is currently in the update process. The County will monitor the update and adoption process of the General Plan (expected to occur late 2009 to summer of 2011) for any proposed changes that would make the updated General Plan inconsistent with the proposed Housing Element.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

- a) **No Impact.** The project will not physically divide an established community. The project is a policy document designed to meet the housing needs of the County and identifies existing opportunities consistent with the General Plan land use policy. In addition, the document identifies additional opportunity sites for residential development that will require a zone change or General Plan amendment. These sites, if developed, would not physically divide an establish community as they are located adjacent to residential land uses. No impact will result. (1)
- b) **Less-than-Significant Impact.** The project works to implement adopted General Plan land use policy. Programs in the Element require revisions to the Zoning Code to remove barriers to the production of housing pursuant to land use policy. These revisions are discussed below.

Emergency Housing

Emergency housing provides short-term shelter for homeless persons and other persons facing difficulties. The County' Zoning Code does not address emergency housing or supportive housing. Supportive housing is defined as housing with no limit on length of stay. In order to be consistent with state law, the Housing Element, includes Program 1-9, which requires the Zoning Code to be amended to permit emergency housing by right in certain zones and permit supportive housing, subject to only those regulations governing other types of housing, whether single-family or multi-family.

Temporary Farmworker Housing

Program 2-12 aims to expand temporary farm labor housing. The project requires the Zoning Ordinance to be amended to allow the use of recreational vehicles for seasonal farm labor housing up to 180 days.

Additional Acreage

Program 2-15 will require an additional 13.9 acres of Residential Multiple (RM) zoning and an additional 53.4 acres for Single-Family Residential (R1) zoning.

Front Setbacks

Program 2-16 will amend the Zoning Ordinance to allow administrative approval of front setbacks under 20 feet for lots under 7,200 square feet in Residential Multiple (RM) zoning, with 15 feet as the absolute minimum front setback.

The project includes various goals, policies, and programs aimed at meeting the County’s RHNA. The primary goals of the project are as follows:

- Goal 1.0 Availability of Housing
- Goal 2.0 Development of Housing
- Goal 3.0 Maintenance of Housing
- Goal 4.0 Equal Opportunity in Housing
- Goal 5.0 Energy Conservation

These changes to the zoning code will not result in any new or additional impacts beyond those identified in this IS. These changes are not meant to conflict with existing land use policy and will be consistent with General Plan policies. These goals are not designed to circumvent any regulation adopted to mitigate an environmental impact. These policies and programs to implement these goals will not impact any environmental regulation. No impact due to the goals, policies, and programs of the project will occur.

- c) **No Impact.** The project site is not located within any habitat conservation plan or natural community conservation plan areas. No impact will occur. (1)

10. Mineral Resources

Environmental Setting

In San Benito County, significant aggregate resources in the northern portion of the County have been classified and mapped through the authority of the Surface Mining Reclamation Act (SMRA). This was done to ensure that significant mineral resources can be protected from premature and/or incompatible development and will be available for extraction over the next 50 years.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
residents of the state?				
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

a-b) **No Impact.** Potential sites for residential development identified in the Housing Element are located outside of significant mineral resources areas as mapped in the resources and constraints inventory of the San Benito County General Plan. Implementation of the Housing Element program will have no impact on mineral resources. (1)

11. Noise

Environmental Setting

There are four major sources of noise in San Benito County: 1) roadways, 2) airports, 3) railroad, and 4) stationary sources, such as industrial plants. Ground and air transportation are the greatest sources of noise pollution in the County. Due to the rural nature of the County, there are no major conflicts between noise generators and residents in the unincorporated area of the County.

The General Plan recognizes land uses within unincorporated areas as sensitive to noise, including schools, churches, hospitals, nursing homes, parks, and campgrounds.

Environmental Impacts

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

- a) **No Impact.** The County’s General Plan Noise Element contains policies to protect community residents from noise that would jeopardize their health or welfare. Future residential developments as a result of the implementation of the updated Housing Element is not expected to expose persons to noise levels in excess of standards established in the General Plan or the County’s Noise Ordinance. No impact will result. (1, 3)
- b) **Less-than-Significant Impact.** The project is a policy document; it will not directly expose persons to excessive groundborne vibrations. Residential land uses constructed pursuant to Housing Element policy are not common sources of excessive ground vibration. Impact will be less than significant. (1)
- c) **Less-than-Significant Impact.** The project will not directly increase ambient noise levels throughout the County since it does not involve any construction activity. However, any residential development pursuant to Housing Element policy has the potential to incrementally increase local ambient noise levels. Future residential development as a result of implementation of the programs contained in the Housing Element is not expected to result in a substantial permanent increase in ambient noise levels. Ministerial projects must undergo Planning Department review for site suitability prior to project approval. For projects that would not be exempt from environmental review, the environmental document would address this issue. Policies and standards contained in the General Plan and Noise Ordinance are meant to maintain the County’s rural atmosphere and encourage compatibility of land uses. Therefore, impact will be less than significant. (1)
- d) **Less-than-Significant Impact.** Temporary increases can be expected as a result of residential construction from the update of the Housing Element. The County’s Noise Ordinance contains standards to restrict construction hours on a project site from 7 AM to 7 PM. Projects will be reviewed on a project-by-project basis and if further environmental analysis is required by CEQA to address noise impacts. Noise from construction of the project will be temporary and intermittent, it will at times exceed the San Benito County General Plan noise level guideline of 60 L_{dn}. Construction noise represents a less-than-significant impact. (1, 3)
- e)-f) **No Impact.** General Plan Transportation Element Policy 28 prohibits land uses that interfere with safe aircraft operation. Policy 29 restricts development within airport clear zones. Therefore, implementation of the Housing Element is not expected to conflict with noise impacts from airport land uses in the County. No impact will result. (1)

12. Population and Housing

Environmental Setting

The County maintains a rural atmosphere, and the County’s General Plan Land Use Element designates lands as such to maintain rural atmosphere while allowing policies to determine the rate of growth of residential development.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

- a) **Less-than-Significant Impact.** The project promotes the production of housing consistent with adopted land use policy. The County’s portion of affordable units to provide in the 2007-2014 program period is 1,655 units. The additional 1,655 RHNA units could add approximately 5,379 persons (1,655 dwelling units times 3.25 average household size) to the total unincorporated County population of 2008 of 18,859 in the Housing Element program period 2007-2014 (California Department of Finance). This increase would represent a 29% increase over the 2008 population level for the unincorporated County. AMBAG population projection for the unincorporated portions of the County by year 2020 is 24,720 persons. The growth projected as a result of this project is consistent with the region’s population growth estimates.

Program 2-15 of the Housing Element will result in the eventual zone change and/or general plan amendment of sites within the county to residential uses that allow higher density residential development than what is currently allowed on these sites. Increases in population from these sites are not expected to exceed residential capacity or population estimates provided in the County’s General Plan Land Use Element Table 1 “Unincorporated San Benito County Land Use Breakdown.” General Plan buildout anticipates population growth of 159,361 on 889,024 acres. Potential population growth from the additional acreage from Program 2-15 could range from 2,320 to 4,611 persons on 154.4 acres.² This increase represents a range of 1.5% to 2.9% of the

² Assumes Area B is built out at maximum capacity of Rural/Urban General Plan designation of 25.45 persons per acre, North of Hospital Road site built out at maximum capacity of Rural Residential designation of 6.36 persons per acre. The 120 acre site located east of Fairview could either be built out at General Plan Rural/Urban

County's total buildout population estimate of 159,361. Additionally, these population projections would be even lower considering only 63.9 of these 154.4 acres are needed to be rezoned to accommodate the County's RHNA for the program period 2007-2014 as identified in the Housing Element. The project will not result in any increases beyond population estimates presented in the General Plan. Additional environmental analysis of population growth from these sites will be required once an application for a general plan or zone change is submitted to the County. Therefore, impacts to population growth from the proposed Housing Element update will be less-than-significant. (1)

- b) **No Impact.** The project will not displace existing housing. The project promotes the construction of new housing to satisfy a portion of the anticipated regional population growth. Those individual housing projects, which will be subject to review under CEQA, will be evaluated for impacts to existing housing stock. No impact will occur.
- c) **No Impact.** The project will not displace people since it does not involve the demolition of any housing or rezoning of any properties designated for residential use. No impact will occur.

13. Public Services

Environmental Setting

Unincorporated San Benito County is served by Sunny Slope County Water District, Tres Pinos Water District, and Aromas Water District. The California Department of Forestry and Fire Protection (Cal Fire) provides fire services in the County. San Benito County Sheriff's Department provides police protection services. San Benito Office of Education provides school services in the County, which includes 12 districts. San Benito County Public Works Department provides park services in the unincorporated portions of San Benito County.

Environmental Impacts

Would the project result in:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Designation or Rural Residential designation, which allows for the range. These are general assumptions. Actual numbers will vary depending on project proposals.

d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation

a)-e) The project does not involve any construction activity; therefore, it will not directly impact the provision of fire protection, police protection, school, or park services. Adoption of the Housing Element will facilitate residential development, which would incrementally increase the need for fire, police, school, and park services. Residential development is subject to development impact fees and County Service Area (CSA) fees to compensate need for additional fire, police, school, or park services. Impacts will be less-than-significant with adherence to these standards. No additional impacts to public services are expected to occur. (1, 3)

14. Recreation

Environmental Setting

The project is proposed in a rural residential community, and there are no parks or other recreational facilities in the project vicinity.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation

a) **Less-than-Significant Impact.** As indicated above in Section 13, park impact fees will be required for building permit approval for construction of dwellings. However, under the policies of the General Plan and implementation of impact fees, these impacts are considered to be less-than-significant. (1, 3)

b) **Less-than-Significant Impact.** The Housing Element programs do not include the construction of new recreational facilities. Adoption of the Housing Element will facilitate residential development, which would incrementally increase the need for recreation facilities. The construction and expansion of recreational facilities may occur as the result of new residential development. Those new or expanded park facilities subject to review under CEQA will be

evaluated on a project-by-project basis to determine impacts on the environment. Therefore, impacts to recreational facilities are considered less-than-significant. (1)

15. Transportation and Traffic

Environmental Setting

Federal and State Highway and County roads, Southern Pacific Railroad, two public and one private airport, a heliport, and public transit serve San Benito County. Historically, growth in the incorporated and unincorporated portions of northern San Benito County has created the need to reserve additional rights-of-ways on existing arterials and collectors. The General Plan Transportation Element aims to correlate land use activities within the County with the capabilities of its transportation system.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

- a) **Less-than-Significant Impact.** The project will not directly impact existing roadways since it does not involve any development activity. Residential development pursuant to the Housing Element update will increase traffic on local roadways. The Housing Element indicates additional sites will need to be rezoned and/or re-designated to achieve the RHNA, although

population projections for these sites will not exceed capacity of the General Plan buildout as demonstrated in Section 12 Population and Housing. (1, 3)

- b) **Less-than-Significant Impact.** Adoption of the Housing Element will facilitate residential development, which would incrementally increase traffic levels within the county roadway system. Several roadways in the County are currently experiencing traffic levels of service near a “F” Level of Service (LOS). Creation of new lots has been limited within the County. Ordinance 544 allowed the County to establish fees for traffic impacts from building projects. Residential development pursuant to Housing Element policy will be subject to this standard and analyzed accordingly. Impacts will be less than significant with continued application of existing practices and programs. (1, 3)
- c) **No Impact.** The project does not involve any development activity that will result in projections into regulated air space; therefore, air traffic patterns will not be affected by this project. (1)
- d) **No Impact.** The project will not result in the construction of any roadway improvements nor introduce incompatible traffic uses. No impact will result.
- e) **No Impact.** The project does not include any provisions, such as roadway changes or development activity, that would obstruct emergency access. No impact will result.
- f) **No Impact.** No parking is proposed by the project. Residential parking standards are regulated under Section 18-167 of the Zoning Ordinance. All new residential development facilitated by the project will be required to comply with Municipal Code requirements. No impact will result. (1, 3)
- g) **No Impact.** The project does not include provisions that will conflict with the support of alternative transportation. No impact will result.

16. Utilities and Service Systems

Environmental Setting

Water and wastewater agencies in San Benito County include the City of Hollister, City of San Juan Bautista, Sunnyslope County Water District, and San Benito County Water District. Groundwater is the primary source of water in San Benito County. Local groundwater quality is generally poor with a high concentration of Total Dissolved Solids, Conductivity, and Hardness. In the rural areas of the County, wastewater treatment and disposal service is provided by individual septic systems.

Environmental Impacts

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation

- a) **No Impact.** The Housing Element only provides programs to facilitate the housing development pursuant to adopted land use policy; therefore, the project will not result in any exceedances of regional wastewater treatment requirements. No impact will result.
- b) **Less-than-Significant Impact.** The project itself will not result in construction activity, therefore there will be no direct impacts to wastewater treatment systems. Adoption of the Housing Element will facilitate residential development, which would incrementally increase the need for wastewater services. Wastewater treatment for housing in the 2007-2014 program period will be from septic systems and/or municipal water disposal systems, which are subject to requirements of Chapter 15.07 of the County's Municipal Code Sewer and Sewage Disposal and require approval from County Environmental Health Department and possibly the Regional Water Quality Control Board. Adherence to these standard County requirements will assure impacts to wastewater treatment will be less-than-significant. (1, 3)
- c) **Less-than-Significant Impact.** The project will not result in the construction of new storm drain facilities. Adoption of the Housing Element will facilitate residential development, which would

incrementally increase the need for storm drain facilities. Residential development constructed pursuant to the project may require localized improvements to storm drain facilities. Residential development is subject to development impacts fees and CSA, as indicated above in Section 13, Public Services. With continued application of County review practices, the impact will be less-than-significant. (1, 3)

- d) **Less-than-Significant Impact.** The project is designed to promote the development of housing to meet the RHNA for San Benito County. Expansion of the population due to new housing development could increase demand on water resources. Chapter 7 of the Housing Element describes water supply constraints to residential development in the unincorporated areas of the County. The San Benito County Water Resources Association was formed to assess the complex groundwater management and wastewater disposal issues facing the County. The Association circulated a DEIR in 2003 with numerous programs to maintain an adequate supply of water quantity and quality. Additionally, General Plan Policy 34 requires evidence of sufficient water supply be provided for approval of development projects. Each project will be reviewed on a project-by-project basis, and further environmental review may be required to address water supply issues for future residential projects. Adherence to standard County practices and General Plan policies will assure impacts to water supply are less than significant. (1, 3)
- e) **Less-than-Significant Impact.** Wastewater treatment systems are anticipated to be adequate for the proposed project (see Section 16.b). Impact on wastewater treatment facilities will be less than significant. (1)
- f) **No Impact.** The project will not directly impact solid waste services or disposal facilities. Residential development will increase needs for solid waste services. Adoption of the Housing Element will facilitate residential development, which would incrementally increase the need for solid waste services. All new residential developments will be subject to the County's solid waste regulations contained in Chapter 15.01 of the Municipal Code. Adherence to these standard County regulations will assure impacts to solids waste services will be less than significant. (1, 3)
- g) **No Impact.** The project will not directly impact solid waste regulations. The project will not impact the County's capability to meet State solid waste and diversion requirements. No impact will occur.

17. Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Explanation

- a)-c) **Less-than-Significant Impact.** The project will not result in significant impacts associated with the CEQA mandatory findings of significance. Based on the analysis provided in this Initial Study, the proposed project will not substantially degrade or reduce wildlife species or habitat, impact historic resources, result in significant cumulative impacts, or cause adverse effects on humans. (1, 2, 3, 4, 5, 6, 7, 8, 9, 10)

VI. References

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8. San Benito County General Plan EIR

9. Water Quality Control Plan for the Central Coast Basin
10. 2008 AMBAG Population, Housing Unit & Employment Forecasts